

# DUI Traffic Stops

A comprehensive guide to detecting, investigating, and documenting driving under the influence offenses. This training covers the complete DUI detection process from initial observation through arrest and reporting.





## Chapter Overview

# Training Structure

1

### Unit 1: DUI Basics

Effects on society, deterrence strategies, alcohol and drug impairment, legal issues, and field note documentation

2

### Unit 2: Conducting the Investigation

Three-phase DUI detection process from vehicle observation through personal contact and pre-arrest screening

3

### Unit 3: Standardized Field Sobriety Tests

Horizontal Gaze Nystagmus, Walk and Turn, and One Leg Stand testing procedures

4

### Unit 4: Concluding the Investigation

Law enforcement action decisions and comprehensive DUI report writing



## UNIT 1: DUI BASICS

# Lesson 1: Effects on Society and Deterrence

## Lesson Goals

**LE1311.1:** Discuss how impaired driving affects public safety

**LE1311.2:** Describe law enforcement and community strategies to prevent impaired driving

## Critical Impact

Drivers under the influence of drugs or alcohol pose hazards to themselves and others. This chapter provides comprehensive information on detecting impaired driving, administering field sobriety tests, making appropriate arrests, and recording evidence of DUI offenses.



# Effects of Impaired Driving on Society

## Major Cause of Fatalities

Impaired driving is a leading cause of traffic fatalities in the United States. Drivers show impairment for many reasons including alcohol, drugs, medical conditions, and mental or physical disabilities.

## Societal Costs

Everyone bears the cost of impaired driving through property damage, financial burden, injury, and death. These costs affect communities, families, and the entire healthcare system.

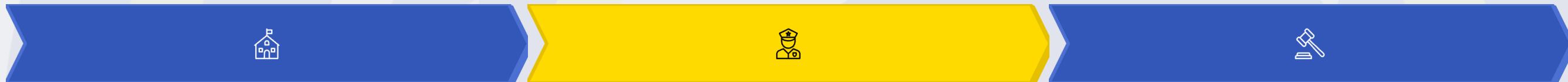
## Dangerous Behaviors

Impaired drivers are more likely to take excessive risks, have slow reaction times, and are less likely to wear seatbelts, compounding the danger they pose.

An important part of providing public safety is keeping roadways safe by detecting, investigating, and removing impaired drivers from the road.

# Deterrence Strategies

Driving under the influence (DUI) is both a societal and a law enforcement problem. The public and law enforcement must work together to accomplish the goal of reducing the number of impaired drivers through education and deterrence.



## Education

Law enforcement educates the community through schools, civic groups, and special events about the dangers of impaired driving

## Enforcement

Increased enforcement activity and identifying cues and clues of impairment are essential deterrence tools

## Legal Penalties

Consequences include fines, incarceration, and suspension of driver's license

- **Standardized Field Sobriety Tests (SFSTs)** are three accurate and reliable tests used to determine alcohol or drug impairment. These are primary tools used during DUI investigations.

# Lesson 2: Alcohol and Drug Impairment

## Lesson Goal

LE1312.1: Describe how the body processes alcohol

LE1312.2: List common behaviors of a driver impaired by alcohol

LE1312.3: List the seven categories of controlled and chemical substances that impair driving



## TIMELINE OF ALCOHOL'S ABSORPTION & DISTRIBUTION

SITE OF ACTION	EFFECTS
Reaches the bloodstream	 A change in mood
Reaches the brain	 Confidence and High
Goes to the liver	 The liver works to remove alcohol from your body
Peaks in bloodstream	 Unsteadiness, slurred speech, and imbalanced coordination
Begins to decline	 Hangover anxiety and post drinking depression

Understanding the effects alcohol and drugs have on the human body when driving a motor vehicle is essential for effective DUI detection and investigation.

# Alcohol and the Human Body

Alcohol is a central nervous system depressant and among the most commonly used substances in the United States. It may cause the impairment or loss of fine motor skills, hand-eye coordination, and judgment. Often, an alcohol-impaired person does not recognize their level of impairment.

## Absorption

The process by which alcohol enters the bloodstream

## Elimination

The body expels alcohol through breath, sweat, tears, saliva, and urine



## Distribution

The bloodstream carries alcohol to the body's tissues and organs

## Metabolism

The body breaks down alcohol for elimination



# Factors Affecting Alcohol Impairment

## Amount Consumed

Any amount of alcohol can affect a person's ability to drive. The degree of impairment depends on how much alcohol is consumed.

## Time Period

The length of time over which alcohol is consumed significantly impacts impairment levels.

## Individual Physiology

Physical size, body composition, and individual metabolism affect how alcohol impacts each person.

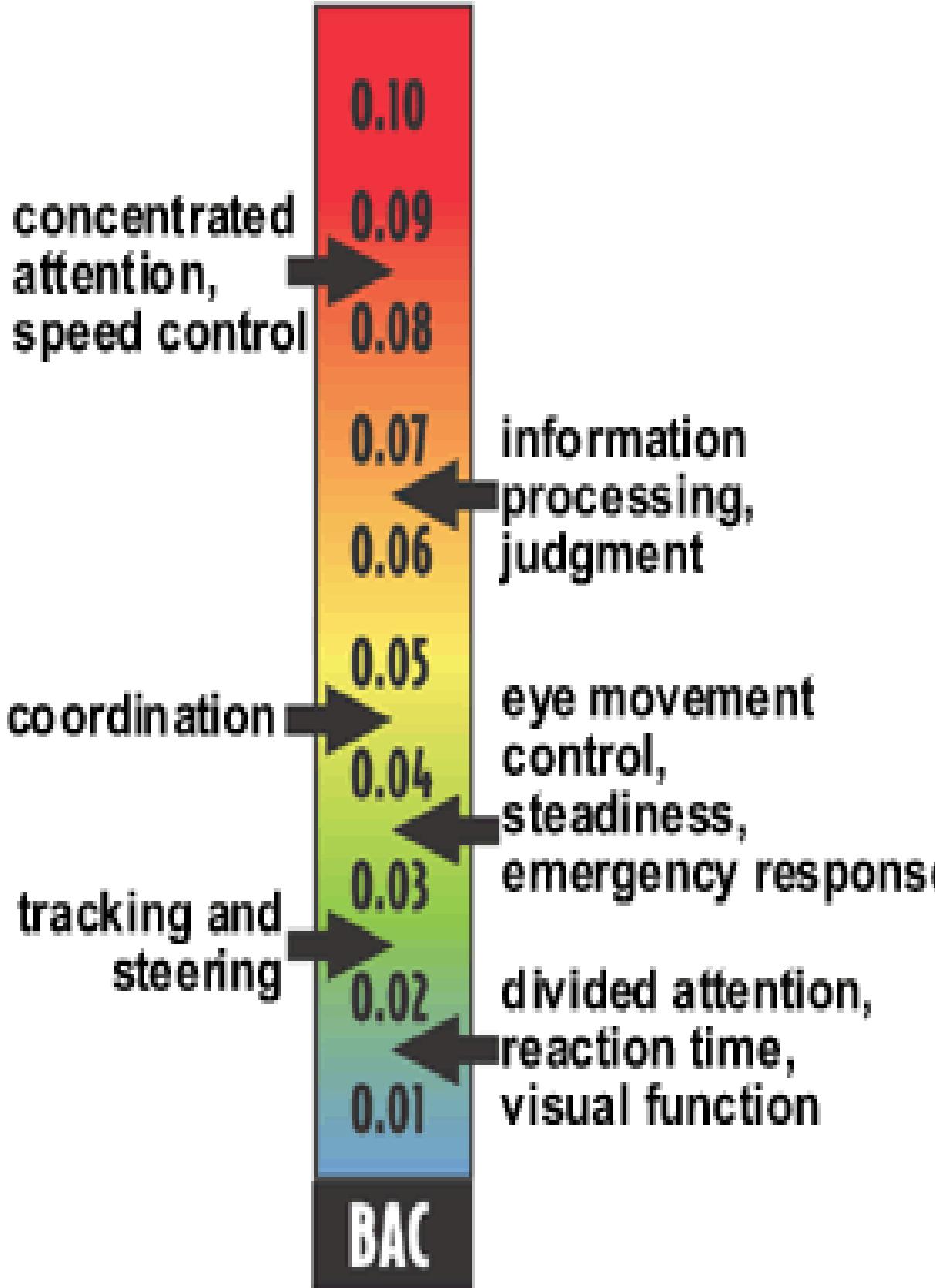
## Food Consumption

Whether the person has eaten food affects the rate of alcohol absorption and impairment.

# BAC AND DRIVING

180 POUNDS





# Common Mental and Physical Effects of Alcohol

- Slowed Reactions and Perception-Reaction Time (PRT)  
Alcohol significantly delays the time it takes to perceive danger and react appropriately, increasing crash risk.
- Poor Judgment  
Impaired decision-making abilities lead to dangerous choices behind the wheel.
- Risk Taking  
Alcohol reduces inhibitions and increases the likelihood of dangerous driving behaviors.
- Poor Coordination  
Motor skills deteriorate, affecting steering, braking, and vehicle control.



# Common Symptoms of Alcohol Influence

BAC Level	Symptoms
0.030% - 0.059%	Decreased concentration
0.06% - 0.09%	Decreased depth perception and peripheral vision
0.10% - 0.19%	Decreased reflexes, perception-reaction time (PRT), speech impairment, staggering
0.20% - 0.29%	Severe motor impairment, passing out, memory loss

These symptoms progressively worsen as blood alcohol concentration increases, severely compromising driving ability at all levels.

# Seven Drug Categories That Impair Driving

LE1312.3: To convict a person of driving under the influence of drugs, the drug must be a controlled substance as defined in chapter 893, F.S., or a chemical substance as indicated in s. 877.111, F.S.



## CNS Depressants

Alcohol, antidepressants, barbiturates



## CNS Stimulants

Amphetamines and cocaine



## Hallucinogens

Ecstasy, LSD, and psilocybin



## Dissociative Anesthetics

PCP and ketamine



## Narcotic Analgesics

Heroin, morphine, and opium



## Inhalants

Aerosols and paint thinner



## Cannabis

Marijuana and medical marijuana



## Indicators Consistent with Drug Categories

	CNS Depressants	CNS Stimulants	Hallucinogens	Dissociative Anesthetics	Narcotic Analgesics	Inhalants	Cannabis
HGN	Present	None	None	Present	None	Present	None
Vertical Gaze Nystagmus	Present (High Dose)	None	None	Present	None	Present (High Dose)	None
Lack of Convergence	Present	None	None	Present	None	Present	Present
Pupil Size	Normal (1)	Dilated	Dilated	Normal	Constricted	Normal (4)	Dilated (6)
Reaction to Light	Slow	Slow	Normal (3)	Normal	Little or None Visible	Slow	Normal
Pulse Rate	Down (2)	Up	Up	Up	Down	Up	Up
Blood Pressure	Down	Up	Up	Up	Down	Up/Down (5)	Up
Body Temperature	Normal	Up	Up	Up	Down	Up/Down/Normal	Normal
Muscle Tone	Flaccid	Rigid	Rigid	Rigid	Flaccid	Normal or Flaccid	Normal
General Indicators	Disorientation Droopy eyelids Drowsiness Drunk-like behavior Slow, sluggish reactions Thick, slurred speech Uncoordinated Unsteady walk	Anxiety Body tremors Dry mouth Euphoria Exaggerated reflexes Excited Eyelid tremors Grinding teeth Increased alertness Insomnia Irritability Redness to the nasal area Restlessness Runny nose Talkative	Body tremors Dazed appearance Difficulty with speech Flashbacks Hallucinations Memory loss Nausea Paranoia Perspiring Poor perception of time and distance Synesthesia Uncoordinated	Blank stare Confusion Chemical odor (PCP) Cyclic behavior Difficulty with speech Disoriented Early HGN Onset Hallucinations Incomplete verbal responses Increased pain threshold "Moon Walking" Non-communicative Perspiring (PCP) Possibly violent Sensory distortions Slow, slurred speech Slowed responses Warm to touch (PCP)	Depressed reflexes Confusion Droopy eyelids Drowsiness Dry mouth Euphoria Facial itching Inability to concentrate "On the Nod" Puncture marks Slow, low, raspy speech Slow breathing Slow deliberate movements	Bloodshot eyes Confusion Disoriented Flushed face Intense headaches Lack of muscle control Non-communicative Odor of substance Possible nausea Residue of substance Slow, thick, slurred speech Watery eyes	Altered time/distance perception Alteration in thought formation Body tremors Bloodshot eyes Disoriented Drowsiness Eyelid tremors Euphoria Impaired memory Increased appetite Lack of concentration Mood changes Odor of Marijuana Rebound Dilation Relaxed inhibitions Sedation
Duration of Effects	Ultra-Short: A few minutes  Short: Up to 5 hours  Intermediate: 6-8 hours  Long: 8-14 hours	Cocaine: 5-90 minutes  Methamphetamine: Up to 12 hours  LSD: 10-12 hours  Psilocybin: 2-3 hours	Duration varies widely from one hallucinogen to another:  LSD: 10-12 hours  Psilocybin: 2-3 hours	PCP Onset: 1-5 minutes  Peak Effects: 15-30 minutes  Exhibits effects up to 4-6 hours  DXM: Onset 15-30 min. Effects 3-6 hours	Heroin: 4-6 hours  Methadone: Up to 24 hours  Others: Vary	6-8 hours for most volatile solvents  Anesthetic gases and aerosols – very short duration	2-3 hours – exhibit and feel effects  (Impairment may last up to 24 hours, without awareness of effects)
Usual Methods of Administration	Injected (occasionally) Insufflation Oral	Insufflation Injected Oral Smoked	Insufflation Oral Smoked Transdermal	Injected Insufflation Oral Smoked Transdermal	Injected Insufflation Oral Smoked Transdermal	Inhalation	Oral Smoked Transdermal
Overdose Signs	Clammy skin Coma Rapid, weak pulse Shallow breathing	Agitation Hallucinations	Intense bad "trip" Hyperthermia Convulsions	Deep coma Seizures and convulsions	Cold, clammy skin Coma Convulsions Slow, shallow breathing	Cardiac arrhythmia Possible psychosis Respiration ceases Severe nausea/vomiting Risk of death	Excessive vomiting Fatigue Acute anxiety attacks Paranoia Possible psychosis

FOOTNOTE: These indicators are the most consistent with the category, keep in mind that there may be variations due to individual reaction, dose taken and drug interactions.

