1-39  DWI UNIT SECTION

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

1-95 Traffic Section (Formerly 6-3)
2-40 Misdemeanor Traffic and City Ordinance Enforcement
2-41 Traffic Stops
2-42 DWI Investigations and Revoked/Suspended License
2-43 Roadblocks and Checkpoints
2-44 Traffic and Roadway Services
2-46 Response to Traffic Crashes
2-47 Crashes Involving Police Vehicles

B. Form(s)

DWI Offense/Incident Report

C. Other Resource(s)

International Association of Chiefs’ of Police Drug Evaluation and Classification (DEC) Program

D. Rescinded Special Order(s)

None

1-39-1 Purpose

The purpose of this Section policy is to establish guidelines for the DWI Section Unit. The purpose of the DWI Section Unit is to investigate and enforce laws related to Driving While Intoxicated (DWI), train Albuquerque Police Department personnel, and participate in community operations relating to DWI. The DWI Section Unit shall maintain and operate the Crash Removal Vehicle (CRV1) Program.

1-39-2 Policy

It is the policy of the Albuquerque Police Department to establish, train, and use the DWI Unit as a complementary unit to assist the Field Services Bureau (FSB) sworn personnel with DWI-related enforcement, training, and roadblocks.

1-39-3 Definitions

A. Drug Recognition Expert (DRE) Officer
A Department officer who has successfully completed the Drug Evaluation and Classification (DEC) Program and certified by the International Association of Chiefs' of Police as a DRE.

A. Serious-Injury Crash

A crash involving serious injuries which could result in death.

1-39-4 Rules and Responsibilities

A. The DWI Unit Sergeant shall plan, sets up, and conducts DWI-related roadblocks and checkpoints (refer to SOP Roadblocks and Checkpoints for sanction classifications and additional duties).

B. DWI Unit personnel shall:

1. Patrol all areas of the City of Albuquerque and to enforce traffic laws with an emphasis on DWI-related violations (refer to SOP Misdemeanor Traffic and City Ordinance Enforcement and SOP Traffic Stops for sanction classifications and additional duties).

2. Field personnel may request a DWI unit to assist with conducting a DWI investigation or assist with warrants for blood draws.

3. Conducts Drug Recognition Expert (DRE) investigations in conjunction with DWI investigations when probable cause exists (refer to SOP DWI Investigations and Revoked/Suspended License for sanction classifications and additional duties).

4. Complete any DWI investigation for a fatal crash or serious-injury crash (refer to SOP Response to Traffic Crashes for sanction classifications and additional duties); and

5. Assist the Metro Traffic Section with escorts and other major City and Department special events.

C. DWI Unit personnel may respond to a request by FSB sworn personnel to assist with conducting a DWI investigation or with warrants for blood draws.

D. Personnel shall complete any DWI investigation that is the result of a crash involving a Department vehicle, fatal crash, or serious-injury crash.

E. The DWI Section plans, sets up, and conducts DWI-related roadblocks and checkpoints. See SOP Roadblocks and Checkpoints.
F. The unit shall assist the Traffic Section with escorts and other major City and Department special events.

G. D. On-Call Status

1. DWI Unit Personnel shall be available on a rotational, on-call status.

2. The DWI Unit Sergeant shall maintain the on-call list.

H. E. Fatal Crash or Serious-Injury Crash Call-Out Procedures

1. The Traffic Section Supervisor responding to the scene shall:
   a. Determine if a DWI Unit officer(s) is needed to conduct a DWI; and
   b. Contact the Emergency Communications Center (ECC) to have the DWI Unit officer respond to the scene.

1.2. For Fatal Crashes or Serious-Injury Crashes: The DWI Unit officer shall:

   a. Determine if a DWI Unit officer(s) is needed to conduct a DWI and/or DRE investigation; and.
   b. Contact the on-call DWI Unit officer to respond to the scene.

   The DWI Unit officer who will:
   a. Respond to the scene;
   b. Complete the DWI investigations for the fatal crash or serious-injury crash; and
   c. Complete the DWI Offense Incident Report.

2. For DRE Investigations:

   a. The primary field FSB officers sworn personnel, or on-duty DWI Unit officer, will conduct a DWI investigation before requesting response by the for a DRE certified officer, consistent with to respond. See SOP – DWI Investigations and Revoked/Suspended License.
   b. The primary field FSB officers sworn personnel must have:
      i. Observed the impaired driving;
      ii. Arrested the driver for DWI;
      iii. Administered a breath alcohol test to the arrested driver; and
      iv. Observed that the results of the breath alcohol test were inconsistent with the field sobriety tests.
   c. The primary field FSB officers sworn personnel will notify the on-duty supervisor and request through the Emergency Communications Center (ECC) the response by for the on-call DRE officer. If approved by the on-duty
supervisor, the investigating primary FSB officers sworn personnel may call the on-call DRE officer.

d. The on-call DRE officer will respond and complete a supplemental investigation and report and will advise the primary arresting officers sworn personnel of the findings.

e. The DRE officer will ensure the primary sworn personnel arresting officer revises the blood test results so that a criminal summons can be filed by the DRE officer.

f. The DRE officer will ensure that the reports and forms are forwarded appropriately, consistent with. See SOP – DWI Investigations and Revoked/Suspended License.

I. Crash Removal Vehicle (CRV1)

1. The CRV1 is operated by a Police Service Aide (operator) who is trained in operating the vehicle.

2. The CRV1 responds to crashes or stranded vehicles on the interstate(s) to assist with removing damaged or inoperable vehicles from traffic lanes that are obstructing the flow of traffic.

a. The operator CRV1 will only move vehicles to the shoulder.

b. The operator CRV1 will wait on the scene until a sworn personnel or dispatched officer or PSA arrives.

c. The operator CRV1 will not complete the police crash report.

d. The operator CRV1 will advise the locations of the vehicle before being moved.

e. The contracted tow company will be requested to remove the vehicles from the scene.

f. The operator CRV1 will not move vehicles involved in fatal or serious injury crashes.

3. If a vehicle is damaged as a result of CRV1 removing it from the roadway, personnel will photograph both vehicles and provide a supplemental crash report to the original crash report. The photos will be tagged into evidence.

4. Personnel will refuel and remove any trash from the CRV1 vehicle at the end of the shift.

5. Personnel will return the CRV1 vehicle to the DWI substation.

6. Personnel will advise the DWI Sergeant when:

a. The CRV1 was involved in a crash;

b. The CRV1 was involved in any significant event; or

c. The CRV1 requires maintenance or repair.
F. Training and Certification

1. DWI Unit personnel will be certified as a Drug Recognition Expert (DRE) within one year of joining the unit.

2. The DWI Unit shall coordinate with outside agencies to provide training to Department sworn personnel on DWI enforcement.

3. The DWI Unit will provide training to outside agencies, and the public about DWI-related topics to the public.

3. DWI Unit personnel shall be certified as a Drug Recognition Expert (DRE) through the New Mexico DRE program, within one (1) year of joining the unit or as soon as practicable.