

NHTSA SFST/ DUI 24 hour course (NHTSA/IACP Curriculum)
Presenting agency: Modesto Police Department

- I. Introduction and Overview (30 Minutes)
 - A. Welcome Students
 - 1. Orient students to the facility (i.e. Restrooms, break rooms, etc)
 - B. Introduce Instructors
 - 1. Provide credentials
 - C. Student Introductions
 - 1. Name
 - 2. Agency
 - 3. Reason for taking the course
 - D. Pre-Test
 - 1. 10 Question test to evaluate knowledge base

- II. Detection and General Deterrence (50 Minutes)
 - A. The DWI Problem
 - 1. Overview of Injury/Death Statistics
 - B. Physiology of Alcohol
 - 1. Define Alcohol
 - 2. Describe the chemical composition of Alcohol
 - C. Concept of General Deterrence
 - 1. The Fear of getting caught and arrested
 - D. Relating Detection to the Deterrence Potential
 - 1. For every arrest 500 to 2000 violators are undetected
 - 2. Ft. Lauderdale BAC Study
 - 3. Importance of increase in DUI trained officers
 - E. Evidence of Effective Detection and Effective Deterrence
 - 1. Enforcement Programs that show correlation between enforcement and collision rates.

- III. The Legal Environment (70 Minutes)
 - A. Basic DWI Statute
 - 1. 23152 CVC
 - 2. 23550 CVC
 - 3. 23550.5 CVC
 - 4. 23136 CVC
 - 5. 23140 CVC
 - 6. 23153 CVC
 - 7. 191.5 PC
 - B. Implied Consent Law
 - 1. 23612 CVC

- 2. Legal presumptions based upon BAC level
 - 3. Trombetta Advisement
 - C. Illegal Per Se Statute
 - 1. 23152 (b) CVC
 - 2. Resulting DMV actions
 - D. Preliminary Breath Testing
 - 1. 23612(i) CVC
 - 2. Requirement for minors to submit
 - E. Case Law Review
 - 1. State vs Blake
 - 2. People vs Loomis
 - 3. State vs Murphy
 - 4. State vs Homan
 - 5. Smith vs Wyoming
 - 6. State vs Ricks
 - 7. State vs City Court of Mesa

- IV. Overview of Detection, Note Taking and Testimony (50 Minutes)
 - A. The Three Phases of Detection
 - 1. Officer's initial observation of suspect operation the vehicle
 - 2. Initial face to face contact with suspect
 - 3. Administration of SFST's and Chemical Tests
 - B. DUI field notes
 - 1. Observing and recording evidence
 - 2. Disposition of field notes -Refer to Specific Agency Policy
 - C. Courtroom Testimony
 - 1. Compile accurate and detailed report for later proceedings
 - 2. Pre-trial preparation
 - 3. Pre-trial conference with prosecutor
 - 4. Review report
 - 5. Be prepared and well studied

- V. Phase One: Vehicle In Motion (90 Minutes)
 - A. Overview: Tasks and Decisions
 - 1. Decision to make enforcement stop based upon initial driving observations
 - 2. Observations after the stop has been initiated (i.e. striking the curb)
 - B. Initial Observation: Visual Cues of Impaired Vehicle Operation
 - 1. Signs of impairment
 - 2. The affects of alcohol as related to the safe operation of a vehicle
 - 3. NHTSA's 20 listed driving cues and their reliability
 - 4. Probabilities of impairment based upon specific cues
 - C. Initial Cues, Recognition and Description

1. Ability to recognize evidence of alcohol and/or drugs after the stop
 2. Ability to described observed evidence clearly and convincingly
 3. Mock student testimony based upon a video segment of impaired driving.
- D. Initial and Reinforcing Cues and Stopping Sequence
1. Cues that may be exhibited after the initiation of the enforcement stop.
 2. Enforcement stops require that suspects divide their attention.
- E. Initial and Reinforcing Cues, Recognition and Description
1. Ability to describe observations clearly and convincingly
- VI. Phase Two: Personal Contact (90 Minutes)
- A. Overview: Tasks and Decision
1. Face to face observation with the driver
 2. Decision of instruct driver to exit the vehicle
 3. Observation of the driver's exit
 4. Initial interview and observation
- B. Typical Investigation Cues of the Driver Interview
1. DUI Evidence based upon sight
 2. DUI Evidence based upon hearing
 3. DUI Evidence based upon smell
- C. Recognition and Description of Investigative Cues
1. Procedures for practicing clue recognition and description
 2. Video Segment of initial cues
 3. Mock student testimony based upon observed cues
- D. Interview/Questioning Techniques
1. Questioning is a divided attention task
 2. Forms of questioning that required suspect to divide attention
 3. Tests that can be administered while suspect is in vehicle
- E. Typical Clues of the Exit Sequence
1. Reasons to ask suspect to exit vehicle
 2. Observations of the Exit
 3. Evidence that can be obtained during the Exit
- F. Recognition and Description of Initial, Reinforcing and Investigation Clues
1. Video segment of the Exit Sequence
 2. Mock student testimony based upon the Exit Sequence
- VII. Phase Three: Pre-Arrest Screening (40 Minutes)
- A. Overview: Tasks and Decisions
1. Overview of psychophysical tests
 2. Overview of preliminary breath testing