1) Soma, Quaaludes and some antidepressants usually dilate pupils

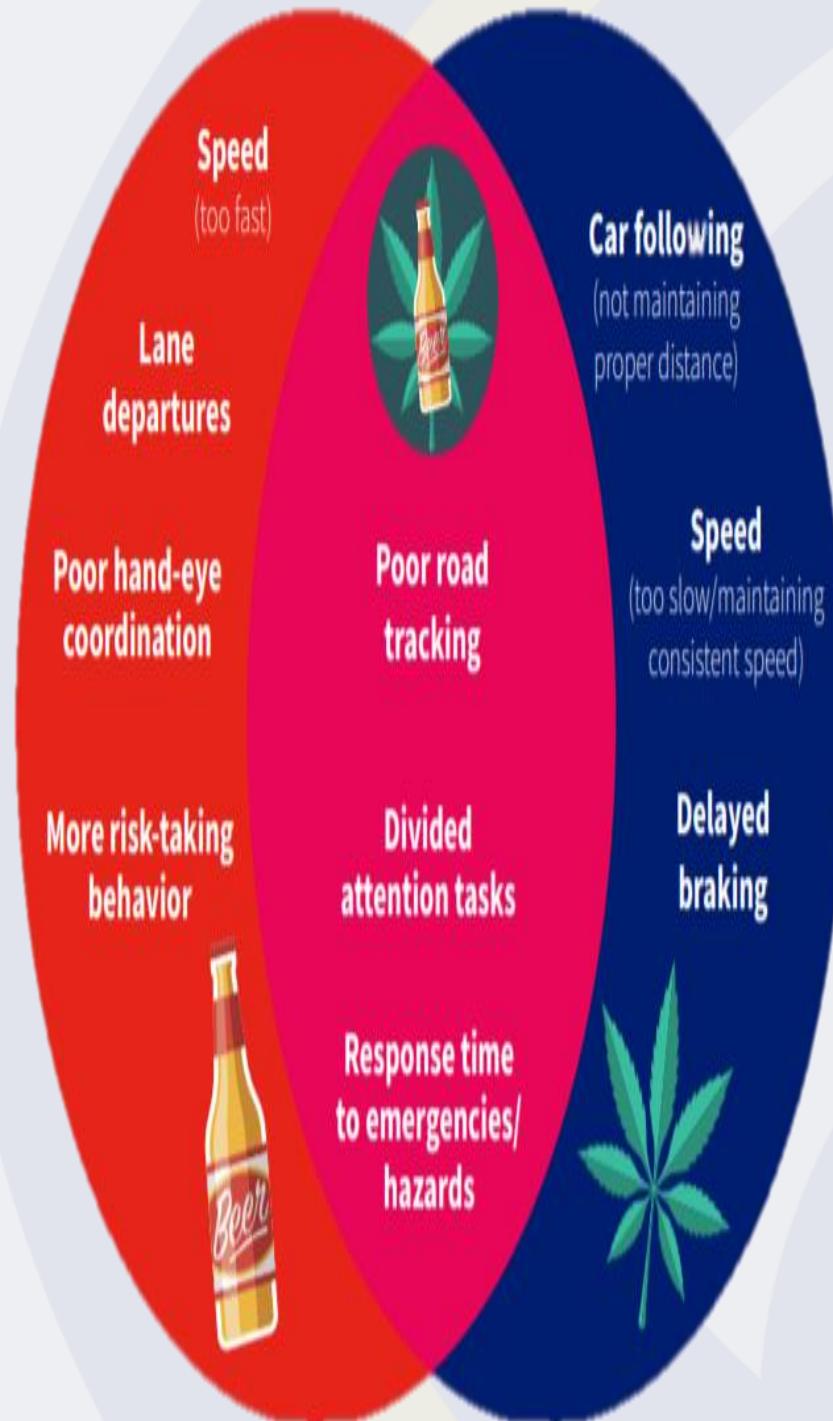
2) Quaaludes, ETOH and some antidepressants may elevate

3) Certain psychedelic amphetamines may cause slowing

4) Normal, but may be dilated

5) Down with anesthetic gases, up with volatile solvents and aerosols

6) Pupil size possibly normal



## Polydrug Use

LE1312.4: You may encounter drivers who are impaired by **Polydrug use**, which is using drugs from two or more drug categories at the same time. These combinations often increase impairment significantly.

### Alcohol and Medication

Drinking alcohol while smoking marijuana or taking pain medication creates dangerous synergistic effects.

### Drug Combinations

Sprinkling PCP on marijuana joints or combining heroin with cocaine (speedballing) dramatically increases impairment.

### Prescription Interactions

Combining alcohol with prescription medication can produce unexpected and severe impairment even at low doses.

- ❑ Impairment from polydrug use can be unpredictable and more severe than single-substance impairment. Officers must be alert to signs of multiple substance use.



# Medical Marijuana

**LE1312.5:** Section 381.986, F.S., permits the medical use of marijuana by qualified patients with specific medical conditions. Understanding the legal framework is essential for proper enforcement.

## Legal Requirements

- Qualified patient or caregiver must possess Medical Marijuana Use Registry (MMUR) identification card
- Card must be in immediate possession when possessing marijuana or delivery device
- Must provide card to officer upon request during traffic stop

## Important Limitations

- Card does NOT exempt from criminal offense or prosecution for impairment
- Does NOT relieve requirement to submit to urine, blood, or other testing
- Possession of card does not prevent DUI arrest if impairment is evident

AVOID A DUI WITH A SAFE AND SOBER RIDE.



# Medication Effects

**LE1312.6:** Some driver behaviors and physical reactions may indicate that the impaired driver is under the influence of medication. Officers must be able to identify these indicators.



## Physical Evidence

Driver may have prescription bottles or leftover pills with them in the vehicle that indicate medication use.



## Verbal Disclosure

Driver may tell you they are taking medications that could affect their driving ability.



## Medical Identification

Driver's license may show requirement to wear medical alert bracelet, or driver may be wearing one.

- Critical Point:** A driver may be lawfully in possession of prescription medication. However, if the effects of the prescribed medication impair the person's ability to drive, treat the driver the same way you would treat someone who is impaired by illegal drugs or alcohol.

# Some Medication labels that you may see....



May cause **DROWSINESS**.  
ALCOHOL may intensify this effect  
**USE CARE** when operating a car  
or dangerous machinery.



This drug may impair the ability to drive  
or operate machinery. **USE CARE** until  
you become familiar with its effects.



May cause **DROWSINESS**  
**USE CARE** when operating a  
car or dangerous machinery.





# Medical Conditions That Mimic Impairment

**LE1312.7:** Certain medical conditions may look like drug- or alcohol-induced impairment. Officers must be able to distinguish between medical emergencies and substance impairment.

## Epilepsy

Seizure activity or post-seizure confusion can appear similar to intoxication

## Diabetes

High or low blood-sugar levels may cause erratic driving, breath odor similar to alcohol, disorientation

## Head Injury

Traumatic brain injury can cause confusion, poor coordination, and altered behavior

## Cognitive Problems

Dementia or Alzheimer's disease can cause disorientation and impaired judgment

## Identification Methods

Check for medical alert card, bracelet, or designation on driver's license to determine if medical condition might cause impairment.

## Proper Response

If you suspect a medical condition is causing impairment, call EMS. If no medical issues suspected and signs of drug or alcohol impairment present, continue DUI investigation.

# Lesson 3: Legal Issues

## Lesson Goals

**LE1313.1:** Describe the elements required for arrest and conviction for DUI in Florida

**LE1313.2:** Determine when to issue a Miranda warning during a DUI traffic stop

**LE1313.3:** Describe the role of implied consent during a DUI traffic stop

**LE1313.4:** Describe how to issue a citation for a DUI offense of refusal



Understanding the legal limits and elements for a DUI arrest is essential for successful prosecution and protecting citizens' rights.



# Legal Terms and Definitions FSS 316.193

To successfully enforce DUI traffic law, you must be familiar with Florida's DUI laws, stay up to date on case law, and know relevant terms.



## Driving Under the Influence (DUI)

A person is driving under the influence if they are driving or in actual physical control of a vehicle while impaired by alcohol or certain chemical or controlled substances to the extent that the person's normal faculties are impaired.



## Normal Faculties

Include a person's ability to see, hear, walk, talk, judge distances, drive an automobile, make judgments, act in emergencies, and normally perform the mental and physical acts of daily life.



## Actual Physical Control

A person is in actual physical control if physically in or on the vehicle and has the capability to operate the vehicle, regardless of whether actually operating it at the time. Example: person asleep in front seat with key in possession.

- Drivers who are deaf or hard of hearing, or have a developmental disability, may have a designator on the front and back of their driver's license. Use your training and sound judgment to distinguish between a disabled driver and a person driving under the influence.



# Arrest Jurisdiction and Vehicle Types

## Where DUI Arrests Apply

You can arrest a person for DUI on any road on public or private property within the state of Florida. This broad jurisdiction ensures comprehensive enforcement.

This comprehensive coverage ensures that impaired operation of any vehicle type can be addressed through DUI enforcement, protecting public safety across all transportation modes.

## Vehicle Types Covered

You can arrest a person for DUI even if driving a vehicle other than a motor vehicle, such as a bicycle, golf cart, or ATV. The law applies to all vehicle types.



# Elements Required for DUI Arrest

**LE1313.1:** Section 316.193, F.S., states that a person commits the offense of DUI if the person is driving or in actual physical control of a vehicle, and the following applies:

01

## Impairment Standard

The person is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, F.S., or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired

02

## Blood-Alcohol Level

The person has a blood-alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood

03

## Breath-Alcohol Level

The person has a breath-alcohol level of 0.08 or more grams of alcohol per 210 liters of breath



# Legal Presumptions Based on Alcohol Concentration

## 0.08 or Higher

Florida Statutes establish a legal presumption: if the driver's alcohol concentration was 0.08 or higher, a jury is to presume that the driver was under the influence of alcohol to the extent that their normal faculties were impaired.

## 0.05 to 0.08

Section 316.1934, F.S., states that evidence of a blood- or breath-alcohol level greater than 0.05 but less than 0.08 does not necessarily mean the driver was under the influence. A jury cannot make any presumption based on this evidence alone.

## Additional Evidence

A jury may consider the alcohol concentration with other competent evidence, such as the driver's driving pattern, the officer's personal contact with the driver, and the SFSTs, to determine whether the driver was under the influence.

# DUI Investigation Following a Crash



Sometimes a DUI investigation results from a crash investigation rather than a traffic stop. This requires a specific procedural approach to maintain the integrity of both investigations.

- 1 Complete Crash Investigation
- 2 Change Hats
- 3 Re-ask Questions

A crash investigation must be completed before you begin your DUI investigation

Formally transition to a DUI criminal investigation by making a verbal statement to the driver

Questions asked during crash investigation that support criminal charges must be asked again after reading Miranda rights

This process allows you to use the new answers as evidence in the criminal investigation while maintaining proper legal procedures and protecting the defendant's rights.



# Miranda Warning During DUI

LE1313.2: Understanding when to issue a Miranda warning during a DUI traffic stop is critical for admissibility of evidence.

## Berkemer v. McCarty Ruling

The U.S. Supreme Court ruled that:

- A Miranda warning applies to interrogations involving minor traffic offenses
- Routine questioning of a driver during a traffic stop is NOT an interrogation

## Application to DUI Stops

You are not required to give a Miranda warning during a traffic stop when you temporarily detain a motorist to ask a few brief questions and issue a citation.

**Important:** Miranda warnings are not required before you administer the SFSTs. However, when determining whether to advise of a Miranda warning during a DUI investigation, follow your agency's policies and procedures.



# Implied Consent

**LE1313.3:** Under s. 316.1932, F.S., **implied consent** refers to the fact that any person who accepts the privilege of driving a motor vehicle in Florida has consented to submit to testing for drug or alcohol impairment.

## What It Means

If an officer lawfully arrests a driver for driving or being in actual physical control of a motor vehicle while under the influence, the driver must submit to a breath, urine or blood test.

