



**NEW MEXICO DEPARTMENT OF PUBLIC SAFETY
TRAINING AND RECRUITING DIVISION**
NEW MEXICO'S POLICE OFFICER STANDARDS AND TRAINING AGENCY



New Mexico Standards

for the

Standardized Field Sobriety Testing Program

**In Conformance with the National Highway Traffic Safety Administration and the
International Association of Chiefs of Police Standards**

on the

Standardized Field Sobriety Testing Program

Approved by
New Mexico Traffic Safety Division
New Mexico Department of Public Safety Law Enforcement Academy
DWI/SFST Instructor Oversight Committee

December 2018

New Mexico Standards for the Standardized Field Sobriety Testing Program

TABLE OF CONTENTS

Acknowledgments	4
Purpose of the Standards Manual	5
The National Highway Traffic Safety Administration (NHTSA) Development of SFST	5
The International Association of Chiefs of Police (IACP) Support of SFST	5
SFST and New Mexico	5-6
New Mexico Law Enforcement (NMLEA) Academy Rule	6-7
NMDOT Traffic Safety Division and NMLEA SFST Oversight Committee	7
Discussion and Outline of the SFST Curriculum	7
A. What should be directly addressed in the SFST curriculum?	7
B. What activities take place during the training?	8
C. Class size considerations	9
D. Course hours and curriculum	9
1. Basic SFST Training Curriculum	10
2. SFST Refresher Training Curriculum	10
3. Introduction to Drugged Driving	11
E. DWI/SFST Oversight Committee Executive Board	11
F. SFST Instructors	12
G. Course Administration	16
I. Guidelines for Controlled Drinking Practice Sessions	17
J. Course Administrative Planning and Preparation Requirements	18
K. Standards for Certification	19
L. Student Critiques	19
M. Requests for Information, Assistance, or Materials	19
Appendices	
I. NMLEA DWI/SFST Oversight Committee	21
II. Attachments	

Acknowledgements

The original document was composed in cooperation and support with the United States Department of Transportation (US DOT) National Highway Traffic Safety Administration (NHTSA), New Mexico Department of Transportation (NMDOT) Traffic Safety Division (TSD), the New Mexico Department of Public Safety (DPS) Law Enforcement Academy (NMLEA), and the law enforcement communities of New Mexico. The overall goal of this program is to assist in the reduction of alcohol related traffic crashes within the State of New Mexico through the increased awareness, training and proficiency of DWI detection measures afforded to law enforcement officers. This document is intended for law enforcement training purposes only. It provides the quality standards for Standardized Field Sobriety Testing (SFST) Instructors. This manual is a guideline to be used by the SFST instructors in providing consistency and adherence to the NHTSA SFST Standards, NMLEA accreditation of DWI/SFST curriculum, and NMLEA certification of DWI/SFST instructors.

This revision is intended to clarify components and features of the program to better guide instructors and members of the Oversight Committee concerning training and certification of DWI/SFST Instructors. It also contains updates contained in the 2018 NHTSA revisions to the curriculum.

Appreciation is expressed to the following personnel and agencies that guided this current revision through participation in the SFST Instructor/Curriculum Oversight Committee:

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Rio Rancho Police Department
Carlsbad Police Department
New Mexico State Police
Hobbs Police Department
Bernalillo County S.O.
Albuquerque Police Department
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Purpose of this Manual¹

This manual has been compiled as part of an effort to adhere to the national training standards on the SFST as established by NHTSA and the International Association of Chiefs of Police (IACP) and those standards established by NMDOT and the DPS NMLEA Board. This manual provides guidance to New Mexico law enforcement SFST instructors pursuant to the standards set forth by NHTSA and IACP. The SFST Instructor is cautioned and advised to utilize this manual with the understanding that NHTSA/IACP revisions shall override any or all contents as offered in this manual.

The NHTSA Development of SFST

Since the mid-1970s, NHTSA conducted research that resulted in the development of a battery of three standardized field sobriety tests which include the ***horizontal gaze nystagmus***, ***walk-and-turn***, and the ***one leg stand***. The SFST is intended to assist police officers in detecting impaired drivers. The program, which was previously termed Improved Sobriety Testing, was initially developed by the Los Angeles Police Department and was validated in laboratory and field studies conducted by the Southern California Research Institute.

In 1986, the Advisory Committee on Highway Safety of the IACP passed a resolution which recommended that law enforcement agencies adopt and implement the field sobriety testing training program developed by NHTSA.

The IACP Support of SFST²

In 1992, the IACP developed and adopted standards for the SFST. These standards were developed by senior SFST instructors from several states, curriculum specialists, and training administrators. Their recommendations were delivered to the IACP Advisory Committee on Highway Safety in June 1992. The Advisory Committee on Highway Safety, by resolution, adopted the national standards for the SFST Program and these standards were subsequently approved by voting membership of the IACP. The IACP Standards are:

1. *A person shall be employed and under the direct control of a public criminal justice agency or institution involved in providing training services to law enforcement agencies.*
2. *SFST students shall successfully complete an approved classroom training course that shall, at a minimum, achieve the learning objectives as stated in the IACP-approved training curriculum.*
3. *Only persons who have successfully completed the NHTSA/IACP-approved DWI Detection and Standardized Field Sobriety Testing basic training program are eligible to be SFST instructors.*
4. *Instructor trainers must have successfully completed the SFST Basic School and the SFST Instructor Development School or an equivalent approved instructor development training course. They must be thoroughly familiar with the SFST student and instructor manuals.*

SFST and New Mexico

In May 2005, NHTSA conducted an assessment³ of the SFST among law enforcement. NHTSA delivered their assessment findings to New Mexico in August 2005, along with a request that the State take action in the form of providing a plan to implement recommendations and findings.

