



May 7, 2012

## WARNING – ABOUT DRINKING AND DRIVING IN PATTAYA

**The following was recently provided regarding a person's experience after being stopped and checked by Pattaya Police**

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**A word of warning for those farang who may occasionally have a drink or two, and then drive a motorbike or car in Pattaya.**

As of Friday 13th April Pattaya Police are actively using breath testing to test for people over the drink driving limit of 0.05. They have digital breath testing units they can setup and will stop all traffic, as they do when they have a blitz on.

On Friday 13th April at 2am until about 5am they setup on the corner of 2nd Road and Pattaya Thai (Pattaya South Road), where they often sit looking for people not wearing a helmet. They were stopping all bikes (didn't see any cars but they were on the road blocking most traffic) farang and Thai. They were breath testing all - not sobriety test, straight onto the digital breath testing units. The units have a digital display and a printer. Once you blow if the reading is about 0.050 then they print out the reading and you are arrested on the spot. You will then be taken to the Pattay Soi 9 watchhouse and locked up in the holding cells.

Your phone will be confiscated and you are not allowed a phone call or to contact anyone. Farang's are locked up with Thai's (men and women) in the one lockup in the police station. Not air conditioned, very basic, no seats, just concrete floors, the toilet is behind a waist high concrete barrier and is a bowl with no seat, just a hose and a bucket. This doubles as the shower area, if you were so inclined or happened to be locked up for many days like some of the farang over stay people in there. No water or food is provided, you need someone on the outside to bring you that - and they are generally allowed to hand it through to you. On Friday about 18 farangs were detained (Australians, Americans, Italians, Iran, Israel, India, Swiss - holiday makers and long stayers) and 10+ thai's for drink driving and other offences. If you don't have your passport - it's more difficult - they need to be able to positively ID you to begin processing the paperwork. You are generally not told what will happen or what the process is - if you have someone on the outside then they can get some of the story and relay it, but generally you do not know what will happen or when. And if you are told - it's likely to change, and of course "just wait 10 minutes" really means 2+ hours at least.

Once they have processed all the paperwork, and you have signed some documents in Thai (no translation available, no legal advice, just "is this you? sign here), you will be finger printed (in the cells, Thai long stay prisoners do the finger printing). This took from 5am until midday of waiting in the holding cells at the watch house. Then when everyone is processed you are ready to be moved to the Provincial Court House at Jomtien. To move you all the prisoners (Farang and Thai) are handcuffed and chained together in one long line. Then marched down to a paddy wagon, all squeezed in, some standing for the drive from Soi 9 to the court house at Jomtien. You are then unloaded into the holding area in the court house. The holding area is under the building, not air conditioned, You are unshackled, you have to take your shoes off and sit on the concrete floor. No seating, no smoking, no standing. Sit on the floor with all the other Thai's waiting to be processed. The only toilet available is very bad, there are rubber boots outside that you need to wear because the floor is 1cm deep in urine and the smell is so bad you have to hold your breath (it makes the toilet in the watch house look luxurious). The whole area wreaks of urine as the other holding cells (for those Thai's being held for more serious crimes) just has open urinals. During this process - no communication, no advice, no phone calls allowed, you are told "just wait" ... if you have someone on the outside who knows where you are they can bring you water and snacks, you can also buy some thai food that is sold by a local kitchen. The farangs were processed in the last court sitting of the day, after sitting on the floor from midday until 6pm, signing various court documents during the afternoon.

No translation is provided into any language, all documents are in Thai, no legal advice provided, no explanations - very little english spoken, only enough to get you to sign documents and tell you "sit down", "stand up", "come here". If you dont sign the document you will not be processed - there is no option. In the court room there is no visitor gallery, no visitors allowed, no legal representation, no translation available. About 40 people are processed at the same time, sitting on wooden benches or on the floor. The judge (a woman in this case) speaks NO english (she even had to get help from someone to read out the amounts of the fines in English). Each person with a related charge has their name read out in turn, then stands, the judge then addresses everyone in Thai, then decides on a penalty and reads that out in Thai. For drink driving a motorbike you can expect a fine of 2500 to 2700 baht ... Thai and farang the same. There was no discrimination, positive or negative - you get treated like a Thai. Once all have been sentenced you have to pay the fine to the clerk of the court, on the spot. If you couldn't pay you would be locked up again until you can pay. If you have someone on the outside you are permitted to liaise with them for them to get you the money. You may also be escorted to your accommodation to get money as a last resort.

You will now be relieved that it is all over and ready to walk free, as you have been watching all the Thai's do once they are sentenced ... but wait, there is more!!

If you are a farang you now need to have your passport checked for any possible visa violations - overstay's, back to back tourist visa's etc. However at 6pm on a Saturday night (even worse on a Songkran long weekend) there are no immigration officials available to check your passports. So it's back to the Soi 9 lockup. The trip back to the lockup is sitting packed into the back of a police utility truck, all sitting around the edge packed into the open tray (interesting lack of safety

concern given you have just been booked for an equally dangerous driving offence). You will then be locked up again until the police can arrange for immigration to check your passport. None of this is told to you in advance, you are told as it happens, and after thinking you are processed and free, being put back into the holding cells at Soi 9 is a shock - particularly then being told it's likely you will be held until the next day (which is a Sunday - so perhaps 2 days, but Monday is a public holiday in Thailand - so perhaps 3 days). Fortunately through some furious negotiations by some Thai supporters of some of the farangs who had been assisting, those farangs who had been able to provide a passport to police were advised they would be let out immediately, and then return at a later date for the immigration check (the police will hold your passport). This was at 11:00pm (after returning from the court about 9pm), the farangs with the passports were then called out and released from the cells one at a time. The group being released is then detained further in an office while the head of police decides how to handle the processing, you then have your passport photocopied (main page and visa page), you were given the copy and asked to return to the police station the following week to meet immigration, and collect your phone, passport and motorbike at that time (assuming no immigration violations). Only then, after the 18 hour ordeal are you free to leave.

NO "tourist police" were present or available at any time during this process (not that I believe they would be able to help anyway - but interesting in their absence the entire time considering how high profile they like to be on walking st).

Also - don't think you can flash a few baht and get let off. I'm aware of a number of discreet attempts directed to the police at the testing station of amounts up to 3k baht which were politely returned.

This story is from my personal experience, I was riding a scooter. I have lived in Thailand for 5+ years, I speak reasonable Thai, I have a Thai drivers license, I had 10k baht in cash on me, I had Thai helpers on the outside who know police and were able to plead my case to all levels of police. None of this helped me get processed any faster or dealt with any better. Not that would expect it too - but just as advice for those farang who think they are "special".

I have no complaints - I was guilty. In future I will be catching a taxi.

There is a new police chief in town - and he is cracking down on drink driving.

Be warned!