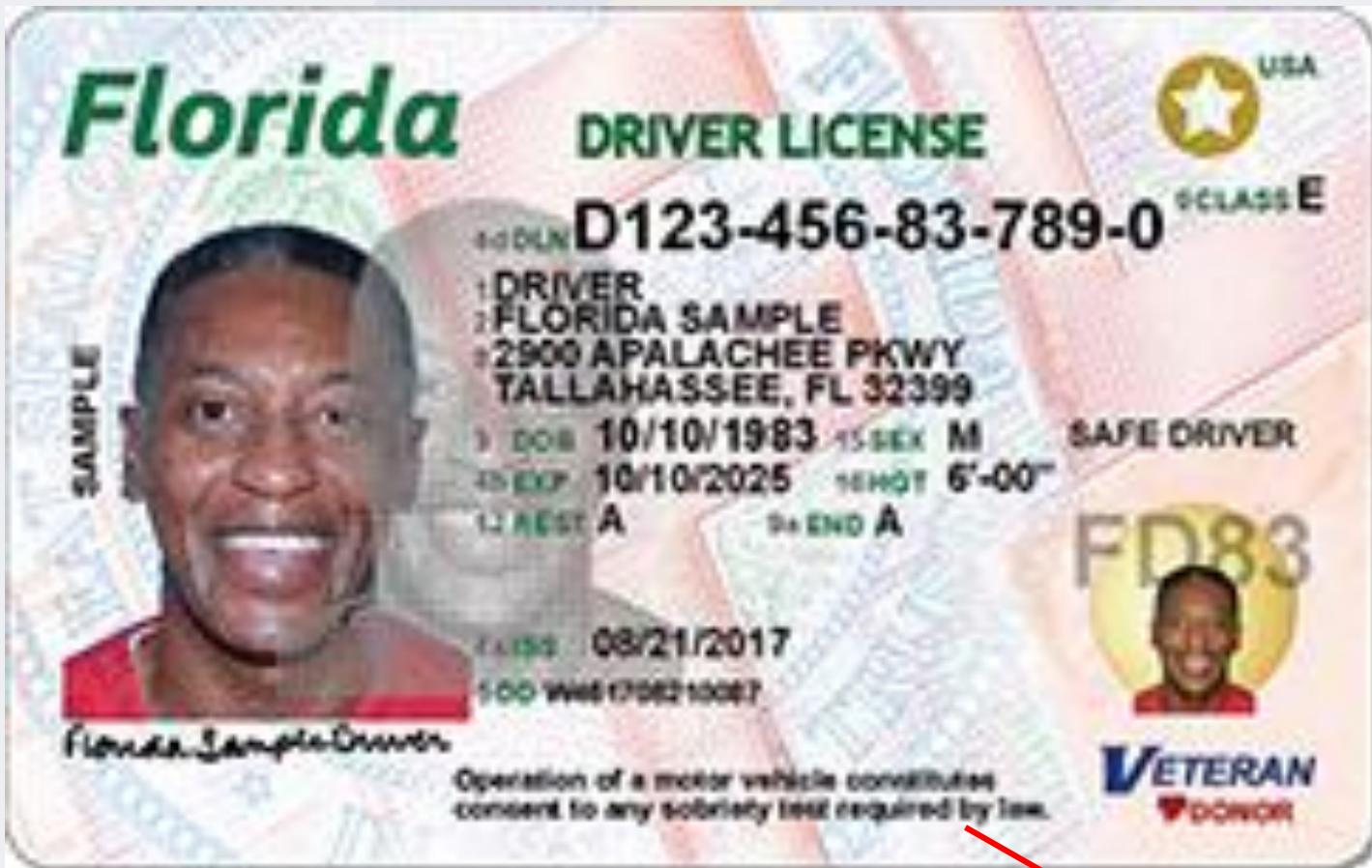
## Purpose of Testing

Tests determine the alcohol content or the presence of a chemical or controlled substance in their breath, urine, or blood.

## Important Limitation

Implied consent applies specifically to motorized vehicles. If a motor vehicle is not involved, the driver is not subject to implied consent.

Even if implied consent applies, you should still explain your actions to the driver. Clear communication helps ensure cooperation and maintains professional standards.



Operation of a motor vehicle  
constitutes consent to any sobriety  
test required by law.



# Implied Consent Warning

When a driver refuses to submit to a breath, urine, or blood test, the law enforcement officer, corrections officer, or certified breath test operator must read or provide the implied consent warning.

## Section 1: Initial Request

Request that the driver submit to a lawful test of their breath, urine, or blood for determining blood alcohol content and/or presence of chemical or controlled substances.

**Ask: "Will you take the test?"**

## Section 2: Consequences of Refusal

Read only if the answer is NO. Explain:

- First refusal: 1 year suspension
- Previous suspension for refusal: 18 months
- Refusal is admissible as evidence
- CDL holders face additional penalties

**Ask again: "Do you still refuse?"**

- ❑ After you read the implied consent warning to the driver, ask the driver again if they will submit to the test. You must read the implied consent warning for each test you request that is refused.



# Refusal Affidavit

**LE1313.4:** If a driver refuses to submit to a breath, urine, or blood test after the implied consent warning, specific documentation is required.

01

## Complete Refusal Affidavit

Complete a refusal affidavit along with a DUI citation documenting the driver's refusal to submit to testing.

02

## Sign and Forward

Sign and forward the refusal affidavit to the DHSMV as part of the DUI arrest report.

03

## Check Prior History

Conduct an FCIC/NCIC, DAVID, or criminal history database search to see if driver has had a previous citation for refusal.

04

## Issue Citations

Issue the DUI citation and the uniform traffic citation (UTC) for the second refusal to submit to testing if applicable.



# 316.1939 Refusal to submit to testing; penalties

Law & Penalties	Law before 10/01/2025	Law After 10/01/2025
First-time refusal of breath, blood, or urine test	civil infraction with no criminal charges	second-degree misdemeanor, punishable by up to 60 days in jail, a \$500 fine, and a one-year license suspension
Second-time refusal	penalties remain unchanged: a first-degree misdemeanor with up to 12 months in jail, a \$1,000 fine, and an 18-month license suspension.	Unchanged



# Commercial Motor Vehicle DUI

**LE1313.5:** A person who has any alcohol in their body may not drive or be in actual physical control of a commercial motor vehicle (CMV) in the state of Florida.

## Zero Tolerance Standard

Any detectable amount of alcohol prohibits operation of a CMV. This is stricter than the standard for non-commercial vehicles.

## CDL Suspension

If you arrest a driver for DUI while operating or in actual physical control of a motor vehicle or CMV, the driver may lose their commercial driver's license (CDL) for one year, subject to an administrative hearing.

## Refusal Penalties

This penalty applies if the driver refuses to submit to a breath, urine, or blood test to determine alcohol concentration or if driving a CMV with an alcohol concentration of 0.04 or higher, even if the decision to arrest is not made.

Follow your agency's policies and procedures for CMV-related enforcement. If you suspect a DUI violation, conduct a DUI investigation.



# Drivers Younger Than 21 (0.02 Violation)

**LE1313.6:** It is unlawful for a person younger than 21 years of age, who has a blood-alcohol level or breath-alcohol level of 0.02 or higher, to drive or be in actual physical control of a motor vehicle.

## Step 1: Conduct DUI Investigation

If the subject is not arrested for DUI, proceed with the 0.02 investigation, based on the odor of alcohol on their breath.

## Step 2: Request Breath Test

Request the driver to submit to a breath test, using an approved testing device. A violation of this section is not a traffic infraction or a criminal offense, and being detained on this violation does not constitute an arrest.

## Step 3: Administrative Action

The driver is subject to administrative action by DHSMV, which may suspend driving privileges by issuing a notice of suspension to the driver at the time of the offense.

## Step 4: Handle Refusal

If the driver refuses to submit to a breath test, read the implied consent for an 0.02 violation. If they still refuse, issue a notice of license suspension for the 0.02 violation.

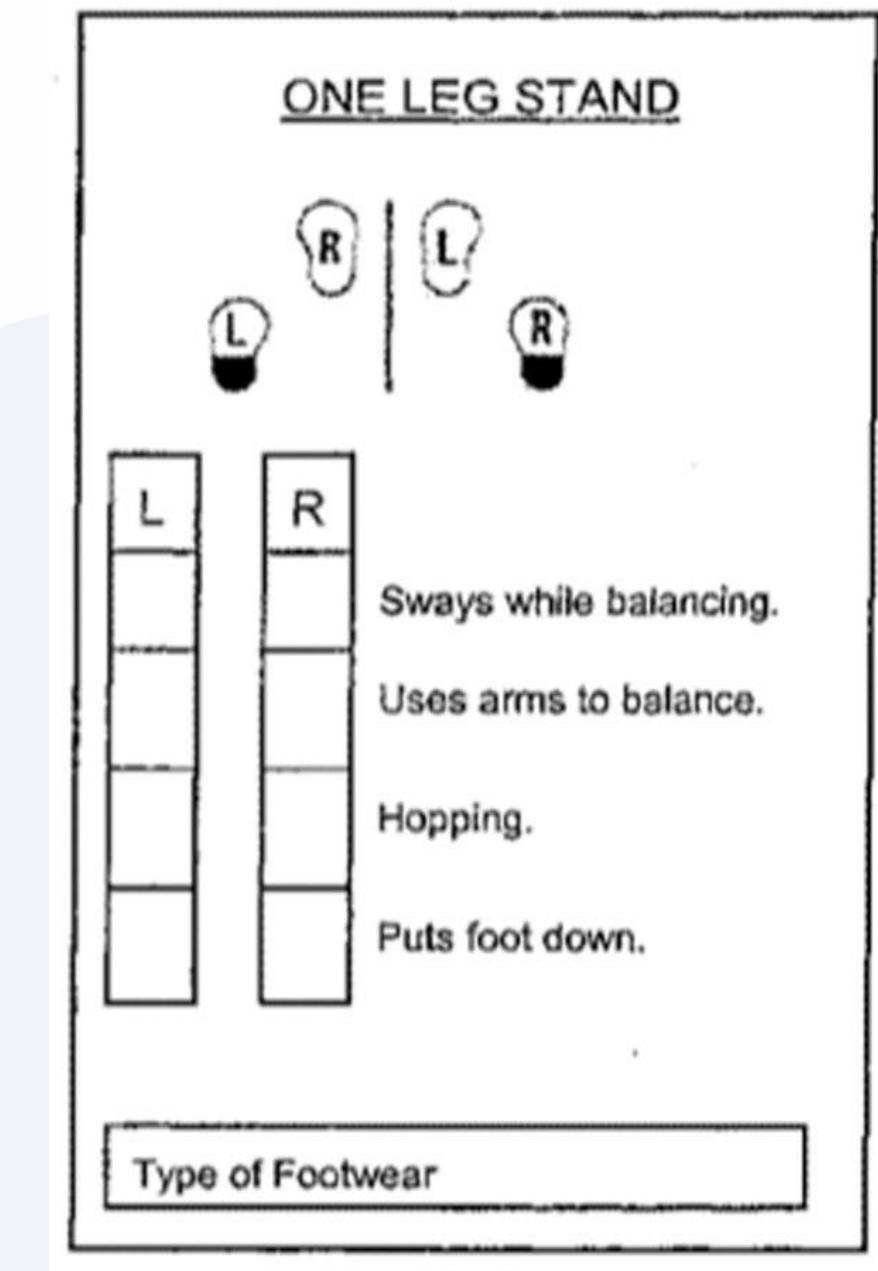
Follow your agency's policies and procedures to deal with the vehicle and driver. Section 322.2616, F.S., outlines instructions for conducting a traffic stop involving a driver younger than 21.

# Lesson 4: DUI Field Notes

## Lesson Goals

**LE1314.1:** Recognize the importance of taking clear and descriptive field notes in a DUI investigation

**LE1314.2:** Describe the information to include in DUI field notes



Clear and descriptive field notes are essential for supporting a DUI report and successful prosecution. Your notes document observations at the time of the incident and establish evidence and elements of the DUI offense.



# Importance of Field Notes

## Evidence Documentation

You will need to recognize, gather, and document facts and circumstances that establish reasonable suspicion to stop and investigate a driver suspected of impaired driving.

## Contemporaneous Record

Your notes document your observations of impairment at the time the incident occurred and provide the information necessary to establish the evidence and elements of the DUI offense.

## Court Evidence

The court may subpoena your field notes as evidence. Your field notes help you complete the DUI report forms and support successful prosecution of the driver.

- Critical Point:** Taking notes is one of the most important tasks in a DUI investigation. The evidence you observe and document is largely sensory (sight, smell, hearing) in nature and is extremely short-lived. It is important to take notes throughout the entire DUI detection process.



# Note-Taking Best Practices

Develop your own shorthand or structured note-taking system to improve the effectiveness of handwritten field notes.  
Use clear and descriptive language that creates mental pictures of the facts, circumstances, and events.

## Unclear Language

Driver appeared drunk

Smelled alcohol

Vehicle stopped in unusual manner or location

Vehicle crossed the centerline

## Descriptive Language

Driver's eyes bloodshot; gaze fixed; hands shaking

Odor of alcoholic beverage on driver's breath

Vehicle struck or climbed curb; stopped on sidewalk

Vehicle completely crossed the centerline into the opposing traffic lane



# Information to Include in DUI Field Notes

**LE1314.2:** Whenever possible, complete DUI field notes before you leave the site of the arrest. You will use these notes to refresh your memory, write the arrest report, and testify in court.

## Vehicle in Motion Observations

Descriptions of the vehicle in motion, including observations of the vehicle and the vehicle stop

## Scene Description

Descriptions of the vehicle, the location, weather, terrain, and the date and time the incident occurred

## Personal Contact Details

Personal contact with the driver, including observations of the driver's manner of speech (also admissions), attitude, and clothing; note any physical evidence collected

## Investigation Results

The results of the investigation including SFST performance and outcomes

## Additional Evidence

Any other evidence specific to the incident that may be relevant to prosecution

## UNIT 2: CONDUCTING THE DUI INVESTIGATION

# Lesson 1: DUI Detection Process

### Lesson Goal

**LE1321.1:** Describe how the DUI detection process can provide probable cause for arrest

Before you determine whether or not to arrest a driver for a DUI offense, you must identify and gather evidence using the DUI detection process.



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# Three Phases of DUI Detection

The **DUI detection process** requires you to identify and gather evidence to determine whether or not a subject should be arrested for a DUI violation. It begins when you first suspect that a driver may be impaired and ends when you determine there is or is not sufficient probable cause to arrest the person for a DUI offense.

