
ABOUT THE FIRM

Criminal Defense Trial Lawyers Michelle Suskauer and Scott Suskauer began their careers as public defenders for Palm Beach County's Fifteenth Judicial Circuit. In 1994, Scott founded The Suskauer Law Firm and Michelle joined the Firm in 1997.



Our lawyers have more than 37-plus years of combined experience and they have participated in hundreds of criminal defense trials, both jury and non-jury. At The Suskauer Law Firm, our Florida Bar Board Certified Criminal Trial Lawyers help families through these challenging legal procedures, providing direction and support while effectively developing the strongest possible strategy for each case.

The Suskauer Law Firm focuses on representing clients in both state and federal court in the areas of domestic violence, alcohol related offenses, juvenile offenses, drug offenses, sexual offenses, violent offenses, white collar crimes and federal offenses.



Super Lawyers



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The Defense Never Rests

BOARD CERTIFIED CRIMINAL TRIAL ATTORNEYS

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DRUGS AND NARCOTICS

**What You
Need to Know...**



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FAQ'S ABOUT PALM BEACH COUNTY DRUG/NARCOTIC ARREST

The Suskauer Law Firm provides aggressive, intelligent defense of Drug/Narcotic charges. Everyday our attorneys receive questions from people who have been charged with Possession of Drugs/Narcotics and don't know who to turn to for help. We hope these questions help answer some basic concerns:

Q: I use drugs, but I have never sold them. The police arrested me with narcotics and charged me with possession for sale. Is that allowable?

The law does not require the police to prove you DID sell, just that your intent was to sell. This is done by the circumstances of the possession and by expert opinion of the police. Factors such as the way it was packaged (many small bundles - "packaged to sell"), and what was found with the drugs (items such as scales) can help identify the likely intentions. In addition, experienced narcotics officers will be allowed to testify that from their experience, these factors and the quantity of drugs found are consistent with the intent to sell the drugs.

Q: A friend gave me a ride and the cops pulled him over for a traffic infraction. During the procedure they spotted drugs in the open ashtray and they charged me along with my friend for possession. Those were not my drugs. How can they do that?

This is a common misconception: It's the POSSESSION that is illegal, and you do not have to have something in your hand or on your body to "possess" it. The police don't know who put the drug/narcotic in the ash tray (which sits right between the two of you). Unless your

buddy talks and claims it, he's leaving the possibility open that he was innocent and the drugs were yours. As a result, the police will arrest everyone who was within arm's reach of the substance. This is a case you will certainly want to fight aggressively, but also be aware in the future that whom you hang out with can have serious consequences. Just being near illegal drugs is risky, even if you are not taking drugs.

Q: I was stopped by a traffic cop for a driving infraction, and without my permission, he searched my car and found some marijuana in the trunk. At the hearing, the officer said he saw seeds on the floor and they were in "plain view", but the drugs in the trunk weren't. Can a lawyer get the drugs excluded from evidence as illegally seized?

Not if you assume the fact that he did see the seeds. That would give him "probable cause" to search for drugs elsewhere. But did he seize any seeds from the floor to mark into evidence? Do you dispute his claim that there were seeds on the floor? If so, we might attack his testimony on the lack of physical evidence. In addition, there is the issue of whether you KNEW the drugs were in the trunk.

Q: I have heard the term "unwitting possession". What does it mean and is it a valid defense?

Unwitting possession means that you possessed a contraband substance without knowing you had it. The classic case is borrowing someone's car and the owner had drugs hidden in the car. The defendant usually has the burden of proving unwitting possession by a preponderance of the evidence.

PALM BEACH COUNTY LAWYERS WITH EXPERIENCE YOU CAN COUNT ON

The only proper way to defend against Drug/Narcotic charges is with attorneys who know that an attack on the prosecution's case is the only way to get the best possible outcome. The police take Drug/Narcotic charges seriously and often neglect your rights.

At the Suskauer Law Firm, we have the experience to investigate and challenge your Drug/Narcotic charge. We first look at whether the police had reasonable cause to suspect possession or intent to sell. If there was not reasonable suspicion, your charges may be dismissed, or reduced. We also investigate the police behavior during the stop/bust. Did you clearly understand your rights?

We Prepare your Case to Win

We prepare your Drug/Narcotic defense to have all charges dismissed or reduced. We sincerely believe that by preparing well, we will be successful. We have earned a reputation among former clients and prosecutors as aggressive criminal defense attorneys who give you everything we've got to protect your rights and your future.

Resources/Links

Center for Substance Abuse Prevention (CSAP) - <http://prevention.samhsa.gov>

Center for Substance Abuse Treatment (CSAT) - <http://csat.samhsa.gov>

National Clearinghouse for Alcohol and Drug Information (NCADI) - <http://ncadi.samhsa.gov>

National Institute of Drug Abuse – www.drugabuse.gov • The Partnership for a Drug-Free America - www.drugfree.org