FREE PREVIEW

PATROL REFERENCE PRESS

Patrol Essentials: Conducting DWI/DUI Enforcement

A Pocket-Reference Guide for Patrol Officers

DETECTION · SFST · IMPLIED CONSENT & CHEMICAL TESTING · REPORT & COURTROOM TESTIMONY

This free preview contains the complete introduction, Foreword, and How to Use this Manual, plus the full Chapter 1 (Why DWI Enforcement Matters) from the 58-page manual.

First Edition — 2026

patrolreferencepress.com

Free sample — not for resale

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

About This Free Preview

This preview gives you the complete opening of **Patrol Essentials: Conducting DWI/DUI Enforcement** — the Foreword and How to Use this Manual, plus the full first chapter, *Why DWI Enforcement Matters*. You'll see the manual's real format: the Quick-Reference card that opens each chapter ("The DWI Enforcement Sequence"), the case-law callouts, officer notes, and the enforcement-sequence breakdown that make the full manual a fast, field-ready reference. If this preview helps, the full 56-page manual continues with the chapters listed on the closing page.

Foreword

Every impaired driver on the road is a rolling crime scene — a multiply-charged instrument capable of killing before anyone can stop it. Night after night, the officers who catch them are not traffic specialists or a dedicated DWI task force. They are patrol officers, working the same beat, watching the same stream of headlights, deciding which of a hundred moving vehicles deserves a second look.

That discipline — seeing the cues most drivers never notice, deciding whether to stop, and then walking a case from the first observation to the witness stand — is the subject of this manual.

This manual walks the full enforcement lifecycle, the way you actually experience it: **Detect** the impaired driver (Chapter 2), **stop and contact** them (Chapter 3), **test** them with the standardized field sobriety tests (Chapter 4), reach the **arrest and chemical-testing** decision (Chapters 5–6), and then **write the report and testify** in a way that survives the defense (Chapters 7–8). It is built on the same question as every book in the Patrol Essentials series: *Can I use this on scene?*

Crucially, this manual is written narrowly so it does not duplicate its stablemates. The general Fourth Amendment architecture of the traffic stop — consent, vehicle search, plain view, search-incident-to-arrest, felony-stop tactics — lives in *Patrol Essentials: Stop, Search & Detention* and *Patrol Essentials: High Risk Traffic Stops*. This manual states only the two or three constitutional anchors it cannot avoid (the roadside-questioning rule, the stop basis) and forward-references the rest. It teaches the standardized field sobriety tests as **theory and administration — a reference aid, not a certification course**; your agency and NHTSA/IACP-approved or state-approved SFST training govern. It does not train you to be a Drug Recognition Expert; drug-impaired awareness here is an officer-safety and documentation layer with a referral to your agency's DRE/ARIDE training. And because implied-consent, per-se-limit, refusal, and warrant law are **state law**, this manual is deliberately state-agnostic — the jurisdiction-specific blanks live in Appendix C, to be filled in with your agency's legal advisor.

No book replaces judgment, training, or your agency's policy. This one is your companion — something to review at roll call, consult on scene, and pull from when you write the report at the end of a long shift.

Patrol Reference Press — Free Sample 2

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

— **Patrol Reference Press**
First Edition, 2026

How to Use This Manual

This manual is designed for the working patrol officer. It is structured so you can find what you need in seconds — whether you are running a mental rehearsal before going in service, reviewing the SFST administration steps in the car before a stop, or drafting the narrative of a DWI report.

Each chapter opens with a Quick-Reference card — a compact summary you can scan in thirty seconds. The detailed breakdown follows, with case citations, practical scenarios, and officer notes woven throughout. If you only have time for the quick-reference, you still walk away knowing the core of the chapter.

Icons and callouts used throughout:

- ⚖️ **CASE LAW** — A decision that shapes the law of the stop, the tests, implied consent, or chemical testing. These are the cases courts cite, and the holdings you should know by name.
- 🛑 **RED LINE** — A bright-line prohibition. Cross this and you risk a suppressed case, civil liability, an injury, or a compromised prosecution.
- 💡 **OFFICER NOTE** — Practical field guidance, common-sense reminders, and lessons learned from real-world enforcement.
- ⚠️ **PITFALL** — A common mistake that costs officers their safety, their cases, or their careers.

What this manual is — and is not. This manual is a reference companion to your agency's DWI/DUI training and your NHTSA/IACP-approved or state-approved SFST certification. **It is NOT a certification course.** The SFST descriptions here are original, house-style summaries for theory and administration — they do not reproduce NHTSA student-manual text, figures, or scoring instruments, and they do not substitute for hands-on, instructor-led training and certification. When SFST administration, DRE/ARIDE qualification, or any state-specific procedure is involved, **your agency's training, your certification, and your agency's policy govern.** Where this manual and your agency's policy conflict, your policy governs.

