

# INTRODUCTION

**Troy Woltman**

**Product Manager**

**Former Police Officer 10 years**

**LE Software companies 10 years**

**BCA 5 years**

**[troy.woltman@state.mn.us](mailto:troy.woltman@state.mn.us)**

**(651) 793-2446**



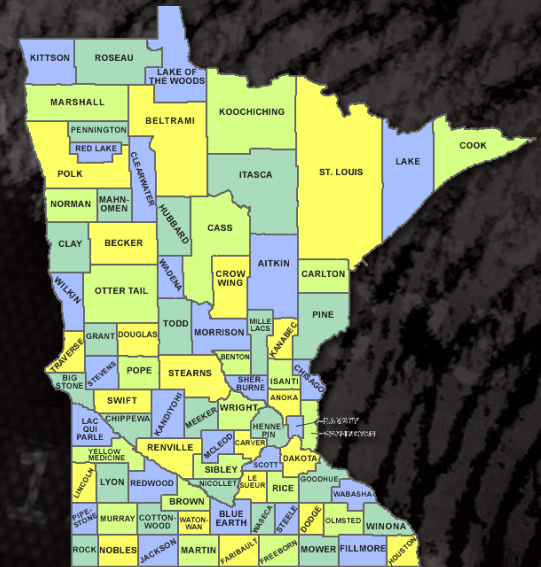
**eCharging**  
**Towards Zero Death Conference**  
**November 14, 2023**  
**What is New/Useful Tips**



# DWI MODULE USAGE

- 100% Voluntary!
- Past 86 consecutive months
- 99.99% of all DWI's created through eCharging

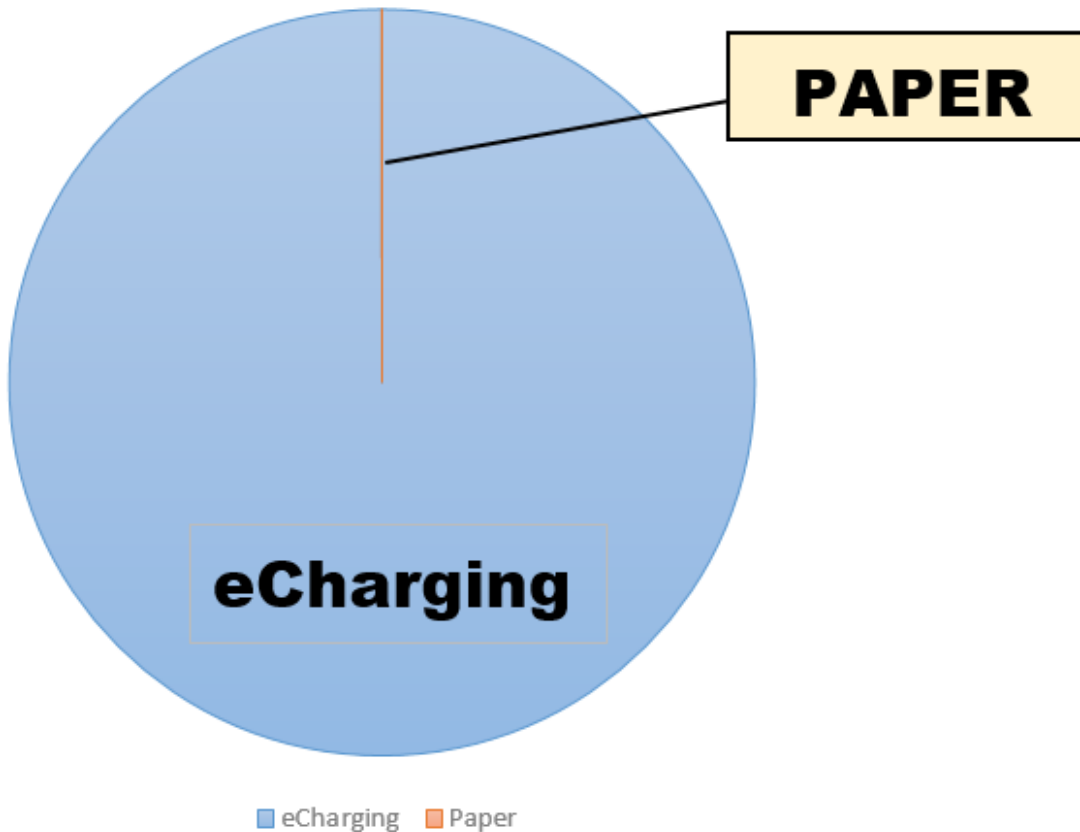
99%



# Usage Continued

- **Federal fiscal year 2023:**
  - **26,751 DWI's in eCharging**
  - **Five created via paper**

