

Field Sobriety Testing

Prepared for:

Law and Justice Interim Committee

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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**