## Phase One: Vehicle in Motion

Observing the way the driver operates and stops the vehicle

## Phase Two: Personal Contact

Observing and speaking with the driver face to face

## Phase Three: Pre-arrest Screening

Administering the SFSTs to the driver to determine if there is probable cause to arrest for DUI



# When All Three Phases Are Not Possible

The DUI detection process does not always include all three phases. Sometimes the officer does not have the opportunity to observe the driver operating the vehicle.

## Stationary Vehicle Scenarios

A scene where the driver is passed out behind the wheel of a vehicle that is not in motion

## Traffic Crash Scenes

Investigation begins after the vehicle has already stopped due to a collision

## Motorist Assistance

A request for motorist assistance where the vehicle is already stopped

Sometimes you may be unable to conduct the SFSTs on the driver. This can include situations where the driver is physically unable to perform the SFSTs, the driver is transported to the hospital, or the driver refuses to submit to the SFSTs.

- ❑ At the conclusion of each phase of the DUI detection process, you will need to decide whether to continue to the next phase.



# Characteristics of Successful DUI Detection



## Knowledge of Indicators

Know what to look, listen, and smell for during each phase of the investigation



## Consistent Application

Apply their knowledge and skills whenever they come into contact with someone who may be under the influence of drugs or alcohol



## Effective Questioning

Have the skills to ask the right kinds of questions to elicit evidence of impairment



## Proper Administration

Properly administer the SFSTs according to standardized procedures



## Thorough Documentation

Properly document all phases of the DUI detection process with clear, descriptive notes

## UNIT 2: CONDUCTING THE DUI INVESTIGATION

# Lesson 2: Phase One—Vehicle in Motion

## Lesson Goals

**LE1322.1:** Describe the role of reasonable suspicion for conducting a DUI traffic stop

**LE1322.2:** List driver impairment cues for a vehicle in motion

**LE1322.3:** List impairment cues for a motorcyclist

**LE1322.4:** List driver impairment cues when stopping the vehicle

**LE1322.5:** Describe the concept of divided attention





# Phase One: Initial Observations

Phase one begins when you observe the vehicle in motion. You may notice a vehicle because of a traffic violation, an equipment violation, or an expired registration. You may notice unusual driving actions, such as weaving within a lane or moving at slower than normal speed.



Based on your observations, decide if there is reasonable suspicion to instruct the driver to stop. If you decide to stop the vehicle, continue to observe the driver's actions as they respond to your signal to stop. Take note of any additional cues of a possible DUI violation.

- A **cue** is a reminder, prompt, or a signal to do something, such as taking law enforcement action or observing the vehicle more closely.

# Vehicle in Motion



# DUI Cues: Lane Position

While on patrol, you might see many signs of an impaired driver. These can be anything from a traffic statute violation to a driving observation—there can be multiple indicators of driving impairment. You must carefully observe driving patterns and violations.

- **Weaving**

Vehicle moves side to side within the lane or across lane lines

- **Weaving Across Lane Lines (Lane Departure)**

Vehicle crosses lane markings into adjacent lanes

- **Drifting**

Gradual, unintentional movement from the intended path

- **Straddling a Lane Line**

Vehicle drives with wheels on both sides of a lane marking

- **Swerving**

Abrupt changes in direction to avoid objects or correct position

- **Almost Striking an Object or Vehicle**

Near-miss incidents indicating poor judgment or control

- **Turning With a Wide Radius**

Making turns that are wider than necessary



# DUI Cues: Speed and Braking Problems



## Stopping Problems

Stopping too far from intersection, too short, or with jerky movements indicating poor control

## Accelerating or Decelerating Unnecessarily

Inappropriate speed changes without apparent reason or traffic conditions requiring them

## Varying Speed

Inconsistent speed maintenance, speeding up and slowing down without cause

## Driving 10 MPH or More Under the Speed Limit

Significantly slower than posted speed limit or flow of traffic without apparent reason



# DUI Cues: Vigilance Problems

## Driving Without Headlights at Night

Failure to use required lighting during hours of darkness

## Failing to Signal

Not using turn signals or signaling that is inconsistent with the action taken

## Wrong-Way Driving

Driving in opposing lanes or the wrong way on a one-way road

## Slow Response to Signals

Responding slowly to traffic signals or failing to respond to officer's signals

## Stopping in Lane

Stopping in the lane for no apparent reason, creating a hazard



# DUI Cues: Judgment Problems

## ■ Following Too Closely (Tailgating)

Maintaining insufficient following distance, creating dangerous conditions

## ■ Improper or Unsafe Lane Change

Conducting lane changes without proper signaling, checking, or safe spacing

## ■ Illegal or Improper Turn

Making turns from wrong lanes, illegal U-turns, or turns without proper signaling

## ■ Driving Off the Roadway

Vehicle leaves the paved surface or drives on shoulder without apparent reason

## ■ Stopping Inappropriately

Stopping inappropriately in response to the officer's signals or commands

## ■ Appearing to Be Impaired

Overall driving behavior suggests impairment even without specific violations



# DUI Motorcyclist Visual Cues

**LE1322.3:** Driving impairment cues for motorcyclists include specific behaviors that indicate inability to safely operate a two-wheeled vehicle.

## Balance and Control Issues

- Drifting during a turn or curve
- Trouble dismounting
- Trouble balancing at a stop
- Weaving
- Moving erratically while going straight

## Operational Problems

- Problems turning (unsteadiness, sudden corrections, late braking, improper lean angle)
- Operating without lights at night
- Driving recklessly (driving on one wheel or at high speeds)
- Following too closely
- Running a stop light or sign
- Evading the officer
- Going the wrong way

# Vehicle Stop Observations

**LE1322.4:** After directing the driver to stop the vehicle, the impaired driver may show additional evidence of DUI. These behaviors occur as the driver responds to your signal to stop.



## Attempting to Flee

Driver tries to evade or escape after being signaled to stop



## Not Responding or Responding Slowly

Delayed reaction to officer's signals or commands to stop



## Swerving Abruptly

Sudden, uncontrolled movements while attempting to stop



## Stopping Suddenly

Abrupt, unsafe stop that may indicate impaired judgment

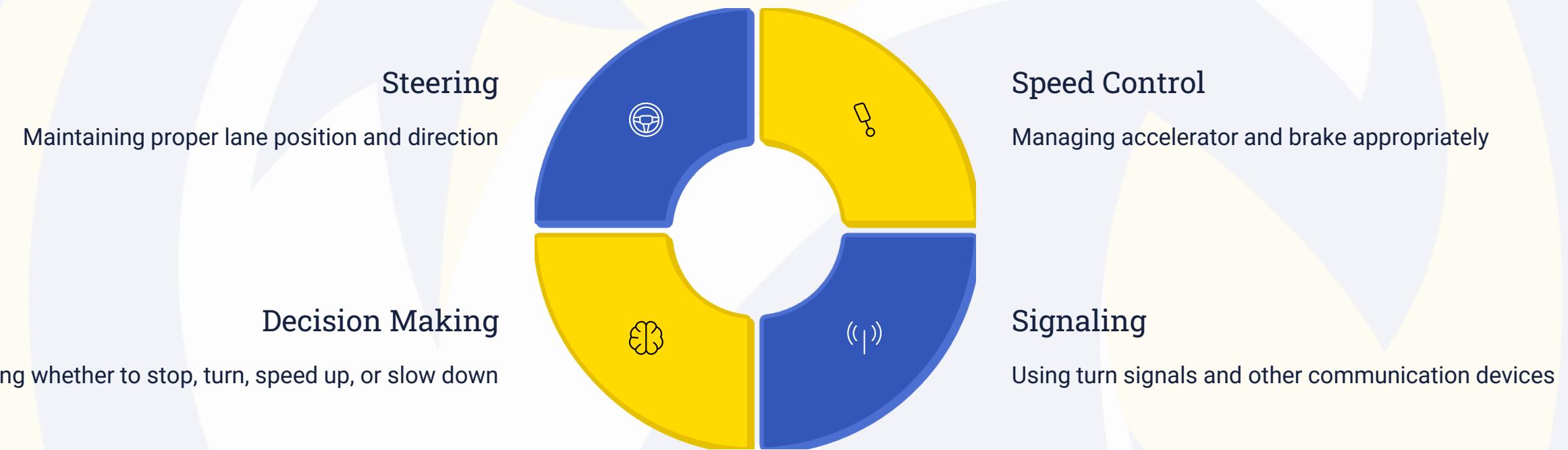


## Striking the Curb or Another Object

Hitting obstacles while attempting to pull over and stop

# Divided Attention Concept

**LE1322.5: Divided attention** is the ability to concentrate on two or more tasks at the same time. While under the influence of alcohol or drugs, a driver's ability to divide attention is impaired.



An impaired driver may have difficulty performing these simultaneous tasks. Some of these cues occur because the stop places additional demands on the driver's ability to divide their attention among various tasks.

- Safety Note:** Once the driver stops the vehicle, do not ask them to move their vehicle to a safer location. Telling an impaired driver to move their vehicle could create an unsafe situation for everyone.

## UNIT 2: CONDUCTING THE DUI INVESTIGATION

# Lesson 3: Phase Two—Personal Contact

### Lesson Goals

**LE1323.1:** Describe how to gather evidence during an impaired driver traffic stop

**LE1323.2:** List observable clues of driver impairment

**LE1323.3:** Describe how to conduct a divided attention test for driver impairment

**LE1323.4:** List verbal clues of driver impairment

**LE1323.5:** List the impairment clues of a driver who is exiting the vehicle





# Phase Two Overview

Sometimes, phase one may not be possible, so you may move on to phase two. This phase has two major evidence-gathering tasks and one major decision.

01

## Task One

Observe and talk with the driver in the vehicle

02

## Task Two

Observe the driver exiting the vehicle

03

## Major Decision

Administer the SFSTs, continue dialoguing with the driver while looking for additional evidence, or finish the contact if you do not observe any impairment



# Task One: Observe and Talk With the Driver

The first task of phase two begins as soon as both the driver's vehicle and the patrol vehicle have come to complete stops. It continues through your approach to the vehicle and involves all conversation between you and the driver.

In some cases, your initial face-to-face contact with the driver may give you the first indications that the driver is impaired. For example, you stop a vehicle for an equipment violation and notice signs of impairment only as you talk with the driver.

- Professional Standards:** Whether or not the driver is impaired, treat the driver and all occupants with fairness, dignity, and respect as you search for clues.

Use your senses when observing the driver to provide clues of alcohol or drug impairment. What do you see or smell? During a DUI investigation, a **clue** is a piece of evidence that suggests impairment. Clues are also the behaviors observed during the performance of SFSTs.

# Observable Clues of Driver Impairment

**LE1323.2:** Some observable signs of impairment include:



## Bloodshot Eyes

Red, watery, or glassy appearance of the eyes indicating possible alcohol or drug use



## Soiled Clothing

Clothing stained with urine, feces, or vomit suggesting severe impairment



## Alcohol Containers or Drugs

Presence of alcohol containers, drugs, or drug paraphernalia in the vehicle



## Odors

Odor of alcoholic beverages or marijuana smoke, or cover-up odors like breath spray or tobacco smoke



## Fumbling

Difficulty handling driver's license, paperwork, or motor vehicle controls



# Divided Attention Testing During Contact

**LE1323.3:** Talking with the driver does not replace the SFSTs but can still be useful for obtaining evidence of impairment to establish reasonable suspicion. Use techniques that apply the concept of divided attention, which will require the driver to concentrate on two or more things at the same time.

## Example Technique

While the driver is seated in their vehicle, ask for two things in one request. Ask the driver to produce both their driver's license and the vehicle registration.

## Indicators of Impairment

If the driver forgets to produce both documents, produces documents other than the ones requested, or passes over their license, registration, or both while searching through wallet or purse, this may indicate impairment.

- Once reasonable suspicion is evident, ask the driver to exit the vehicle. If there is not reasonable suspicion, let them go.



# Verbal Clues of Driver Impairment

**LE1323.4:** An impaired driver may exhibit various verbal indicators during your conversation. Listen carefully for these clues:

## Response Issues

Responding slowly to questions or asking you to repeat questions multiple times

## Repetition

Repeating your questions or comments back to you instead of answering

## Incorrect Information

Providing incorrect information or changing answers to the same question

## Slurred Speech

Difficulty articulating words clearly, mumbling, or slurring

## Admissions

Admitting to drinking alcohol or using drugs

## Inconsistent Responses

Providing inconsistent or contradictory responses to questions

## Abusive Language

Using inappropriate, hostile, or abusive language



# Task Two: Observe the Driver Exiting the Vehicle

LE1323.5: Instruct the driver to exit the vehicle, and keep officer and driver safety in mind at all times. Safety considerations take precedence over all other considerations.

As the driver exits, observe their behaviors. Look for clues that the driver:

- **Cannot Follow Instructions**

Difficulty understanding or complying with simple commands

- **Cannot Open the Door**

Fumbling with door handle or having trouble opening the door

- **Leaves the Vehicle in Gear**

Fails to put vehicle in park before exiting

- **Climbs Out of the Vehicle**

Awkward, uncoordinated exit from the vehicle

- **Sways or Staggers While Walking**

Unsteady gait or balance problems when walking

- **Leans Against the Vehicle or Another Object**

Needs support to maintain balance

- **Places Hands on Vehicle for Balance**

Uses vehicle for support to prevent falling

At this point in the DUI detection process, the officer will make the decision on whether or not to proceed to phase three.