eCharging v. paper submissions to DPS



# QUESTIONS & E-CHARGING ISSUES

*For technical assistance, please see below:*

**Phone: 888-234-1119 or 651-793-2500**

**Email: [bca.servicedesk@state.mn.us](mailto:bca.servicedesk@state.mn.us)**

**DWI After Hours (1800-0600) Support: 651-793-3060**

**Option 1-3: Tips for DWI Issues (FAQs)**  
**Option 4: Forgotten Username or Password**



eCharging

Login

Welcome to eCharging

## Welcome to eCharging

*For technical assistance, please see below:*

**Phone: 888-234-1119 or 651-793-2500**

**Email: [bca.servicedesk@state.mn.us](mailto:bca.servicedesk@state.mn.us)**

**DWI After Hours (1800-0600) Support: 651-793-3060**

**Option 1-3: Tips for DWI Issues (FAQs)**  
**Option 4: Forgotten Username or Password**

Log In

User Name:

Password:

[? Login Page Help](#)

Available Documentation

\*\*Current Release Notes - Uploaded: 1/9/2019

# USER ACCOUNTS

- Current info?
- Preferences
- Subscriptions

**eCharging** Current Agency/District: Metropolitan Airport Police Dept First/Last name: [ ]

My Work Manage Forms Notifications Preferences Reports Help

**My Preferences**

My Preferences (circled)  
Subscriptions (circled)  
Release Documentation

Save Help

First Name:\* Middle: Last Name:\* Suffix:

MN Bar Registration ID:

Notary/Officer Settings  
 Notary Commission or Law Enforcement License Number:   
 County of Commission or License:   
 Commission or Law Enforcement License Expiration:

- Notifications
- My Notifications
- Subscriptions

The following are your current subscriptions

- Edit** Edit subscriptions for the agency or eCharging document.
- Copy To All** Copy all subscriptions for the agency to the rest of the agencies.
- Delete** Delete subscriptions for the agency or eCharging document.

|                      |                             |                        | Agency                           | Document ID | Document Type | Status | Subscription Type(s) - see Legends below for number mappings |
|----------------------|-----------------------------|------------------------|----------------------------------|-------------|---------------|--------|--|
| <a href="#">Edit</a> | <a href="#">Copy To All</a> | <a href="#">Delete</a> | Metropolitan Airport Police Dept | Any         | Any           | N/A    |  |

Complaint - Subscription Type Legend

- 1 Complaint signed by law enforcement
- 2 Complaint signed by a judge
- 3 Complaint sent to the court
- 4 Complaint rejected by law enforcement
- 5 Complaint rejected by a judge
- 6 Complaint modified by a judge



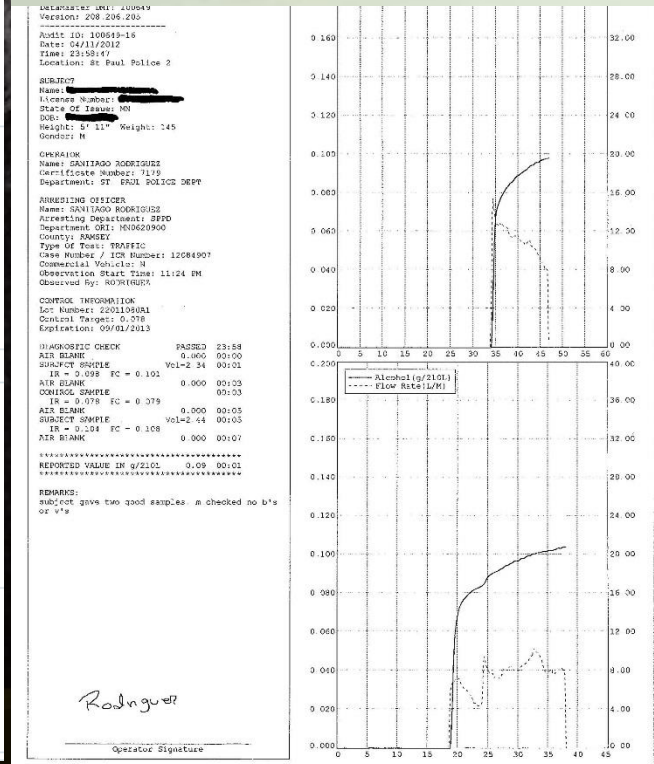
# SELECT TWO:

- Scroll past criminal complaints to DWI Events
- Check the two options shown below
- Change both to By Me (instead of By My Agency)

| <input type="checkbox"/>            | DWI Events   | Filter Choice   |
|-------------------------------------|--|---|
| <input type="checkbox"/>            | DWI form(s) sent to DVS                                    | <input checked="" type="radio"/> By My Agency <input type="radio"/> By Me |
| <input type="checkbox"/>            | Attachments added or removed after DWI form(s) sent to DVS | <input checked="" type="radio"/> By My Agency <input type="radio"/> By Me |
| <input checked="" type="checkbox"/> | Stalled DWI  | <input type="radio"/> By My Agency <input checked="" type="radio"/> By Me |
| <input checked="" type="checkbox"/> | BCA Lab DWI Toxicology Report Available                    | <input type="radio"/> By My Agency <input checked="" type="radio"/> By Me |
| <input type="checkbox"/>            | DWI signed by law enforcement                              | <input checked="" type="radio"/> By My Agency <input type="radio"/> By Me |
| <input type="checkbox"/>            | DWI assigned to law enforcement                            | <input checked="" type="radio"/> By My Agency <input type="radio"/> By Me |

# INTEGRATION WITH BCA BREATH LAB

eCharging DWI and DMT  
instrument databases are  
linked by  
**arresting agency ORI**



Back Next Save Assign Print Preview Help

Case #/ICR: \* Incident Date: \* Incident Time: \*

Was a child endangered in the incident? \*  Yes  No

**Alcohol Test Information**

Test type: \*  
 Refused  Breath  Blood  Urine  
Alcohol Content: \*  For evidentiary test only. Do NOT enter PBT result  
Sample Date:  Time:

**Get Breath Test Results**

If results are not available within 2 minutes of the time of the test, a data entry or data transfer error may have occurred and the information will need to be entered manually.

Breath Test Instrument Operator  
First Name: \* Middle: Last Name: \*

Agency Name:

Address  
Street Number: Pre: Street Name: Street Type: Post:  
City: State: Zip:  
Minnesota



# OFF-ROAD RECREATIONAL VEHICLE DWI

- As of July 2021 users can process ORVs
- How to enter vehicle information?
- eCharging Check “No License Plate” box on vehicle details page

## Vehicle Details

[Get Vehicle Information](#)

No License Plate

Plate #:\*      Confirm Plate #:\*      Plate State:\*

NOPLATE

●●●●●●

Other

Plate Expiration


Month:\*

Year:\*

11

2021

Year:\*

NCIC Vehicle Make:\* 

Type:\*

VIN:\*

Truck Gross Weight:

lbs

Commercial Vehicle?

# OFF-ROAD RECREATIONAL VEHICLE DWI

- Vehicle type
- VIN? = XXX

Responsible Agency: **Minneapolis Police Department - Precinct 3**

Back

Next

Save

Assign

Print Preview

Help

16+ Passenger Vehicle

Aircraft

All Terrain Vehicle

Bicycle

Bus

Construction equipment

Electric Bike

Emergency Vehicle

Farm vehicle

Motorboat

Motorcycle

Motorized Bike

Non-Motorized Boat

Off-road motorcycle

Off-road recreational vehicle

Other vehicle

Passenger Vehicle

Road Tractor

School bus

Semi-truck

Snowmobile

Tow truck

Trailer

Transit bus

Truck

\*  Yes  No

\* Plate State:\*

Minnesota

Plate Expiration

Month:\*

Year:\*

MM

YYYY

e:\*

VIN:\*

Commercial Vehicle?



# PLATE IMPOUNDMENT LAW

## 169A.60

- eCharging will produce a form for the following situations
- **DWI**
  - (or CDL disqualification) within 10 years of prior impaired driving incident.
    - DWI conviction or DWI revocation
  - with alcohol-concentration of .16 or greater.
  - with child under age 16 in vehicle.
- Cancelled Inimical to Public Safety (**Paper form**)



## LAW REVISED 8-1-2023

- Plate impoundment now only applies to the plates on the vehicle being driven at the time of arrest.
- Other vehicles registered to the offender are no longer revoked.

Minnesota

WA0000

JAN

10,000 lakes

YEAR



- Minnesota  
**BCA**  
Bureau of Criminal Apprehension

# VEHICLE FORFEITURE

## 169A.63

Statute was revised 1/1/2022

**Vehicle forfeitures are only triggered for:**

- **First degree DWI violation**
- **DWI within ten years of two priors**
  - Impaired driving incidents
    - DWI conviction, or
    - DWI revocation



# SEARCH WARRANT VOLUME AS OF 11/12/2023

**114,271** search warrant applications  
**44,668 (39%)** for DWI's



# BLOOD OR URINE SEARCH WARRANTS

## YOU ARE DIRECTING – NOT ASKING!

- You have a court order
- Refusal requires refusal of both blood & urine

### 171.177 REVOCATION; PURSUANT TO SEARCH WARRANT.

Subdivision 1. **Search warrant-required testing advisory.** At the time a blood or urine test is directed pursuant to a search warrant under sections [626.04](#) to [626.18](#), the person must be informed that refusal to submit to a blood or urine test is a crime.

