

How to Find and Avoid DUI Checkpoints

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Author: [Andrew Stine](#)

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The U.S. Supreme Court has determined that DUI checkpoints are legal and minimally evasive. This means that anyone and everyone can be stopped at a "sobriety roadblock," and tested for Driving Under the Influence.

If you have been arrested for a DUI, contact a [criminal defense lawyer](#) immediately. The best thing you can do for your defense strategy is have a criminal defense attorney help you plan a way out. He or she can help you build a case and hopefully lessen your charges.

Finding Checkpoints

DUI checkpoints can be incredibly inconvenient if you are late for a meeting or hurrying to get home. There are several ways you can find DUI checkpoints and certain actions you can take to avoid them – legally.

1. Watch the news every morning and evening for announcements of DUI checkpoints. Law enforcement agencies are required to announce the location of checkpoints before they are set up.
2. Many websites are set up to inform the public about DUI checkpoints, like [Road Block Registry](#). These websites can tell you where sobriety roadblocks are set up in your area.
3. You also have the option to call your law enforcement agency and ask about when DUI checkpoints will be initiated. They may not release that information, but it's worth a try.
4. Checkpoints are usually set up between 9 p.m. and 2 a.m., you can usually spot them because they're lined with lots of flashing police car lights.

The use of roadblocks is fraught with legal issues. The law enforcement agent is actually stopping you and any occupants in the vehicle without probable cause or reasonable suspicion a crime or traffic infraction was committed. This itself can be considered unconstitutional.

Avoiding Checkpoints

Here are some important facts you need to know if you get caught up in a DUI roadside checkpoint:

- A driver can legally avoid a checkpoint location if he or she can do so in a safe and non-careless manner.
- A driver can legally turn into an open business, strip mall location or any other location you have a right to be in prior to

the DUI checkpoint.

- A driver can legally avoid a checkpoint by making a proper and legal U-turn or a “K” turn prior to entering the roadblock.
- The guidelines for law enforcement agencies are strict – they must make sure the selection of vehicles that are stopped is in a consistent manner and not random. Every third vehicle is constitutional. Any deviation from these rules - especially when police are given discretion as to what automobiles can be stopped, what automobiles can be checked for drugs and what automobiles can be allowed to pass - is considered unconstitutional.

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