## UNIT 2: CONDUCTING THE DUI INVESTIGATION

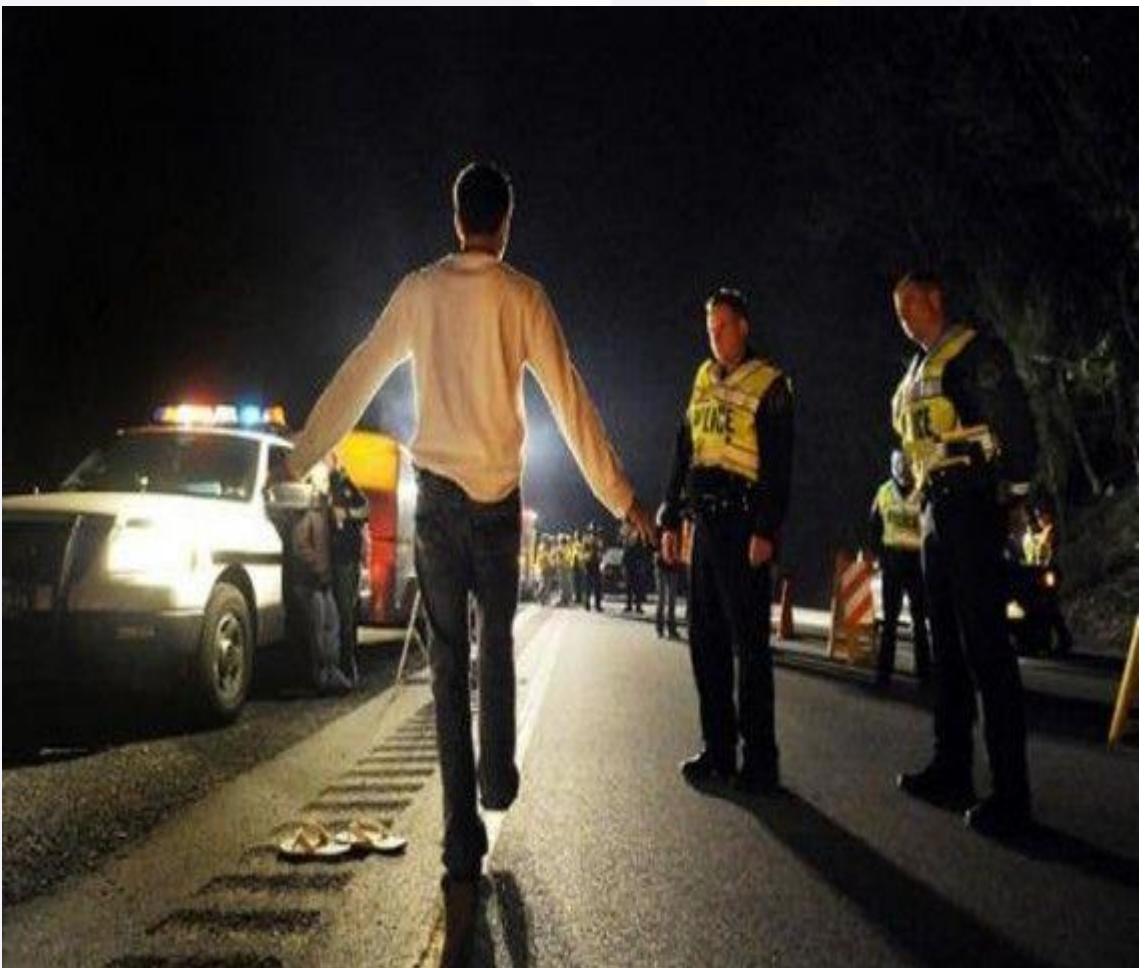
# Lesson 4: Phase Three—Pre-arrest Screening

## Lesson Goals

**LE1324.1:** Describe how to maintain the reliability and validity of the SFSTs

**LE1324.2:** Describe a safe location to conduct the SFSTs

Phase three of the DUI investigation is the pre-arrest screening process, which involves administering the SFSTs.





# Standardized Field Sobriety Tests

For many years, law enforcement officers have used standardized field sobriety tests to determine whether a driver is too impaired to operate a vehicle. Officers now use the SFSTs to assess a driver's level of impairment, develop probable cause for arrest, and produce test results as evidence in court.

## Horizontal Gaze Nystagmus (HGN)

An involuntary jerking that occurs as the eyes move toward the side. This is a physiological test that measures eye movement.

## Walk and Turn

A psychophysical test that measures a person's ability to perform mental and physical tasks simultaneously.

## One Leg Stand

A psychophysical test that assesses balance and the ability to follow instructions while performing a physical task.

- A **psychophysical test** is a divided attention test that measures a person's ability to perform mental and physical tasks at the same time.

# Maintaining SFST Reliability and Validity

**LE1324.1:** The reliability of the SFSTs applies only when the officer follows specific standardized procedures.



## Standardized Administration

Administers the exercises in the prescribed, standardized manner exactly as trained



## Standardized Clues

Uses the standardized clues to assess the driver's performance



## Standardized Criteria

Employs the standardized criteria to assess the level of impairment of the driver

- Critical Warning:** If you change any of the SFST elements, you may compromise the reliability of the tests. The SFSTs are components in determining whether probable cause exists to arrest the driver for DUI.





U.S. Department of Transportation  
National Highway Traffic Safety Administration



**A Colorado Validation Study  
of the  
Standardized Field Sobriety Test (SFST) Battery**

Final Report Submitted to  
Colorado Department of Transportation  
November 1995



Marcelline Burns, Ph.D.  
Southern California Research Institute  
Los Angeles, California

Ellen W. Anderson, Deputy  
Pitkin County Sheriff's Office  
Aspen, Colorado

This report was funded by the Office of Transportation Safety, Colorado  
Department of Transportation  
(utilizing National Highway Traffic Safety Administration funds under Project  
Number 95-408-17-05)

# NHTSA Validation Studies

**91%**

**Correct Arrest Decisions**

According to NHTSA research,  
officers made correct arrest  
decisions 91% of the time based on  
the three SFSTs

**0.08**

**Blood Concentration Level**

Studies supported arrest decisions  
at, above, or below a 0.08 blood  
concentration level

The National Highway Traffic Safety Administration (NHTSA) published  
studies that validate the SFSTs for use across the country. These studies  
provide the scientific foundation for the use of SFSTs in DUI investigations  
and court proceedings.





# Selecting a Safe Location for SFSTs

**LE1324.2:** Before conducting the SFSTs, select a safe location that meets specific criteria to ensure accurate test results and officer/.driver safety.



## Away From Traffic

Location must be away from vehicle or pedestrian traffic to ensure safety and minimize distractions



## Level Surface

Tests must be conducted on a level surface to ensure accurate assessment of balance and coordination



## Ample Lighting

Adequate lighting is essential for observing test performance. At night, use lights to illuminate the location



## Minimize Distractions

If possible, minimize distracting lights such as emergency vehicle lights that could affect test performance



# Standardized Field Sobriety Tests

A comprehensive training guide for law enforcement officers on administering, interpreting, and documenting field sobriety tests for DUI investigations.





# Unit 3: Standardized Field Sobriety Tests

1

## Lesson 1: Horizontal Gaze Nystagmus

Learn to administer, interpret, and document nystagmus testing

2

## Lesson 2: Walk and Turn

Master the administration and evaluation of the Walk and Turn test

3

## Lesson 3: One Leg Stand

Understand proper procedures for the One Leg Stand test

# Lesson 1: Horizontal Gaze Nystagmus

## Lesson Goal

At the end of this lesson, you will know how to administer, interpret, and document a nystagmus test.





# Understanding Nystagmus

## What is Nystagmus?

**Nystagmus** is an involuntary jerking of the eyes. The first SFST in the pre-arrest screening process is the Horizontal Gaze Nystagmus (HGN) test. Many types of nystagmus can occur naturally, environmentally, or from medical conditions. When a person is impaired by drugs or alcohol, nystagmus may be observed.

The person experiencing nystagmus usually does not know it is occurring. The higher the degree of impairment, the sooner you will observe the nystagmus.

## Resting Nystagmus

**Resting nystagmus** is the jerking of the eyes as the eyes look straight ahead. This condition, though not frequently seen, usually indicates a pathological disorder or high doses of a dissociative anesthetic drug, such as PCP.

You should make note of any abnormalities observed or reported by the driver, then proceed with the Horizontal Gaze Nystagmus (HGN) test.



# HGN Testing Instructions

- Safety First:** When you administer the HGN test, keep your weapon side away from the driver for safety.

1

"I am going to check your eyes. Do you wear glasses or contacts?" (If they are wearing glasses ask them to remove their glasses.)

2

"Stand with your feet together—heels and toes—and your hands down at your side." (The subject may also be seated.)

3

"Keep your head still and follow this object with your eyes only."

4

"Do not move your head."

5

"Do you understand the instructions?"



# Administering the HGN Test

While administering the HGN test, have the driver follow the motion of a small object with their eyes only. Position the object about 12–15 inches from the driver's nose and slightly above their eye level.

The object may be the tip of a pen or penlight, an eraser on a pencil, or a fingertip, whichever contrasts with the background. Begin with the driver's left eye, then the right, and examine each eye twice.

**LE1331.1.** Describe how to administer an HGN test





# Step 1: Check Resting Nystagmus and Pupil Size

## Resting Nystagmus

Check for resting nystagmus and equal pupil size. Note unequal pupil size and if present, question the subject about it.

**LE1331.2.** Determine the driver's resting nystagmus

## Unequal Pupils

Check to ensure that the driver's pupils are equal in size. If you observe unequal pupil size, it could indicate a possible medical disorder or injury.

# Step 2: Check for Equal Tracking

**Equal tracking** is the ability of the eyes to track together as they follow an object. Check that the driver's eyes can track together by moving an object smoothly across the driver's entire field of vision two times.



## Normal Tracking

Eyes move together smoothly following the stimulus



## Abnormal Tracking

If the eyes do not track together, it could indicate a possible medical condition, injury, or visual impairment

Ask the driver if they have a medical condition or injury that hinders one or both eyes from tracking together as this could possibly affect nystagmus observed.

# Step 3: Check for Lack of Smooth Pursuit

**Lack of smooth pursuit** occurs when the eye of an impaired driver jerks or bounces as the eye follows a smoothly moving stimulus. In contrast, the eye of an unimpaired driver will follow smoothly like a marble rolling across a smooth pane of glass.

## Testing Procedure

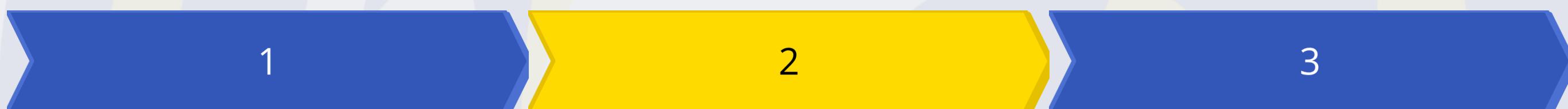
- Check the driver's left eye by moving the stimulus to the right
- Move the stimulus smoothly at a speed that requires approximately two seconds to bring the driver's eye as far to the side as it can go
- While moving the stimulus, look at the driver's eye and determine whether it is able to pursue smoothly
- Move the stimulus all the way to the left, back across the driver's face, checking if the right eye pursues smoothly
- Movement takes approximately two seconds out and two seconds back for each eye
- Repeat the procedure

LE1331.3. Describe how to observe lack of smooth pursuit



# Step 4: Distinct and Sustained Nystagmus at Maximum Deviation

The **distinct and sustained nystagmus at maximum deviation** clue occurs when the gaze of the eye has moved as far as it can go toward the shoulder, and no white is visible at the outside of the eye. You can observe the eye jerk when it is held at maximum deviation for a minimum of four seconds.



## 1 Position the Eye

Have the driver hold the eye at maximum deviation

## 2 Observe for 4+ Seconds

Watch for distinct and sustained jerking

## 3 Repeat Both Eyes

Move stimulus across face to check left eye, then repeat

Some people exhibit slight jerking of the eye at maximum deviation even when unimpaired, but the jerking will not be evident or sustained for more than a few seconds. When impaired by alcohol, the jerking will be more pronounced, sustained for more than four seconds, and easily observable.

**LE1331.4.** Describe how to observe distinct and sustained nystagmus at maximum deviation

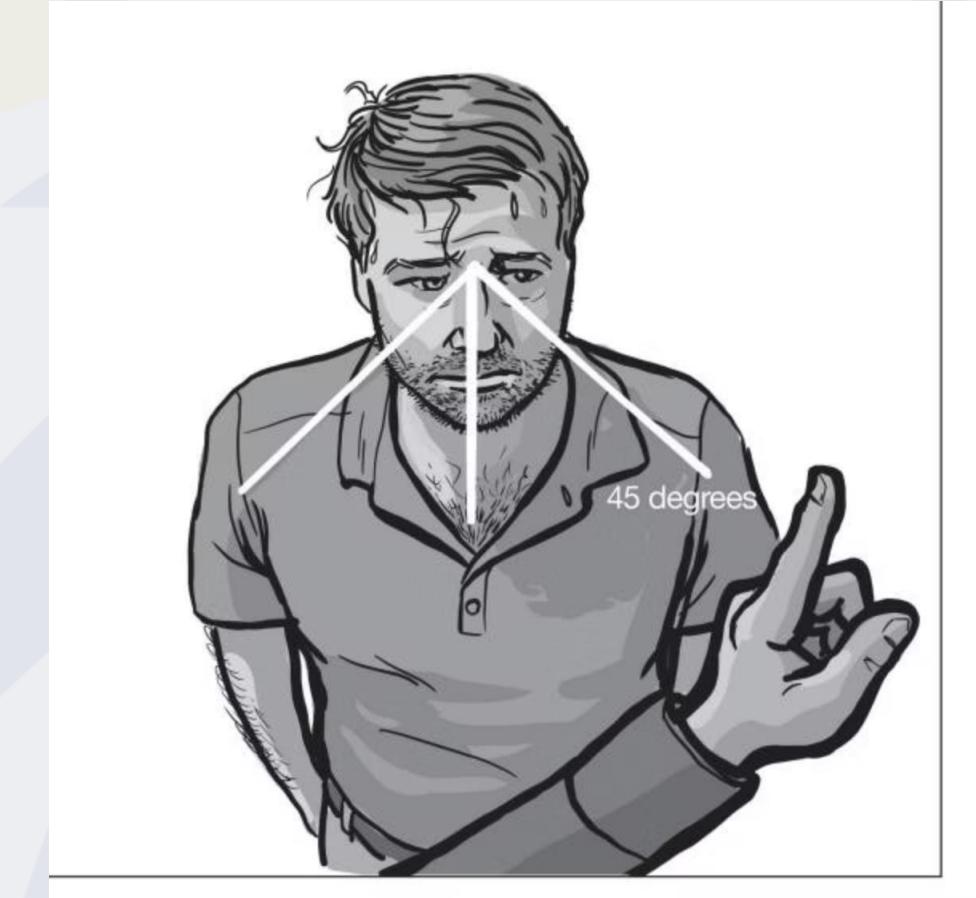
# Step 5: Onset of Nystagmus Prior to 45°

Check for the **onset of nystagmus prior to 45°**, which is a clue that a driver has an alcohol concentration above 0.08.