Subd. 2. **Type of test.** The peace officer who directs a test pursuant to a search warrant shall direct a blood or urine test as provided in the warrant. If the warrant authorizes either a blood or urine test, the officer may direct whether the test is of blood or urine. If the person to whom the test is directed objects to the test, the officer shall offer the person an alternative test of either blood or urine. Action may be taken against a person who refuses to take a blood test only if a urine test was offered and action may be taken against a person who refuses to take a urine test only if a blood test was offered.

# STATE V. NASH

At the time a blood or urine test is directed pursuant to a search warrant, the person must be informed that refusal to submit to a blood or urine test is a crime.

There is a case on appeal with the MN Supreme Court where the trooper advised the driver that refusal to take a blood test is a crime. Had the blood test been refused, the trooper would have directed a urine sample and advised that refusal to take a urine sample is a crime.

The issue before the court is that the statute states that the person must be informed that refusal to submit to a blood or urine test is a crime. The appeals court seems to want the statement given at once, not in two parts.





# STATE V. NASH

## 2022 Minnesota Statutes

### 171.177 REVOCATION; PURSUANT TO SEARCH WARRANT.

Subdivision 1. Search warrant-required testing advisory. At the time a blood or urine test is directed pursuant to a search warrant under sections [626.04](#) to [626.18](#), the person must be informed that refusal to submit to a blood or urine test is a crime.

To be on the safe side of the impending ruling, inform the driver that refusal to submit to a BLOOD AND URINE test is a crime. Include both.



# WHAT IF BREATH TEST STARTED FIRST?

- If you start down the breath path and need to obtain a search warrant for a blood or urine sample, DO NOT open a new DWI event. Use the original one and just change the test type from breath to BLOOD OR URINE ... or refused

Was a child endangered in the incident?\*  Yes  No

Test Information

Test Type:

Refused  Breath  Blood  Urine

Alcohol Content:  For evidentiary test only. Do NOT enter PBT result.

Sample Date: \*   Time: \*

[Get Breath Test Results](#)

If results are not available within 2 minutes of the time of the test, a data entry or data transfer error may have occurred and the information will need to be entered manually.

Breath Test Instrument Operator

First Name: \*  Middle:  Last Name: \*

Agency Name:

Address

Street Number:  Pre:  Street Name:  Street Type:  Post:

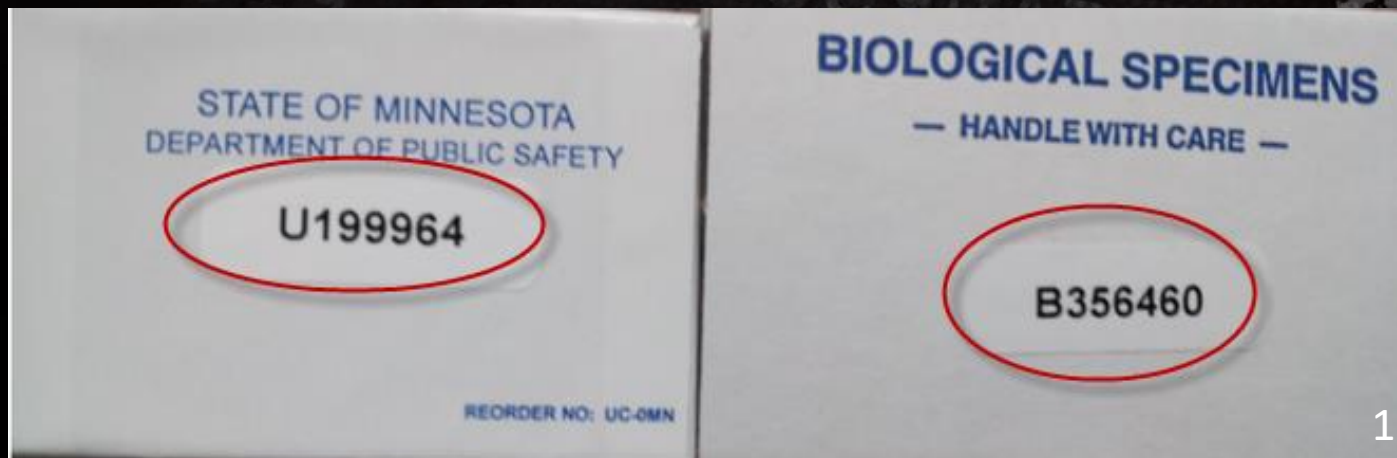
City:  State:  Zip:



# ECHARGING INTEGRATION WITH BCA TOXICOLOGY LAB

Lab & eCharging are linked by kit numbers

1. Ensure that U or B are entered with 6-digits
  - No space between letter and numbers



# IMPORTANT!

After obtaining a blood or urine sample, return to your DWI event and complete all of the fields in the incident details page, except for the test result. Click 'Submit to Lab'.

