Field Sobriety Testing

Prepared for:

Law and Justice Interim Committee

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Provided by:

Sergeant Steve Biamonte

The Montana Highway Patrol
Typical Simultaneous Capabilities Required for Driving

• Information Processing
• Short-term Memory
• Judgment/Decision Making
• Balance
• Quick Reactions
• Clear Vision
• Small-Muscle Control
• Fine motor skills
• Coordination of Limbs

Field Sobriety Test’s are designed to mimic the skills needed for driving; allowing officers the ability to safely and accurately assess a person’s level of impairment.
Most Common Initial Indicators of Impairment.

- Turning with wide radius.
- Almost striking object or vehicle.
- Weaving.
- Straddling center or lane marker.
- Appearing to be impaired.
- Driving on other than designated roadway.
- Driving into opposing or crossing traffic.
- Slow response to traffic signals.
- Turning abruptly or illegally.
- Stopping inappropriately.

- Accelerating/decelerating rapidly.
- Headlights off.
- Swerving.
- Following too closely.
- Drifting.
- Speed slower than 10mph below limit.
- Stopping without cause in traffic lane.
- Tires on center or lane marker.
- Braking erratically.
- Signaling inconsistent with driving.
Standardized Field Sobriety Tests

Methods of examining mental and/or physical impairment.

Based on **Simplicity** and **Divided Attention**.
NHTSA Approved Field Sobriety Tests

- Horizontal Gaze Nystagmus
- Walk and Turn Exercise
- One Leg Stand Exercise

- Based on extensive research conducted by the National Highway Traffic Safety Administration.
- Involving thousands of DUI arrests over multiple years in multiple states.
- 90-95% Accurate at Determining Impairment.
- Admissible in Montana under 61-8-404 MCA.

(c) a report of the facts and results of a physical, psychomotor, or physiological assessment of a person is admissible in evidence if it was made by a person trained by the department or by a person who has received training recognized by the department.
Other Observations During Personal Contact

What Did The Officer See?
- Bloodshot Eyes
- Soiled Clothing
- Fumbling Fingers
- Alcohol Containers
- Bruises, Bumps, Scratches

What Did The Officer Hear?
- Slurred Speech
- Admission of Drinking
- Inconsistent Responses
- Unusual Statements
- Abusive Language

What Did The Officer Smell?
- Alcoholic Beverage
- “Cover-Up” Odors
- Urine, Vomit, Defecation
- Other Unusual Odors
Conclusions Based on Test Results

• Three Field Sobriety Exercises are administered.
• Results are considered along with other signs of impairment [driving, physical behavior, signs/symptoms, PAST, etc].
• Preliminary conclusion is reached concerning the cause of impairment i.e. alcohol, drugs, fatigue, mental illness, distraction, or a combination of factors.
• Appropriate response is taken.
MHP DUI Training

- **40 Classroom Hours of Training.**
  - History, Pharmacology, and Toxicology of Alcohol.
  - Drugs that impair driving.
  - Administrative Procedures of SFST’s, Intoxilyzer, and Preliminary Breath Testing.
  - Practical exercises with Drinking Subjects.
  - DUI Statutes and Case Law.

- **16 Hours of Advanced Impaired Driving Training.**
  - Drowsy and Distracted Driving
  - Mental Illness Considerations
  - Sudden Custody Death Syndrome
  - Advanced Sobriety Testing.

- **MHP requires all Troopers to recertify Annually.**
Thank You for Your Participation