How the chapters fit together: Chapter 1 frames why DWI enforcement matters and the sequence of the case. Chapter 2 is detection — the pre-stop cues. Chapter 3 is the stop, contact, and field interview. Chapter 4 is the SFSTs. Chapter 5 is the PBT and drug-impaired awareness. Chapter 6 is implied consent and chemical testing. Chapter 7 is the report and warrant paperwork. Chapter 8 is courtroom testimony. Appendices A–D are the reference tools: the verified case table, the report/template pack, the state-law checklist, and the tear-out pocket cards.

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

Disclaimer: This manual is a training and reference aid. It does not constitute legal advice, nor does it replace department policy, POST or agency training (including SFST certification, DRE/ARIDE, or radar/lidar certification), or guidance from your agency's legal advisor. Detection standards, implied-consent statutes, per-se limits, refusal penalties, and warrant procedures vary by state and change over time. When in doubt, consult a supervisor, your training unit, or your department's legal office. Provisional. Verify before you rely — agency policy and your legal advisor govern.

Chapter 1: Why DWI Enforcement Matters

Quick-Reference: The DWI Enforcement Sequence

STAGE	WHAT IT IS	WHERE IT'S COVERED
Detect	See the cues; document the first observation; build reasonable suspicion	Chapter 2
Stop	Legal basis: an observed violation establishing probable cause, or reasonable suspicion supported by specific articulable facts	Chapter 3
Contact & interview	Approach, speech/odor/eyes/admission, the three detection phases, questions	Chapter 3
Test	SFSTs (theory/admin), PBT where authorized; drug-impaired awareness	Chapters 4–5
Arrest & test	Probable cause, implied consent, chemical testing, refusal procedure	Chapter 6
Charge	Report, charging (criminal vs. administrative), warrant where needed, evidence handling	Chapter 7
Testify	Foundation, direct/cross, staying objective	Chapter 8

The bottom line: DWI enforcement is largely a *documentation* discipline. The officer who notices more, writes more, and articulates more — from the first swerve to the final breath result — is the officer whose cases survive. Everything in this manual serves that one outcome: a complete, honest, defensible record.

1.1 The Impaired-Driving Problem

Drunk driving is one of the most persistent and most preventable threats on American roadways. The national numbers are the reason this manual exists: in any given year, tens of thousands of people are killed in alcohol-involved crashes, and countless more are injured or permanently disabled. Alcohol-

Patrol Reference Press — Free Sample 4

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

impaired driving remains responsible for roughly a third of all traffic fatalities nationwide — approximately 30% of U.S. traffic deaths in 2024, per NHTSA alcohol-impaired-driving crash data — a proportion that has held remarkably steady despite decades of enforcement, education, and legal change.

Those are **general national reference points** — the precise annual figure varies with reporting year and methodology, and this manual deliberately does not recite a specific invented number. What does not vary is the conclusion: impaired driving is a leading, predictable, and survivable cause of death on the road, and police officers are the only people who can reliably remove impaired drivers before they kill.

Drug-impaired driving compounds the problem. As legalization of marijuana and the prevalence of prescription and illicit drugs have grown, so has the share of impaired driving that involves drugs alone or drugs combined with alcohol. Officers today must be alert to impairment that carries no odor of alcohol — a theme returned to in Chapter 5.

> 💡 **OFFICER NOTE**
>
> You are the gatekeeper: No camera or automatic system reliably removes an impaired driver from the road — that job falls to the patrol officer who notices, stops, tests, and arrests. Enforcement is not merely "counting cases"; every arrest is an intervention that removes a predictable killer from the road for the remainder of that journey, and often longer.

1.2 The Two Legal Paths to an Impaired-Driving Charge

Impaired-driving statutes generally follow two, often parallel, tracks. Understanding the difference shapes how you build the case.

Per se offense. Most states make it an offense to operate a vehicle with a blood alcohol concentration (BAC) at or above a specified level — 0.08 percent in most jurisdictions (state law controls; Utah currently uses 0.05 for the general adult limit), and lower (often 0.04) for commercial drivers or (frequently 0.02 or 0.00 for some drivers) for underage operators. A per se case rests on the chemical test result: if the driver's BAC meets or exceeds the limit, the elements of the offense are largely met regardless of how well or how poorly they appeared to drive. The chemical test is the heart of a per se case.

Driving-while-impaired offense. Most states separately criminalize driving while impaired by alcohol or drugs — operating a vehicle when the driver's ability to do so safely is impaired, judged on the totality of the evidence (driving behavior, appearance, SFST performance, field observations, admissions, and chemical results). This path does not depend on crossing a specific BAC line; it depends on proof of impairment.