3. Making the decision to arrest or not arrest
- B. Divided Attention Tests
 1. These tests require divided attention
 2. The tests simulate the divided attention characteristics of driving
 3. Description of a Psychophysical test (Walk and Turn and One-Leg Stand Test)
 4. The Importance of Simplicity when administering tests
 5. Instructions for prior to giving the tests
- C. Horizontal Gaze Nystagmus
 1. Definition of Horizontal Gaze Nystagmus
 2. Instructions for giving the test
- D. Vertical Gaze Nystagmus
 1. Definition of Vertical Gaze Nystagmus
- E. Advantages and Limitations of Preliminary Breath Testing
 1. A tool, not a “crutch”
 2. Limitations of the device
 3. When it should be used
 4. Advantages and Disadvantages of the PBT
 5. Evidentiary Issues
- F. The Arrest Decision
 1. Arrest or Not to Arrest should be based upon all evidence
 2. Evidence can establish Probable Cause
 3. Disposition of Arrested Suspect

VIII. Concepts & Principles of the Standardized Field Sobriety Tests (200 Minutes)

- A. Overview: Development and Validity
 1. Why SFST’s were created
 2. Initial Research (southern California Research Institute)
 3. Correlation of Test Results to probability of a .10% BAC or higher
 4. Subsequent Field Validation Studies and their meaning
- B. Horizontal Gaze Nystagmus
 1. Review of definition
 2. What causes Nystagmus
 3. Categories of Nystagmus
 4. Other types of Nystagmus
 5. Medical Impairments that cause Nystagmus
 6. Administrative Procedures
 7. Validated Clues associated with test
 8. Demonstrations and Practice
- C. Walk and Turn
 1. Review of Divided Attention definition
 2. Stages of Test
 3. Test Requirements

4. Administrative Procedures
 5. Validated Clues associated with test
 6. Demonstrations and Practice
- D. One Leg Stand
1. Review of Divided Attention definition
 2. Stages of Test
 3. Test Requirements
 4. Administrative Procedures
 5. Validated Clues associated with test
 6. Demonstrations and Practice
- E. Limitations of the three Tests
1. Limitations of Nystagmus
 2. Limitations of the Divided Attention Tests
- F. Taking Field Notes on the SFST's
1. The importance of timely documentation
 2. Different ways to properly take notes on a DUI investigation
 3. Other factors that must be documented (weather, footwear, clothing)
- IX. Test Battery Demonstrations (40 Minutes)
- A. Live Classroom Demonstrations
1. Instructor-led demonstrations
 2. Student-led demonstrations
- B. Videotape Demonstrations
1. Video Segment
- X. "Dry Run" Practice (50 Minutes)
- A. Procedures and Group Assignments
1. Students conduct tests in groups of 3 or 4
 2. Other students evaluate performance
 3. Instructor oversees the exercise
- XI. "Testing Subjects" Practice: First Session (120 Minutes)
- A. Alcohol Workshop
1. Instructor Coaching
 2. Student Practice
- B. Session wrap-up
1. Reveal volunteer drinkers BAC
 2. Final assessment of the performance of the volunteer drinkers
- XII. Processing the Arrested Subject and Preparing for Trial (90 Minutes)
- A. The Processing Phase
1. How to properly process arrestees / Individual Agency Policy

2. Organization and Collection of Evidence to ensure Admissibility
 - B. Preparing the DWI offense/Arrest Report: Documenting the Evidence
 1. Importance of an thorough police report
 2. Elements of a good police report
 3. Articulation of probable cause
 4. Chemical test evidence
 - C. Narrative DWI Arrest Report
 1. Suggested report writing format
 2. Required elements of a good DWI report
 - D. Case Preparation and Pretrial Conference
 1. Review of notes
 2. Review of report
 3. Recollection of incident
 4. Importance of honestly and forthrightness
 - E. Guidelines for Direct Testimony
 1. Preparation is key
 2. Officer's ability to say "I don't know" and be unbiased
 3. Professional relationships with counsel
 4. Courtroom demeanor
 5. What to bring and what not to bring to court
- XIII. Report Writing Exercise and Moot Court (90 Minutes)
- A. Report Writing Exercise
 1. Video Segment to stimulate the first two phases of DWI detection
 - B. Moot Court Exercise
 1. Students testify in a mock DWI trial based upon their preparation
 2. Student evaluation of student's performance
 3. Instructor critique
- XIV. "Testing Subjects" Practice: Second Session (60 Minutes)
- A. NHTSA/IACP video tapes showing field sobriety testing
 1. Student Evaluation
 2. Class Discussion regarding the results
 3. Instructor critique
- XV. Review and Examinations (110 Minutes)
- A. Review of SFST's
 1. Student demonstration of SFST's
 2. Discussion and review of proper SFST administration
 - B. Video illustration proper administration of SFST's
 1. Student questions/instructor clarification
 - C. SFST proficiency exam (physical demonstration)

1. Students select partner and demonstrate proficiency on each test
2. Instructor ensures proficiency required for certification

XVI. Introduction to Drug Impaired Driving (120 minutes)

A. Drug Classifications and Symptomology of each

1. CNS Depressants
2. CNS Stimulants
3. Hallucinogens
4. Dissociative Anesthetics
5. Narcotic Analgesics
6. Inhalants
7. Cannabis

B. Overview of DRE

1. Drug Impaired Driving from DRE Perspective

XVII. Written Examination and Program Conclusion (50 Minutes)

A. NHTSA written examination

1. Required 80% score for certification

B. Anonymous Student evaluation of course

1. Making the arrest without a DRE