

Minnesota DWI Part II: Guide to a MN DWI Stop

There are many Do's and Don'ts when it comes to a Minnesota DWI stop. Outlined below are the best and worst practices of a MN DWI stop. Follow these guidelines if you're ever pulled over for drinking and driving in Minnesota.

What to Do:

It is always a good idea to keep your driver's license and proof of insurance with you while driving. In fact, it's the law. When you're pulled over, the officer will undoubtedly ask for these. Have them out and ready before the officer approaches your vehicle. This will demonstrate that you're of sound mind and will prevent the officer from observing you fumble around in the glove compartment.

Insist upon your right to speak with an attorney before answering any questions, taking any tests, or signing any documents.

You have the right to remain silent. You do not have to answer any of the officer's questions regarding how much you've had to drink or where you've been. Provide the officer with the necessary identification information, then stop talking. Invoke your right to remain silent and calmly inform the officer that you do not wish to answer any questions.

Always heed the officer's reasonable orders. Do not resist or talk back to the officer. Be courteous and calm. Cooperate with the booking process.

What *Not* to Do:

Do not speak to anyone regarding the facts of your case without first consulting a criminal defense lawyer. Do not assist the police in their investigation of you.

Do not submit to any Field Sobriety Tests. You are not legally obligated to take them. They only serve as further proof for the officer to arrest you.

In addition, do not submit to a PBT (Portable Breath Test)—the hand-held breathalyzers that officers carry with them. These often give wildly inaccurate results, and you are not legally obligated to submit to them. Under the Minnesota Implied Consent Law, you are only required to submit to an approved breath, blood, or urine test. These are usually located at police stations. If you are in doubt, ask the officer if the test is required under the Implied Consent Law. If the answer is no, refuse to take it.

Do not appear in a line-up, submit to a polygraph test, or give any handwriting, hair, or fluid samples without first speaking with an attorney.

In general, these are the two best rules of thumb if pulled over for a MN DWI: Keep your mouth shut and insist on speaking with a criminal defense attorney.