This blood sample was tested for controlled substances **and** the lab report has been received.

Was a schedule I or II controlled substance or its metabolite, other than marijuana or THC, found?\*  Yes  No

## Sample Information

\*\*\*For tests performed by labs other than the BCA, complete and include the paper information sheet with the kit box.

**NOTE: All fields marked with an asterisk are required**

**When Complete, Click 'Submit to Lab'**

Offense Type:\*  DWI  CVO  CVH

Subject's Condition:\*  Deceased  Alive  Injured

Kit intact & sealed when received?\*  Yes  No Powder present?\*  Yes  No

Sample taken by:\*

Breath test given?  Yes  No DMT results:  PBT results:

Analysis Requested:\*  Alcohol  Drugs

Drug evaluation completed by a DRE?\*  Yes  No

Drug(s) causing impairment (Check all that apply):

CNS Stimulant  CNS Depressant  Hallucinogen  Dissociative Anesthetic  Narcotic Analgesic  Inhalant  Cannabis

**CLICK WHEN FINISHED**

HELPFUL  
INFORMATION  
TO CHEMIST AT  
LAB

# WAIT FOR CONFIRMATION

➔ 1 of 3

✔ Kit Sheet submitted successfully to the BCA Lab.

Assigned to Law Enforcement (click for history)

Responsible Agency: **Moose Lake Police Department**

Document Type: DWI Form  
Defendant: DYLAN MAT  
eCharging Id: 6215852  
Document Id: 209187

Case Numbers: was a child endangered in the incident?  Yes  No

## Test Information

Test Type:

Refused  Breath  Blood  Urine

Alcohol Content:  For evidentiary test only. Do NOT enter PBT result.

Sample Date: \*  Time: \*

Kit Box Number: \*  Expiration Date:

This blood sample was tested for controlled substances and the lab report has been received.

Was a schedule I or II controlled substance or its metabolite, other than marijuana or THC, found? \*  Yes  No

## Sample Information

\*\*\*For tests performed by labs other than the BCA, complete and include the paper information sheet with the kit box.

Sample Information successfully submitted to the BCA Lab at 12/10/2021 9:20:25 PM.

When Complete, Click 'Submit to Lab'