## Testing Procedure

- Conduct two passes starting at 0° beginning with the subject's left eye
- Move slowly until you see nystagmus
- If you observe nystagmus, hold the position and confirm that nystagmus is distinct and sustained
- If you do not see nystagmus, continue until 45°
- Return to 0° and repeat with the right eye
- The movement from 0° to 45° should take a minimum of four seconds

LE1331.5. Describe how to observe the onset of nystagmus prior to 45°



This estimate of a 45° angle is a critical factor in checking for onset of nystagmus before 45°. If the point at which you first see the eye jerking begins before 45°, it is possible that the driver has an alcohol concentration above 0.08 or has taken drugs.



# Step 6: Check for Vertical Gaze Nystagmus

**Vertical gaze nystagmus (VGN)** is the involuntary jerking of the eyes as they move upward and are held at maximum deviation for a minimum of four seconds.

## Positioning

Hold the stimulus slightly above eye level 12–15 inches from the driver's nose. Be aware of your position in relation to the driver at all times.

## Elevation

Raise the object until the driver's eyes are elevated as far as possible. Hold for about four seconds.

## Observation

Watch closely for evidence of the eyes jerking up and down. Repeat for two passes.

- Important:** There is no known drug that will cause VGN without causing at least four clues of HGN. If VGN is present and HGN is not, it could be a medical condition.

VGN was not included in the SFSTs in the original research; however, it is a reliable indicator of a high dose of alcohol for that individual and can also be caused by certain drugs.

**LE1331.6.** Describe how to administer the VGN check



# HGN Test: Six Possible Clues

The maximum number of clues that may appear in one eye is three. The maximum number of total clues observed is six.

## Clue 1

Lack of smooth pursuit (left eye)

## Clue 2

Lack of smooth pursuit (right eye)

## Clue 3

Distinct and sustained nystagmus at maximum deviation  
(left eye)

## Clue 4

Distinct and sustained nystagmus at maximum deviation  
(right eye)

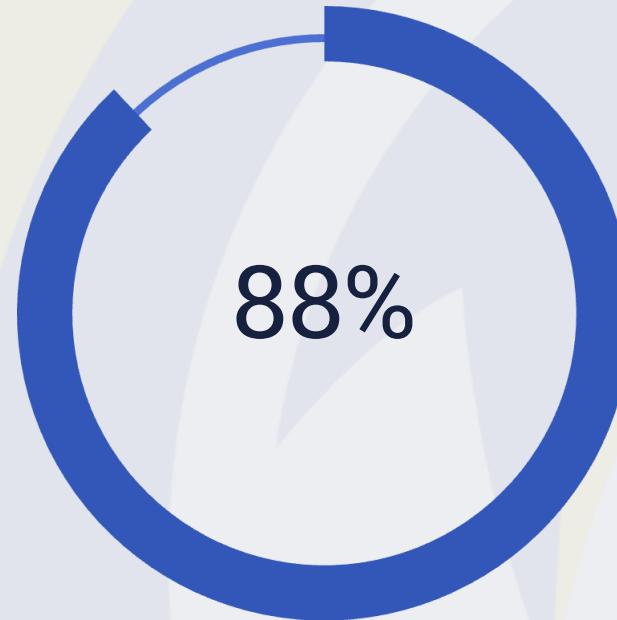
## Clue 5

Onset of nystagmus before 45° (left eye)

## Clue 6

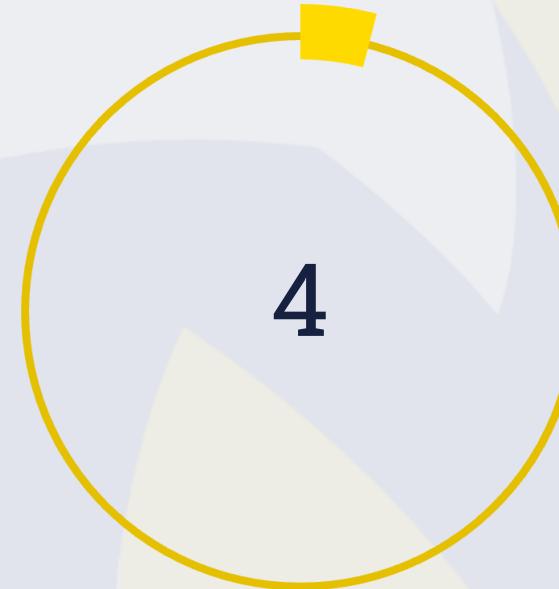
Onset of nystagmus before 45° (right eye)

# Interpreting HGN Test Results



Accuracy Rate

Classification accuracy when using the 4+ clue criterion



Critical Threshold

Number of clues indicating BAC above 0.08

The indications of impairment build upon each other. For example, if you do not have lack of smooth pursuit then you will not have distinct and sustained nystagmus at maximum deviation.

Based on the research, if you observe four or more clues, it is likely that the driver's alcohol concentration is above 0.08. Using this criterion, you should be able to classify about 88% of drivers accurately.

**LE1331.7.** Discuss how to interpret the HGN test

# Documenting HGN Test Results

In your notes, record any facts, circumstances, conditions, or observations that may be relevant to the test. For example, if you observe the odor of an alcoholic beverage on the driver's breath at the time of the test.



## Additional Clues to Document

- Inability to keep the head still
- Noticeable swaying
- Self-incriminating statements

## Interfering Conditions

- Wind or dust irritating the eyes
- Visual or other distractions

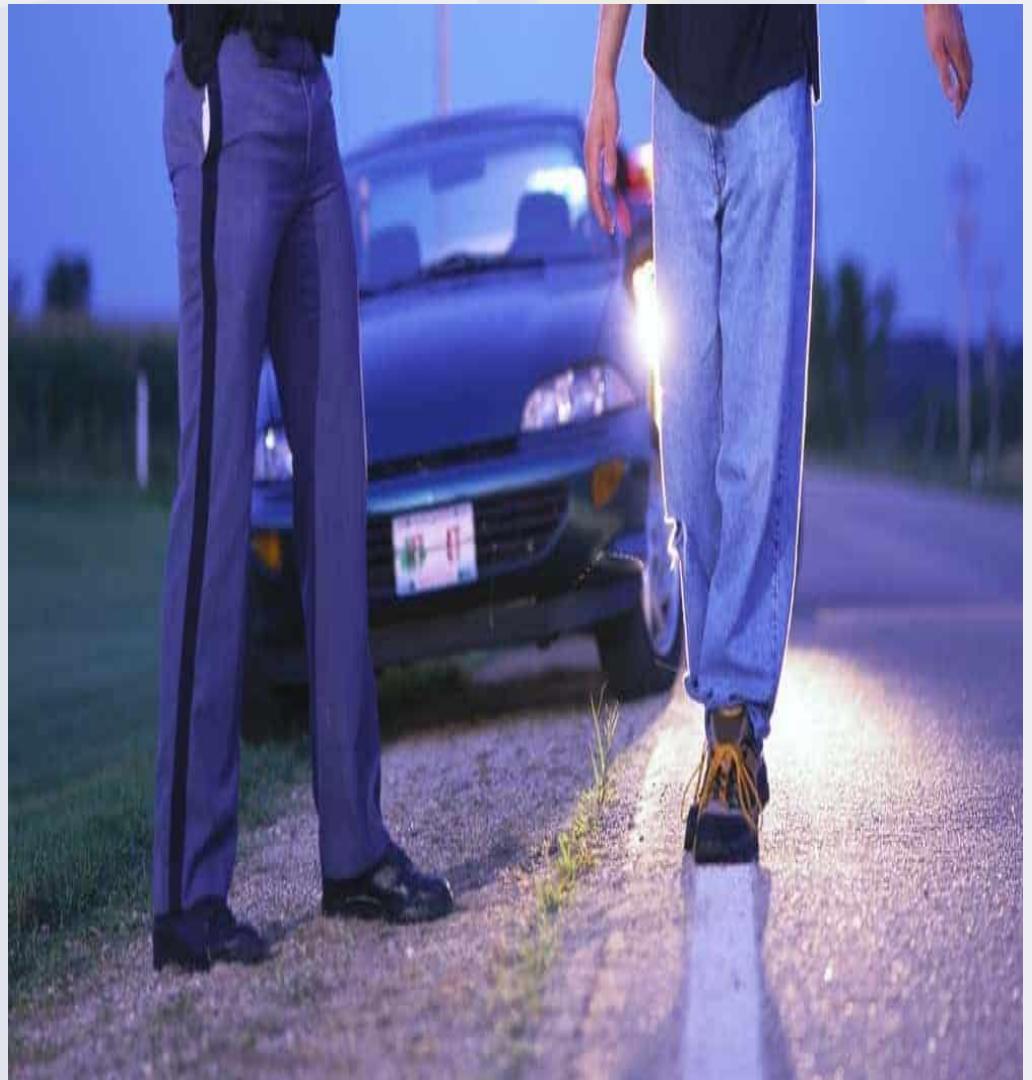
**LE1331.8.** Describe how to document nystagmus results



# Lesson 2: Walk and Turn Test

## Lesson Goal

At the end of this lesson, you will know how to administer, interpret, and document a Walk and Turn test.



# Think About This

You are administering the SFSTs, and the driver tells you they cannot do the Walk and Turn and One Leg Stand because they have bad knees. You administer the HGN, and they exhibit the clues for impairment. Do you make the arrest?





# Optimal Conditions for Walk and Turn Test

Conduct the Walk and Turn (WAT) test on a stable, level, and non-slippery surface, if possible. Make sure there is enough room for the driver to complete nine heel-to-toe steps.



## Surface Requirements

Stable, level, and non-slippery surface preferred for accurate testing



## Space Requirements

Sufficient room for nine heel-to-toe steps in both directions



## Footwear Considerations

Give drivers opportunity to remove shoes if they feel footwear would prevent proper test performance

Certain drivers, such as those with back, leg, or inner ear problems, may have difficulty performing this test.

**LE1332.1.** Describe the optimal conditions for conducting the Walk and Turn test



# Walk and Turn: Two Stages

## Instructions Stage

Tell the driver how to position themselves before walking and have them demonstrate the position

## Walking Stage

Tell the driver how to walk to complete the test and have them walk

- Safety First:** Give instructions and demonstrate from a safe position from the driver. Do not turn your back to the subject.



# Instructions Stage: Positioning

In the instructions stage, you tell the driver how to position themselves before walking and have them demonstrate the position.

1

"Place your left foot on the line." (real or imaginary)

2

"Place your right foot on the line ahead of your left foot with the heel of your right foot against the toe of your left foot."

3

"Place your arms down at your sides."

4

"Maintain this position until I have completed the instructions. Do not start to walk until told to do so."

5

"Do you understand the instructions so far?" Make sure the driver indicates that they understand.

**LE1332.2.** Describe how to provide instructions for the Walk and Turn test



# Instructions Stage: Divided Attention

The instructions stage divides the driver's attention between a balancing task (standing with toes facing forward while maintaining the heel-to-toe position) and an information-processing task (listening to and remembering instructions).

## Clue 1: Cannot Keep Balance

Record this clue if the driver does not maintain the heel-to-toe position throughout the instructions. The feet must actually break apart. Do not record this clue if the driver sways or uses the arms to balance but maintains the heel-to-toe position.

## Clue 2: Starts Too Soon

The driver begins to walk before you tell them to.

During the instructions stage, record the number of times each clue appears.

**LE1332.3.** Interpret the driver's behavior during the instructions stage of the Walk and Turn test



# Walking Stage: Instructions Part 1

In the walking stage you tell the driver how to walk to complete the test and have them walk.

- 1** "When I tell you to start, take nine heel-to-toe steps on the line, turn, and take nine heel-to-toe steps back."  
(Demonstrate a minimum of three heel-to-toe steps.)
- 2** "When you turn, keep your front foot on the line, and turn by taking a series of small steps with the other foot, like this."
- 3** "While you are walking, keep your arms at your sides, watch your feet at all times, and count your steps out loud."



# Walking Stage: Instructions Part 2

- 1 "When I tell you to begin, take nine heel-to-toe steps down the line. On the ninth step, keep your forward/front foot on the line, and take a series of small steps to turn around. Return nine heel-to-toe steps back down the line." (Demonstrate.)
- 2 "While walking, watch your feet at all times, keep your arms at your side, and count your steps out loud. Once you begin, do not stop until the exercise is completed."
- 3 "Do you have any physical injuries or limitations that would keep you from completing this test?" (If the answer is yes, move on to the next test and record their answer in your notes.)
- 4 "Do you understand the instructions?" Make sure the driver indicates that they understand.
- 5 "Begin and count your first step from the heel-to-toe position as 'One.'"

