

DWI 'No Refusal' Periods Explained

Recently, DWI Arrests have been on the rise in the state of Louisiana. Overall this is to be considered a good thing because the increase in arrests is coincident with a decrease in overall highway fatalities.

One key component which law enforcement officials are crediting with the increase in DWI arrests in New Orleans and the surrounding areas is the practice of 'No Refusal' Periods. People are often confused about their rights when it comes to DWIs and whether or not they can refuse to submit to Blood Alcohol Tests so we would like to take a moment to explain 'No Refusal' Periods.

A 'No Refusal' Period with respect to DWI occurs when law enforcement officials coordinate with the local courts to ensure that judges and prosecutors will be on call at all times during a specific timeframe.

During these periods, which usually occur on weekends or large holiday travel periods, police officers can work with prosecutors to contact local judges to receive search warrants and court orders authorizing them to obtain blood samples from suspected intoxicated drivers.

Generally, individuals are required to submit to an officer's request for a breathalyzer or blood sample but many refuse to submit to these tests and as a result incur automatic penalties such as arrest and drivers' license suspension. The consequences of such a refusal are then worked out in court when the individual faces DWI charges.

During a 'No Refusal' Period, however, a driver suspected of DWI has no authority to refuse a breathalyzer or chemical test as a result of the court-issued search warrant and can be charged with DWI based on the test results.

Due to the higher incidence of DWI arrests and 'No Refusal' Periods taking place in New Orleans and the state of Louisiana, drivers are always best advised to exercise responsible drinking habits and use a cab service or designated driver when drinking.

If for some reason you do happen to be arrested for DWI, Bloom Legal is available to help 24/7 and can be reached at 504-599-9998 or online at www.bloomlegal.com