Offense Type: \*  DWI  CVO  CVH

Subject's Condition: \*  Deceased  Alive  Injured

Kit intact & sealed when received? \*  Yes  No Powder present? \*  Yes  No

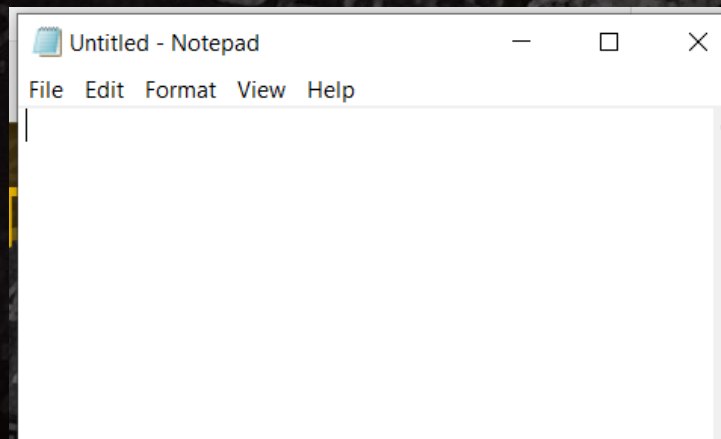
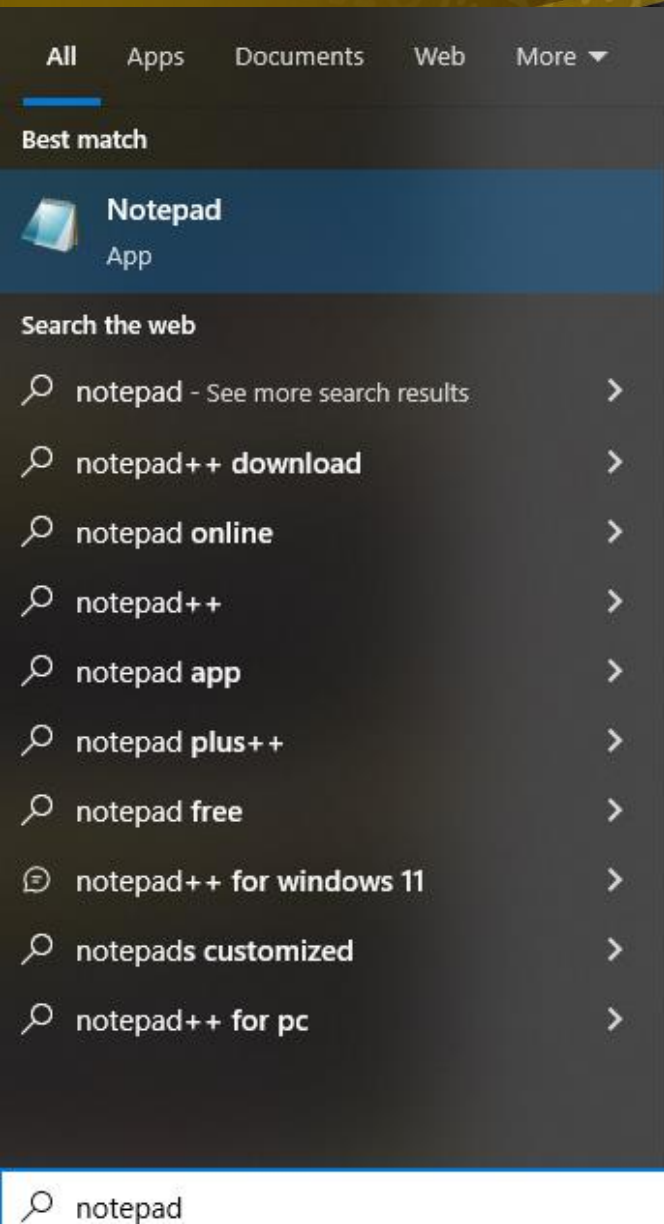
Sample taken by: \*

Breath test given?  Yes  No DMT results:  PBT results:

Analysis Requested: \*  Alcohol  Drugs

# SEARCH WARRANT TEXT

- If font becomes too small when pasting from Word to search warrant application:
- Paste into Notepad first



# SEARCH WARRANT HIGHLIGHTS

- Issued search warrants are automatically purged from eCharging after **2-years**.
  - Save copy because they are GONE after 2-years.
- Prosecutors and records staff DO NOT have access to search warrants in eCharging so ensure that you save an electronic or paper copy.



# MUST E-FILE WITH THE COURT

- Must be eFiled with the court that issued the search warrant.
- **WITHIN TEN DAYS AFTER ITS DATE!**
- Determine who in your agency files them with court
  - Save paper copy or PDF of search warrant

## 626.15 EXECUTION AND RETURN OF WARRANT; TIME.

(a) Except as provided in paragraph (b), a search warrant must be executed and returned to the court which issued it within ten days after its date. After the expiration of this time, the warrant is void unless previously executed.





# INVENTORY, RECEIPT RETURN

Officer must give copy of search warrant and receipt...

– To the person evidence was taken from.

## 626.16 DELIVERY OF COPY OF WARRANT AND RECEIPT.

When the officer conducts the search the officer must give a copy of the warrant and, when property or things are taken, a receipt therefor (specifying it in detail) to the person in whose possession the premises or the property or things taken were found; or, in the absence of any person, the officer must leave such copy of the warrant and receipt in the place where the property or things were found. Such delivery of a copy of the warrant shall constitute service.

STATE OF MINNESOTA, COUNTY OF \_\_\_\_\_ DISTRICT COURT

**RECEIPT, INVENTORY AND RETURN**

I, \_\_\_\_\_, received the attached search warrant issued by the Honorable \_\_\_\_\_, on \_\_\_\_\_, and have executed it as follows:

Pursuant to the warrant, on \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_, I searched the following described in the search warrant.

Premises  Motor Vehicle  Person  Device

I have left a true and correct copy of the search warrant (with) (in) (at)

\_\_\_\_\_

\_\_\_\_\_



# CRIMINAL VEHICULAR OPERATION CRIMINAL VEHICULAR HOMICIDE

Reminder that for a CVO crime, the injury must be to someone OTHER than the impaired driver.



# CRIMINAL VEHICULAR OPERATION/HOMICIDE



## § 171.177.13

“...Provides authority, if necessary, to take a test despite the person’s refusal.”