**LE1332.4.** Describe how to provide instructions for the walking stage of the Walk and Turn test



# Walking Stage: Six Clues to Observe

At the end of the test, examine each clue and only record each clue once. The maximum number of clues observed for any driver is eight; however, you can observe each clue multiple times.

## Clue 1

Stopping while walking

## Clue 2

Failing to walk heel to toe—the driver leaves a space of more than  $\frac{1}{2}$  inch between the heel and toe on any step

## Clue 3

Stepping off the line—the driver places one foot entirely off the line



# Walking Stage: Additional Clues

## Clue 4

Using arms for balance—the driver raises one or both arms more than six inches from the sides to maintain balance

## Clue 5

Turning incorrectly: The driver removes the front foot from the line while turning, has not followed directions as demonstrated, spins or pivots around, or loses balance while turning

## Clue 6

Taking the incorrect number of steps—the driver takes anything other than nine steps in either direction

**LE1332.5.** Interpret the driver's behavior during the walking stage of the Walk and Turn test



# How many clues do you have?

Stopping while walking	Fail to walk heel-to-toe	Stepping off the line	Arms for Balance	Turning incorrectly	Wrong number of steps
Steps 1,5,7,8	Steps 1,2,3,4,5,7,9	Step 5	No	Yes	Took 20 steps
Steps 2,3,6,7	Steps 1-9	Steps 3,7	No	Yes	Took 11 steps
How Many clues?	How Many clues?	How Many clues?	How Many clues?	How Many clues?	How Many clues?

1

1

1

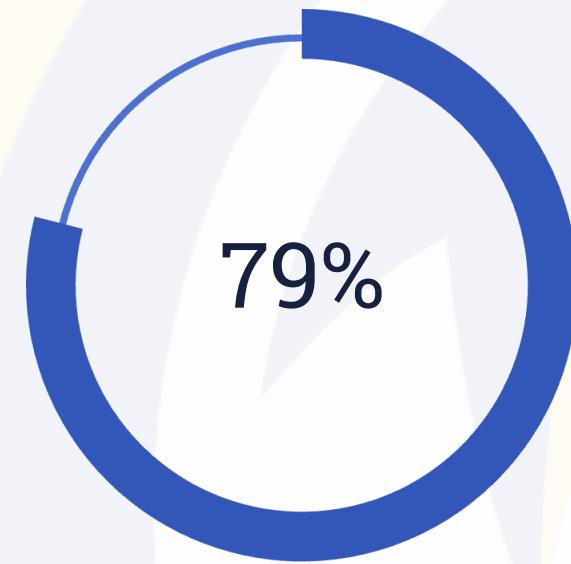
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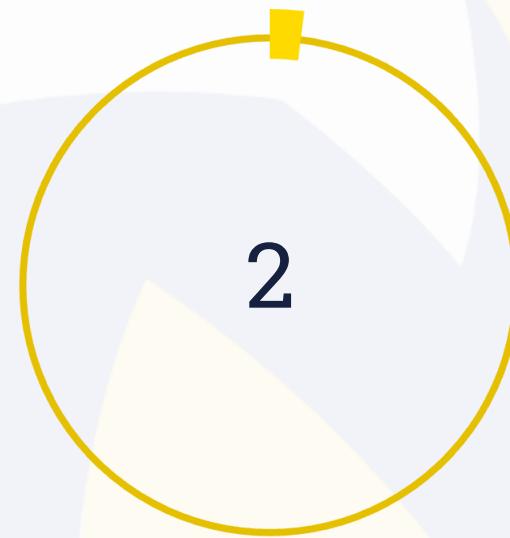


# Walk and Turn: Interpretation and Documentation



Accuracy Rate

Classification accuracy when using the 2+ clue criterion



Critical Threshold

Number of clues indicating BAC above 0.08

Record any facts, circumstances, conditions, or observations that may be relevant to this test in your notes. Based on the research, if you observe two or more clues, it is likely that the driver's alcohol concentration is above 0.08. Using this criterion, you should be able to classify about 79% of drivers accurately.

Other clues may be observed during the Walk and Turn test, such as not counting out loud, counting an incorrect number of steps, turning in the wrong direction, or uttering incriminating statements during the test.

**LE1332.6.** Describe how to document Walk and Turn clues

# Walk and Turn: Interfering Conditions

## Environmental Factors

- Wind and other weather conditions
- Surface conditions

**Important:** If the driver is unable to safely complete the test, you may stop the test early. Document the reason the test was stopped.

## Subject Factors

- Driver's age or weight
- Driver's footwear
- Physical limitations





# Lesson 3: One Leg Stand Test

## Lesson Goal

At the end of this lesson, you will know how to administer, interpret, and document a One Leg Stand test.





# One Leg Stand: Optimal Conditions

Conduct the One Leg Stand test on a stable, level, and non-slippery surface, if possible. Certain drivers, such as those with back, leg, or inner ear problems, may have difficulty performing this test.

## Surface Requirements

Stable, level, and non-slippery surface preferred

## Physical Considerations

Consider driver's physical limitations including back, leg, or inner ear problems

## Footwear Option

Give them an opportunity to remove their shoes if they feel their shoes would prevent them from doing this test

**LE1333.1.** Describe the optimal conditions for conducting a One Leg Stand test



# One Leg Stand: Two Stages

1

## Instructions Stage

Tell the driver how to position themselves and have them demonstrate the position

2

## Balance and Counting Stage

Tell the driver how to complete the test and then have the driver perform it

- Safety First:** Give instructions and demonstrate from a safe position away from the driver.



# Instructions Stage: Positioning

In the instructions stage you tell the driver how to position themselves and have them demonstrate the position.

01

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"Stand with your feet together and your arms at your side."

02

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"Maintain this position until told otherwise."

The instructions stage divides the driver's attention between a balancing task (maintaining a stance) and an information-processing task (listening to and remembering instructions).

**LE1333.2.** Describe how to provide instructions for the One Leg Stand test



# Balance and Counting Stage: Instructions

In the balance and counting stage you tell the driver how to complete the test and then have the driver perform it.

- 1** "When I tell you to do so, raise one leg, either one, about 6 inches off the ground, foot pointed out, parallel to the ground, both legs straight, and look at the elevated foot."
- 2** "Count aloud in the following manner: 1001, 1002, 1003, 1004, and so on until I tell you to stop."
- 3** "Do you understand the instructions?" (Make sure the driver gives you verbal confirmation that they understand)
- 4** "Begin the test."

**LE1333.3.** Describe how to provide instructions for the balance and counting stage of the One Leg Stand test



# Balance and Counting Stage: Timing and Observation

Time the One Leg Stand for 30 seconds with a time-measuring device.

Note which leg the driver lifts.

The balance and counting stage divides the driver's attention between balancing (standing on one foot) and counting aloud.

At the end of the test, examine each clue and only record each clue once.

The maximum number of clues observed for any driver is four; however, you can observe each clue multiple times.





# One Leg Stand: Four Clues to Observe

## Clue 1: Swaying

The driver sways in any direction while balancing

## Clue 2: Using Arms

The driver raises their arms 6 or more inches from the side of the body to maintain balance

## Clue 3: Hopping

The driver hops to maintain balance

## Clue 4: Putting Foot Down

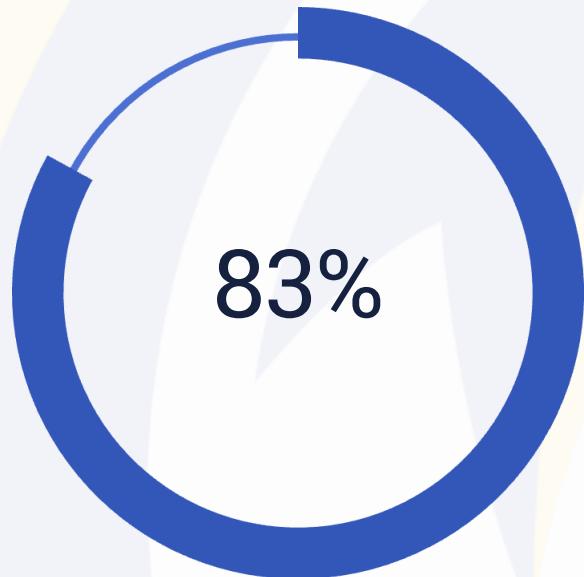
The driver puts their foot down one or more times during the 30-second count (record the count number when it happens)

**LE1333.4.** Interpret the balance and counting stage of the One Leg Stand test



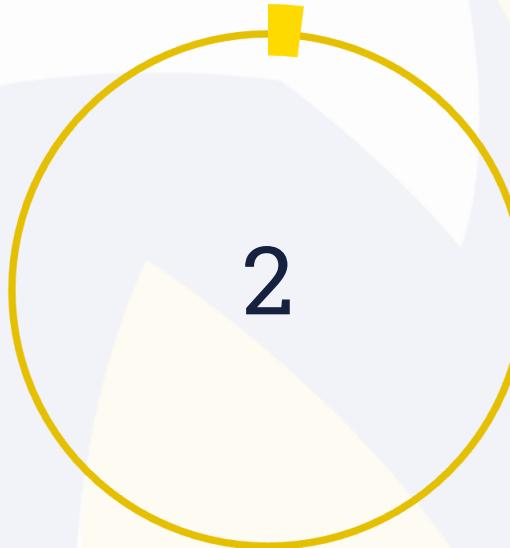


# One Leg Stand: Interpretation and Documentation



Accuracy Rate

Classification accuracy when using the 2+ clue criterion



Critical Threshold

Number of clues indicating BAC above 0.08

In your field notes, record any facts, circumstances, conditions, or observations that may be relevant to this test. Based on the research, if you observe two or more clues, it is likely that the driver's alcohol concentration is above 0.08. Using this criterion, you should be able to classify about 83% of drivers accurately.

Other clues may be observed during the One Leg Stand test, such as incorrect counting or bending of the knees.

**LE1333.5.** Describe how to document the One Leg Stand test clues

# One Leg Stand: Interfering Conditions



## Environmental Factors

- Wind or weather conditions
- Surface stability

## Subject Factors

- Driver's age or weight
- Driver's footwear
- Physical limitations

**Important:** If the driver is unable to safely complete the test, you may stop the test early. Document the reason the test was stopped.



# Unit 4: Concluding the DUI Investigation

01

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## Lesson 1: Law Enforcement Action

Learn when to arrest an impaired driver and continue the investigation with breath, urine, or blood tests

02

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## Lesson 2: DUI Report Writing

Master how to complete a DUI report that will support testimony in court





# Lesson 1: Law Enforcement Action

## Lesson Goal

At the end of this lesson, you will know whether to arrest an impaired driver and continue the investigation with a breath, urine, or blood test.



# Procedures for DUI Crashes

When conducting a DUI crash investigation, identify a **wheel witness**, someone who can place the driver in actual physical control of the vehicle at the time of the crash and who can provide a statement of observations of the crash and driver.

## Wheel Witness

Identify someone who can place the driver in actual physical control of the vehicle at the time of the crash

## Alternative Evidence

If there is no wheel witness, collect other evidence that places the driver in actual physical control of the vehicle

**LE1341.1. Describe how to conduct a DUI crash investigation**



# DUI Crash Investigation: Critical Steps

Any statements the driver makes during the crash investigation will not be admissible in any criminal proceedings. Once the crash investigation is complete, evidence is collected, and witness statements and information are exchanged between involved drivers.

01

Tell the driver the crash investigation is complete, and you are now beginning a DUI investigation

02

Issue the *Miranda* warnings and ask if they understand their rights

03

Conduct the SFSTs to determine if they were able to drive a vehicle safely

Any signs of impairment collected during the crash investigation can be used when deciding if you have reasonable suspicion to conduct a DUI investigation and probable cause for a DUI arrest.

# DUI Crash: Post-Arrest Procedures

## Misdemeanor DUI

If the driver is arrested for a misdemeanor DUI, follow the same procedures for the collection of breath, urine or blood as if it were a DUI traffic stop.

## Serious Bodily Injury or Death

If the driver is arrested for DUI involving serious bodily injury or death, ask for a voluntary blood test or obtain a warrant. Follow your agency's policies and procedures.