Both tracks are often charged together and tried together, though this is jurisdiction-dependent — the prosecution can rely on whichever the evidence best supports. Confirm your state's charging practice in Appendix C. Your job is to document *both*: the observations that show impairment (the per se-independent evidence) and the chemical results that establish the per se element.

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

⚖️ **CASE LAW**

Berkemer v. McCarty, 468 U.S. 420 (1984): Roadside questioning of a motorist during a routine traffic stop is generally **not custodial** — the Court held that a person temporarily detained for a traffic stop is not "in custody" for Miranda purposes, because the detention is brief, public, and comparatively non-coercive. The practical consequence for a DWI case: the brief roadside questions — asking where the driver is coming from, whether they have been drinking, how much — do not trigger automatic Miranda warnings. This is the anchor of the roadside interview (Chapter 3) and the reason the questioning does not require a rights warning. Its limits are drawn where the stop becomes a de facto arrest or the questioning becomes custodial (Chapter 3, the *Muniz* distinction).

1.3 The Enforcement Sequence and the Officer's Role

The modern DWI enforcement sequence is a ladder with deliberate, documented steps. Missing a rung — or failing to record it — weakens everything above it.

1. **Observation and detection.** The case begins long before the lights come on. The officer sees driving behavior that does not match normal operation, records the time, location, and observed cues, and begins building reasonable suspicion.
2. **The stop decision.** Based on reasonable suspicion (or an observed violation establishing probable cause), the officer decides whether to initiate a stop. Not every suspicion becomes a stop.
3. **Contact and field interview.** The officer approaches, observes appearance, speech, odor, and behavior, and asks questions — gathering the observations and admissions that support probable cause.
4. **The SFSTs.** Where warranted, the officer administers the standardized field sobriety tests to corroborate or refute impairment.
5. **The arrest decision.** When probable cause exists that the driver is impaired, the officer arrests and proceeds to chemical testing under the implied-consent framework.
6. **Chemical testing and refusal.** The officer explains implied consent, obtains (or handles the refusal of) a breath, blood, or urine sample, and documents the process.
7. **The report and charging.** The officer writes the complete, articulated report; charging and any warrant follow.
8. **Testimony.** The officer presents the case objectively at trial.

The officer's role throughout is **investigative and documentation-focused** — not adversarial showmanship. Every step is a chance to add a concrete, honest observation to the record; every step is also a place where a shortcut or an omission becomes the defense's opening.

PATROL ESSENTIALS: CONDUCTING DWI/DUI ENFORCEMENT —FREE PREVIEW

⚖️ **CASE LAW**

The stop basis (forward-reference, not re-taught here). The foundational brief-investigative-stop framework is the territory of *Patrol Essentials: Stop, Search & Detention*, and this manual does not re-teach it. The DWI relevance is simple: a brief investigative stop for suspected impaired driving is justified by **reasonable suspicion** that the driver is impaired, and the observations gathered during that brief stop form the basis for the further inquiry and eventual arrest. (See Chapter 2 for building reasonable suspicion; Chapter 3 for the stop.)

Get the Full 58-Page Manual

Everything you need to build a DWI case that survives from the first swerve to the witness stand

- **Chapter 2: Detection** — the observation-cue checklist, pre-stop cues, building reasonable suspicion, and documenting the first observation.
- **Chapter 3: The Stop, Contact & Field Interview** — the stop basis, approach and contact, the three detection phases, and the roadside-questioning rule.
- **Chapter 4: SFST** — the standardized field sobriety tests, their prerequisites, and the documentation that holds up in court.
- **Chapter 5: PBT & Drug-Impaired** — preliminary breath testing and drug-impaired awareness beyond alcohol.
- **Chapter 6: Implied Consent & Chemical Testing** — *Schmerber*, *McNeely*, *Birchfield*, *Mitchell*; the advisement and refusal script; the blood-warrant framework.
- **Chapter 7: Report & Warrants** — the report builder, charging checklist, and evidence handling.
- **Chapter 8: Courtroom Testimony** — foundation, direct/cross, and staying objective.
- **Appendices A–D:** verified case table, report/template pack, the state-law blank, and tear-out pocket cards.

$19.99

Instant digital download — carry it on your phone, tablet, or print for your duty bag

GET THE FULL MANUAL

https://buy.stripe.com/3cIfZidZx8aJ6Ut3S0grS0g

Patrol Reference Press — First Edition, 2026

This manual is a training and reference aid for law enforcement professionals. Consult your agency's policies and legal advisor for jurisdiction-specific guidance.