Subd. 13. **Test refusal; no test given.** (a) If a person refuses to permit a blood or urine test as required by a search warrant and the provisions of this section, then a test must not be given. However, the applicable provisions of this section, section 169A.52, subdivision 1, and other law apply.

(b) Notwithstanding paragraph (a), if a peace officer has probable cause to believe that a person has violated section 609.2112, 609.2113, 609.2114, or Minnesota Statutes 2012, section 609.21, a test may be required and obtained despite the person's refusal. A refusal to submit to a test does not constitute a violation of section 609.50, unless the refusal was accompanied by force or violence or the threat of force or violence.

# CVO/CVH

## OBTAIN BLOOD SAMPLE

Click Create new eCharging form

eCharging

Current Agency/District:  First/Last name or Case/Citation #

[ Logout ]  
Welcome Pete Malloy

[My Work](#) [Manage Forms](#) [Notifications](#) [Preferences](#) [Reports](#) [Help](#)

### Work Summary

Work - Me  
Work - My Agency

This is a summary of work for **Pete Malloy**, Duluth Police Department.

[Create new eCharging form](#) [Assign multiple eCharging forms](#)  Show Documents Assigned To Me For All My Agencies

Forms Awaiting Action

| Case Number | Type | Offense Level | Subject | Deadline Date | Creation Date | Status | Assigned To | Action |
|-------------|------|---------------|---------|---------------|---------------|--------|-------------|--------|
|-------------|------|---------------|---------|---------------|---------------|--------|-------------|--------|



# CVO/CVH: GO DIRECTLY TO SEARCH WARRANT APPLICATION

Current Agency/District:

Duluth Police Department

First/Last name or Case/Citation #

Search

Notifications

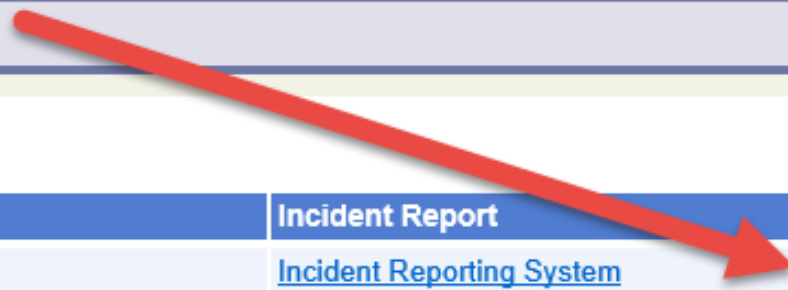
Preferences

Reports

Help

Select the eCharging Document to Create:

|                                     |                                  |   |                                |
|-------------------------------------|----------------------------------|---|--------------------------------|
| <a href="#">Charging Instrument</a> | <a href="#">DWI Admin Form</a>   | <a href="#">Incident Report</a>           | <a href="#">Search Warrant</a> |
| <a href="#">Criminal Complaint</a>  | <a href="#">DWI Forms Wizard</a> | <a href="#">Incident Reporting System</a> | <a href="#">Search Warrant</a> |
| <a href="#">Citation</a>            | <a href="#">CVO Form Wizard</a>  |   |                                |



## IF YOU DO OPEN A DWI EVENT:

Is this a Criminal Vehicular Operation or Homicide Incident?

Yes

No

If you click Yes...





#### PROCESSING CRIMINAL VEHICULAR OPERATION/CRIMINAL VEHICULAR HOMICIDE INVESTIGATIONS:

Alcohol and drug related Criminal Vehicular Operation/Homicide investigations are processed differently than a routine DWI arrest. While agency policy should direct your actions, the recommended procedure in a CVO/Homicide investigation is to obtain a search warrant for blood only and do not give the refusal advisory to the suspect.

Because the search warrant is for blood only and no refusal advisory is given, M.S. 171.177 does not apply. Therefore, the test result from the blood or urine sample is NOT reportable under the Implied Consent Law. In these cases, the I.C. revocation is purposely sacrificed, giving priority to obtaining a blood sample (with no refusal option) for the higher-level CVO/CVH crime(s). Because the test result is not reportable to the Department of Public Safety, no DWI event should be created. Below are the recommended eCharging steps.