City of Campbell Police Department

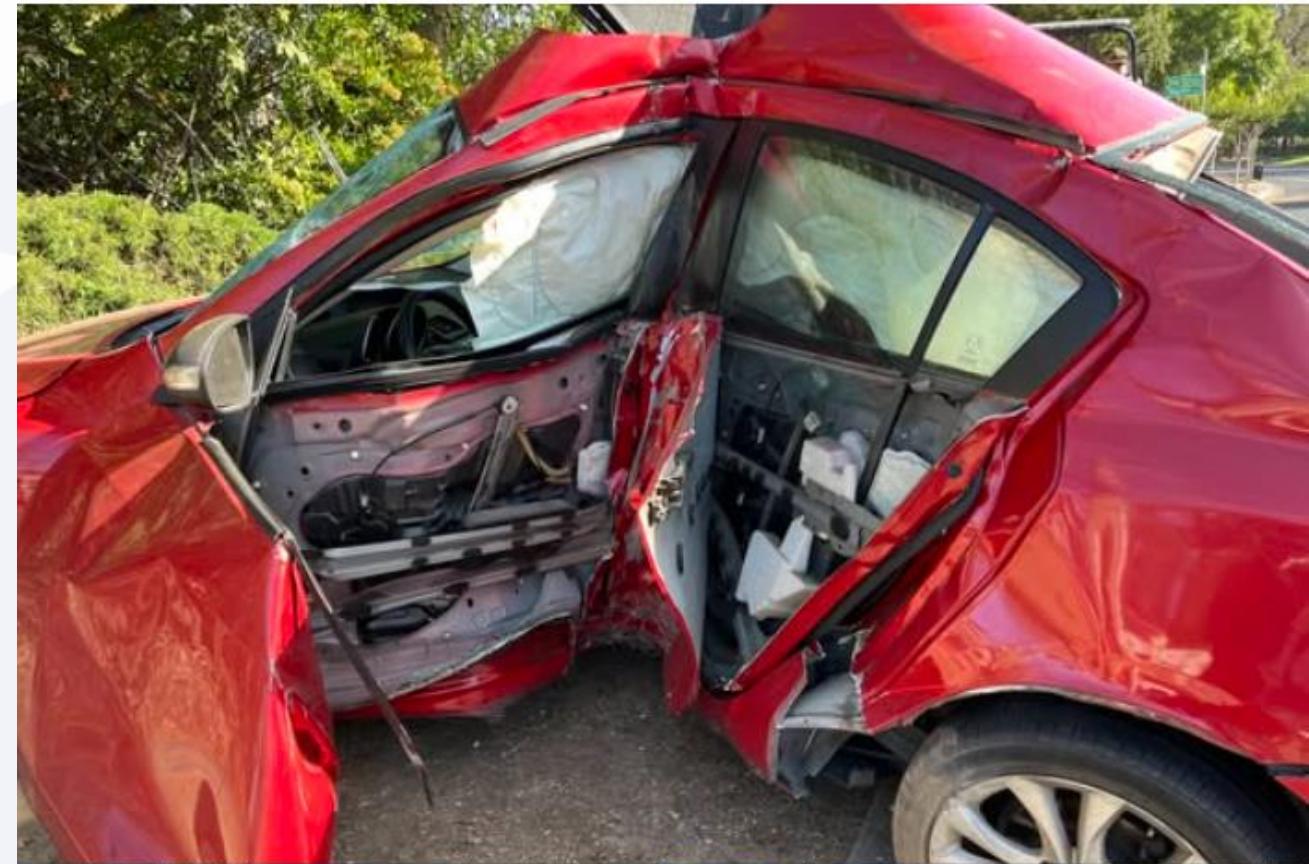
August 29 ·

Let's put some context to these photos.

This crash was the result of a solo DUI collision where the driver was under the influence of both drugs and alcohol—a very dangerous combination.

We cannot stress this enough: if you plan to drink or take medications/drugs that affect your driving, DON'T DRIVE. Arrange a ride share, take public transportation, or designate a sober driver.

Labor Day weekend is a time to celebrate, but it's also one of the most dangerous weekends of the year for impaired driving crashes. Every decision behind the wheel matters.





# Decision to Arrest

Based on the totality of the DUI investigation, you will need to make the decision whether to arrest the driver for DUI. The decision to arrest the driver should follow the evidence collected during the DUI detection process.



## Probable Cause Exists

Arrest the driver if evidence supports probable cause for DUI



## No Probable Cause

Do not arrest if probable cause does not exist

Whether or not you make the arrest, you need to remain respectful and treat the driver with dignity throughout the process. Follow your agency's policies and procedures regarding the decision to arrest.

**LE1341.2.** Determine if probable cause exists to arrest a driver for DUI



# Arrest During Traffic Crash Investigation

During a traffic crash investigation, you may arrest the driver on a DUI charge if there was enough physical evidence that the driver was impaired at the time of the crash.

## Physical Evidence Based On:

- Your observations
- Results of the SFSTs
- Pending results of breath, urine, or blood test

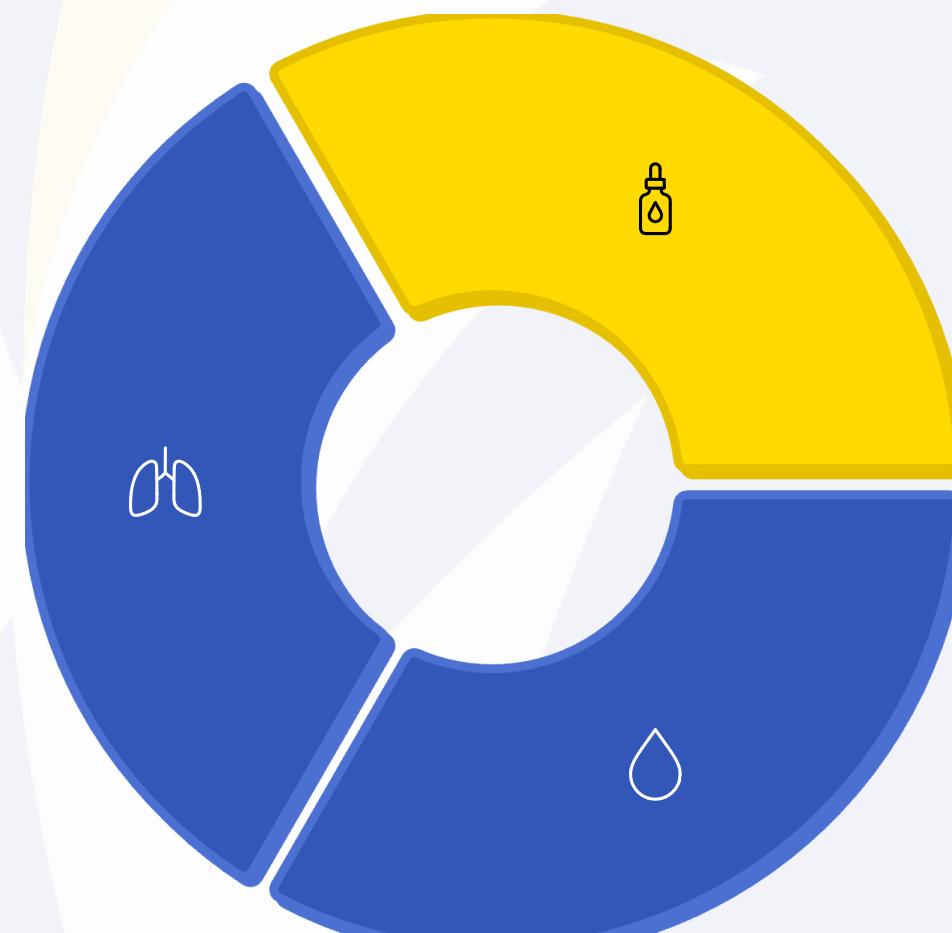
## Offense Classification

Many DUI offenses are misdemeanor crimes; however, there are times when the offense is a felony, such as in the event of serious bodily injury, death, or multiple prior convictions.

Become familiar with the guidelines of your local state attorney's office and your agency's policies and procedures before making an arrest during a traffic crash incident.

# Post-Arrest Evidence Collection

After the arrest you will attempt to collect breath, urine, or blood tests. If the driver refuses to take the tests, fill out the refusal affidavit, as explained earlier.



**Breath Test**  
Primary test for alcohol impairment

**Urine Test**  
Used when substances other than alcohol suspected

**Blood Test**  
Used when breath test impractical or impossible



# Breath Test: Legal Requirements

Section 316.1932, F.S., outlines the criteria for conducting a breath test for alcohol impairment. A certified breath test operator (BTO) is required to administer the breath test on an arrested driver following agency's policies and procedures.

- Important:** You may not use a portable breath test (PBT) device to determine probable cause for a DUI arrest.

The BTO should administer the breath test as close as possible to the time that the stop was initiated.

After a DUI arrest, a certified BTO or a designee assigned by the BTO monitors the driver face to face. The observation must be for a continuous 20 minutes.

**LE1341.3.** Describe how to observe an impaired driver before conducting a breath test



# 20-Minute Observation Period: Before Starting

Before the 20 minutes begin make sure that the driver does not have any foreign objects in their mouth. Document in your field notes when the observation period begins.

## Remove Foreign Objects

- Tobacco
- Fingers
- Hair
- Rubber bands
- Razor blades
- Paper clips

Instruct the driver to remove any such object(s).

## Acceptable Items

Examples of things that do not affect the breath test:

- Braces
- Dentures
- Crowns
- Fillings
- Tongue piercings



# 20-Minute Observation Period: During Observation



During the 20 minutes, make sure that the driver is not eating or drinking anything (alcohol, mouthwash, gum, candy, breath mints).

## If Vomiting Occurs

Instruct the driver to rinse their mouth with water

## If Prohibited Activity Occurs

Start another 20-minute observation period

## Documentation Required

Document the occurrence and record the time you end and restart the observation period



# Breath Test Results: Documentation

## BAC 0.08 or Higher

Complete a DUI citation. Write the breath test results on the citation.

## BAC Below 0.08

Complete a UTC for the charge of DUI based on the probable cause for the arrest.

## Refusal to Submit

Complete a DUI citation, and mark the box for "Refusal."

- ❑ **Important:** To request a breath sample, the subject must be under physical arrest.

# Urine Test: When to Request

Section 316.1932, F.S., outlines the criteria for conducting a urine test. If a breath test result is below a 0.08 and you have probable cause to believe the person is impaired by substances other than alcohol, request a urine test.

## Purpose

The urine test should determine if the drugs in the person's system cause physical impairment.

**LE1341.4.** Determine when to ask an impaired driver for a urine test

## Location Requirements

The driver must take the urine test at a detention facility or any other facility, mobile or otherwise, that is equipped to administer urine tests, according to your agency's policies and procedures.





# Urine Test: Documentation

## Test Administered

Write "urine results pending" in the comments section on the UTC.

## Refusal to Submit

Complete a DUI citation, and mark the box for "Refusal."

- Important:** To request a urine sample, the subject must be under physical arrest.



# Blood Test: When to Obtain

Section 316.1932, F.S., outlines the criteria for conducting a blood test. The test can be administered if either of the following applies:

## Reasonable Suspicion

You have reasonable suspicion to believe the person was under the influence of alcohol or a chemical or controlled substance while driving, or in actual physical control of a motor vehicle.

## Breath Test Impossible

You were unable to conduct a breath test because it was impractical or impossible. For example, if the driver has an injury on their mouth that prevents them from blowing while taking the breath test. Document the reason you could not administer the breath test.

**LE1341.5. Determine when to obtain a blood test from an impaired driver**



# Blood Test: Legal Requirements

If possible, request the driver of the vehicle to submit to a voluntary blood draw or obtain a warrant. A person does not have to be under arrest for you to request a blood draw under implied consent. However, all blood draws (in the absence of voluntary consent) will require a warrant.

## Lawfully Arrested Persons

Officers can request that a lawfully arrested person, suspected of impaired driving and who appears at a medical facility, submit to a blood draw.

## Location Requirements

All blood draws must occur at a medical facility or in an ambulance for treatment. Only authorized personnel can perform the draw.



# Blood Draw: Verification Procedures

You are responsible for ensuring that the blood collection follows established procedures by verifying that:

- The blood kit is not expired
- The blood is collected in the appropriate vial
- The kit is identified with the driver's name, the date, and the time the blood was collected as well as the initials of the person who drew the blood

Complete all paperwork contained in the blood kit or agency specific paperwork.

**LE1341.6.** Describe how to verify the procedures of a blood draw

# Using a Drug Recognition Expert

A certified **drug recognition expert (DRE)** is someone specially trained to investigate incidents involving drug-impaired drivers. They may be called to testify in court, in significant detail, and provide expert opinions regarding drug impairment.

## When to Contact a DRE

Contact a local DRE, once an arrest has been made, to assist in the investigation of a suspected drug-impaired driver if it is part of your agency's policies.



LE1341.7. Describe the role of a drug recognition expert (DRE)

# Lesson 2: DUI Report Writing

## Lesson Goal

At the end of this lesson, you will know how to complete a DUI report that will support testimony in court.





## Think About This

You administer a PBT to a driver you have pulled over, and they blow a 0.067. What course of action do you take?



# DUI Citation

The DUI citation is very similar to the UTC; however, the DUI citation is for a DUI with an alcohol concentration of 0.08 or higher, or when the driver refuses a breath, urine, or blood test after their arrest. Complete the DUI citation the same way as a UTC.

## Purpose

The DUI citation is a charging document and is required to authorize DHSMV to suspend the person's driving privilege.

## License Seizure

If the person has an alcohol concentration of 0.08 or above or refuses a breath, urine or blood test, seize their Florida driver's license if it is in their possession and attach it to the DHSMV copy of the DUI citation.

**LE1342.1. Describe how to complete a DUI citation**



# DUI Citation: Temporary License Provisions

## Valid License

If, before this citation, the driver's license was valid, the driver is eligible to use the citation as a temporary driver license which will expire at midnight on the 10th day following the date of the suspension of their license.

## Invalid License

However, if their license is invalid at the time of this citation (suspended, etc.), then they cannot use this citation as a temporary driver license.

- Important:** Within five days, forward the Florida license and a copy of it to DHSMV for an administrative suspension hearing.



# Arrest Report: Importance and Purpose

Trials often take place many months after the defendant's arrest. It is essential that you write a clear and comprehensive report describing your observations and the results of your investigation for presentation to the prosecution.



## Memory Aid

Allows you to recall details and present them through accurate, direct testimony in court



## Legal Documentation

Provides comprehensive record of investigation for prosecution



## Court Support

Supports testimony and establishes elements of the arrest

**LE1342.2. Recognize the importance of preparing a clear and comprehensive DUI arrest report**



# DUI Report: Essential Elements

The DUI report should establish the following elements for the arrest:

01

There was reasonable suspicion for stopping or contacting the accused

02

The accused was the driver or in actual physical control of the vehicle, and there was probable cause to believe the accused was impaired

03

The officer followed lawful procedure regarding the rights of the accused

04

The officer followed lawful arrest procedures

05

Subsequent observation and interview of the accused provided additional evidence relevant to the alleged offense

06

The officer made a lawful request for the accused to submit to a breath, urine, or blood test, and for the results of the test

Organize the DUI narrative in the report around the complete sequence of events from start to end. Begin at the first observation of the driver, continue through the arrest, and end with the incarceration or release of the person.

**LE1342.3.** List the elements of a clear and comprehensive DUI arrest report