
	MESQUITE POLICE DEPARTMENT
	305.00 DWI ARREST PROCEDURES
	Effective Date: November, 2015
	Approved: _____ <div style="text-align: center;">  Chief of Police </div>

I. Policy Statement

Driving while intoxicated (DWI) is a serious threat to our community that causes unnecessary deaths and injuries, many of which are innocent victims. Officers of the Mesquite Police Department should use the procedures listed below in order to prevent crashes and increase the safety of our City's roadways.

II. General

- A. A prosecutable DWI case shall not be reduced or dropped without authorization of a lieutenant or above. The authorizing command level officer will make a detailed written report justifying his action.
- B. The arresting officer shall request a criminal history record check regarding each person arrested for DWI and attach the return to the DWI Case Report. If the subject has a previous conviction for DWI within the preceding ten years, then DWI-Subsequent Offense shall be filed in order to preserve the maximum punishment range.

III. Procedures

- A. The arresting officer shall complete and file all applicable paperwork regarding the DWI arrest, including commercial motor vehicles.
- B. Officers shall request a blood sample from the arrested person as provided by law. If the arrested person refuses to provide a blood sample the arresting officer shall attempt to gain a search warrant for the arrested person's blood sample.
- C. Taking of a blood sample by consent or warrant will be done within current practices:
 - 1. Determine if blood draw will be consensual or with warrant and select the appropriate paperwork from the jail.
 - 2. Transport the arrested person to the hospital facility currently approved by the department. The jail sergeant will have a list of approved facilities.
 - 3. After the blood draw, secure the prisoner back in the Mesquite Police Jail and log in the blood evidence.
 - 4. Blood evidence should be logged into the property room and placed into the cold storage lockers. Deviation from this protocol may be necessary for special DWI enforcement periods as approved by the Chief of Police.
 - 5. Officers may use the minimal force necessary to serve the blood evidence warrant.
 - 6. A physician, qualified technician, chemist or registered professional nurse are authorized to collect the blood sample.
 - 7. The taking of the sample must be witnessed by an officer of the Mesquite Police Department who shall record the date and time of the sample.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: D/86-48, D/84-48; REVISED: January, 1996; REVISED: November, 1999; REVISED: August, 2011; REVISED: March, 2013; REVISED: November, 2015