1. Log in to eCharging and click **Create new eCharging form**.
2. DO NOT open the usual DWI event.
3. Instead, click **Search Warrant**.
4. Select **DWI Search Warrant** and select **Yes** to answer the injury/death question.
5. Complete the **Search Warrant Details** page and verify that the **urine option is unchecked**.
  - a. The urine option should be unchecked so that the search warrant is exclusively for a blood sample with no mention of urine.
6. Advance through signing the search warrant application and assign it to the appropriate judge.
7. When the issued search warrant is received, acknowledge but *ignore* the refusal reminder.
8. Serve the suspect with a copy of the search warrant and obtain a blood sample.
  - a. If necessary, use reasonable force pursuant to your department policy.
9. Manually complete the paper Blood Kit Information Sheet and send it with the blood sample to the lab. This information cannot be sent electronically because no eCharging DWI event will be created.
10. When the "...peace officer determines that probable cause exists to believe that a person has violated [statutes against alcohol or drug-related CVO/CVH]", complete and sign the **CVO Form Wizard** in eCharging and submit it to the Department of Public Safety as authorized by M.S. 629.344.

629.344 CRIMINAL VEHICULAR OPERATION AND MANSLAUGHTER; CERTIFICATION OF PROBABLE CAUSE BY PEACE OFFICER.

2. DO NOT open the usual DWI event.
3. Instead, click **Search Warrant**.
4. Select **DWI Search Warrant** and select **Yes** to answer the injury/death question.
5. Complete the **Search Warrant Details** page and verify that the **urine option is unchecked**.
  - a. The urine option should be unchecked so that the search warrant is exclusively for a blood sample with no mention of urine.

# SELECT DWI SEARCH WARRANT & ANSWER YES TO INJURY/DEATH QUESTION

Workflow not available for this document.

Document Type: Search Warrant  
Defendant:  
eCharging Id: Document Id:

Case Numbers:  
Law Enforcement:  
Prosecution:  
Court:

 Print Preview

 Help

Applicant: **Pete Malloy, at the Duluth Police Department**

Case Number/ICR#: \*

## Reason for application for search warrant:\*

Select the appropriate category:

**DWI Search Warrant** to collect samples of blood or urine (includes Criminal Vehicular Operation and Criminal Vehicular Homicide)

Has the subject been involved in a motor vehicle accident causing death or bodily harm to another person or the death of an unborn child?

Yes

No

**General Search Warrant**

**Out-of-State Search Warrant**, aka "foreign corporation" under Minn. Stat. § 626.18, to search records of an organization headquartered in another state (includes social media, phone carriers, etc.)

 Save and Continue

 Save





# DO NOT PROVIDE REFUSAL LANGUAGE

- Click to continue
- ... but do not read refusal advisory

## Reminder

At the time a blood or urine test is directed pursuant to a search warrant under sections 626.04 to 626.18, the person must be informed that refusal to submit to a blood or urine test is a crime. [M.S. 171.177.1]

**Document in your arrest report the date and time the refusal advisory was given.**

**Note:** For warrants related to CVO/CVH offenses, DO NOT issue the refusal advisory.

Continue



# BCA LAUNCHPAD ON-LINE TRAINING

|  |  |                               |     |
|--|--|-------------------------------|-----|
| Referral   | enforcement with the procedures of submitting an incident to eCharging.  | <b>Prerequisites Required</b> |     |
| > eCharging - Criminal Complaints for Law Enforcement      | This 5-min module will provide law enforcement with the procedures of reviewing and approving a criminal complaint.  | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Laws)                                  | This 11-min module provides law enforcement with an overview of the DWI laws in Minnesota and how it applies to the procedures within a DWI arrest.                                | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Breath)                                | This module provides law enforcement with the eCharging procedures of submitting a DWI with an obtained breath sample.   | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Blood and Urine - Part 1)              | This 17-min module provides law enforcement with the initial eCharging procedures of submitting a blood or urine DWI, including search warrant procedures.                         | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Blood and Urine - Part 2)              | This 14-min module provides law enforcement with the remaining eCharging procedures of submitting a blood or urine DWI, including search warrant procedures.                       | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Criminal Vehicular Operation/Homicide) | This 10-min module provides law enforcement with the eCharging procedures of a criminal vehicular operation or homicide DWI event.   | <b>Prerequisites Required</b> | N/A |
| > eCharging - eDWI (Records Personnel)                     | This 17-min module provides records personnel with the eCharging procedures of managing and submitting DWI events.   | <b>Prerequisites Required</b> | N/A |
| > eCharging - Search Warrants                              | UPDATED 11/4/21: This 14-min module will provide you with procedures of how to process general warrants as well as out-of-state warrants, including the new no-knock requirements. | <b>Prerequisites Required</b> | N/A |
| > eCharging - Search Warrants                              | This 17-min module will provide you with procedures of how to process general warrants as well as out-of-state warrants, including the new no-knock requirements.                  | <b>Prerequisites Required</b> | N/A |



THANK YOU!  
QUESTIONS?

