

## **A Taunton Criminal Defense Lawyer Says Be Careful Before You Plead Out**

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In criminal law, a lot of people will tell you to plea bargain right away. Even if you committed the crime, the state has the burden of proof beyond a reasonable doubt and you are presumed to be innocent.

There are a lot of factual and legal defenses you have. You can ask that the case be dismissed due to lack of probable cause, citation not handled correctly, the stop and seizure being wrong, the statement being excluded. You can also force the state to provide discovery and if they do not you can have the charges dismissed reduced or evidence excluded. The alleged victim may have a spousal privilege or 5th amendment issue. You can ask for a dismissal due to lack of a speedy trial and more.

I do not mean never to plead out but be careful before assuming that you automatically need to plead out. I have handled cases with these defense and had them dismissed or reduced. I have had many cases dismissed due to witness testimony, lack of probable cause and more. I had a 4th offense OUI reduced to 2nd by the court due to lack of compliance( client told by other attorney to plead out to jail time), a serious sex offense dismissed on my motion for lack of speedy trial, a variety of lack of probable cause cases and much more within the last year.

You need to explore the possibilities before pleading out.