¹ Most of this material is based on the 2013 NHTSA/IACP SFST Basic Curriculum; HS 178 R5/13

² Appendix B: SFST Instructor Manual - Administrative Guide; National Standards for the Standardized Field Sobriety Testing Program, the IACP, 515 N. Washington Street Alexandria, Virginia 22314

³ NHTSA Standardized Field Sobriety Testing Program Assessment, May 12-13, 2005

New Mexico Standards for the Standardized Field Sobriety Testing Program
Revision #1

The assessment was composed of recommendations for administration, operation, prosecution and adjudication arenas. Among the operational recommendations were:

1. *Require law enforcement to obtain refresher training at a minimum of once every two (2) years.*⁴
2. *When possible, the State should use wet lab workshops across the State.*⁵
3. *Include prosecutors in basic SFST training and any update or refresher training conducted statewide.*⁶
4. *Develop and/or utilize a database to track the number of SFST trained practitioners and instructors.*⁷
5. *Develop a statewide policy mandating proficiency examinations during the basic SFST course and during the updates or refresher training.*⁸
6. *Require each law enforcement officer to pass a proficiency examination in the presence of an updated SFST or DRE Instructor.*⁹
7. *Maintain strict oversight regarding officer competency and proficiency.*¹⁰
8. *In light of State v. Torres¹¹ there is an obvious need to strengthen the understanding, skills and abilities of officers when utilizing and testifying on the SFST, especially that of the Horizontal Gaze Nystagmus.*

DPS NMLEA Rule

In November 2005, DPS LEA Board met and discussed the NHTSA outcome assessment. As a result, the Board invoked changes to the New Mexico Administrative Code to require NHTSA SFST refresher training for law enforcement officers involved in DWI arrests to maintain their law enforcement certification. The current New Mexico administrative rule states in 10.29.7.8 NMAC (updated 7/10/18)¹²:

...For all officers who may be involved in the arrest of DWI offenders as a normal part of their duties, four (4) hours shall be in NHTSA approved standardized field sobriety testing (SFST) protocols or successful course completion of the NHTSA approved 16-hour advanced roadside impaired driving enforcement course. (ARIDE)

In 2006, TSD initiated a state-wide law enforcement training program to assist officers in meeting the above requirement. TSD intended to deliver geographically diversified training in the NHTSA SFST program. Each of the courses that TSD offers meets the NHTSA, IACP and NMLEA standards for accredited training.

⁴ Standardized Field Sobriety Testing Program Assessment, May 12-13, 2005, NHTSA, page 15, item 3

⁵ Standardized Field Sobriety Testing Program Assessment, May 12-13, 2005, NHTSA, page 15, item 4

⁶ Ibid, page 15, item 5

⁷ Ibid, page 15, item 6

⁸ Ibid, page 15, item 8

⁹ Ibid, page 15, item 9

¹⁰ Ibid, page 15, item 10

¹¹ State of New Mexico v. Joe Jerry Torres, Supreme Court of New Mexico, 1999-NMSC-010, February 15, 1999, Docket No. 23,334

¹² In November 2005, the DPS LEA Board originally enacted 10.29.7.8 (NNMAC) 2018-19 IN-SERVICE TRAINING CYCLE FOR LAW ENFORCEMENT OFFICERS that read: A minimum of twenty (20) hours of maintenance training/education may apply towards the 40-hour requirement. This is training/education which insures that previously learned knowledge, skills, and abilities of a critical nature are maintained at an acceptable level of proficiency. Four (4) hours shall be in safe pursuit procedures pursuant to Section 29-20-3 NMSA 1978. A minimum of one (1) hour shall be in domestic abuse incident training pursuant to Section 29-7-4.1 NMSA 1978. A minimum of two (2) hours shall be in the detection, investigation and reporting of a crime motivated by hate pursuant to Section 31-18B-5 NMSA 1978. For all officers who may be involved in the arrest of DWI offenders, eight (8) hours shall be in NHTSA approved standardized field sobriety testing (SFST) protocols or successful course completion of the NHTSA approved 16-hour advanced roadside impaired driving enforcement course. For SFST instructors, sixteen (16) hours shall be in NHTSA approved SFST instructor refresher. Remaining hours may include firearms, first aid, defensive tactics, driving, and DWI measuring devices or other areas where periodic maintenance is measured and/or tested. Any training conducted in this area must be accredited by the academy.

New Mexico Standards for the Standardized Field Sobriety Testing Program

Revision #1

In 2017, the NMDPS LEA Board further enhanced and clarified the rules concerning SFST instructor certification and training:

... Instructors attending and completing a national highway traffic safety administration (NHTSA) driving while intoxicated and standardized field sobriety testing (DWI/SFST), or drug recognition expert (DRE) instructor course with the approval of the contract oversight committee of the department of transportation will not be required to attend and complete a 40 hour instructor training/development course, but may receive a limited instructor certification to teach only those end-user national highway traffic safety administration (NHTSA) approved courses in driving while intoxicated (DWI), standardized field sobriety testing (SFST) or drug recognition expert (DRE) courses and shall not permit the instructor to teach any other topics of instruction without completing a 40 hour general instructor training/development course...

And

...Master Instructors must have completed a minimum of two years as a specialized, technical or professional lecturer instructor in the same subject area as the request for master instructor certification;

***It should be noted that this new language specifically mentions and recognizes the "...oversight committee..."**

NM DOT TSD and NMLEA SFST Oversight Committee

This Committee is tasked to provide recommendations, guidelines and training structure to adhere to the NHTSA/IACP SFST Standards. The Committee addresses instructor qualifications, certification, and quality control of the training curriculum and instructors. As such, the Committee is tasked to recommend curriculum, rules and standards for delivering and maintaining the standards encompassed in the NHTSA SFST curriculum and NMLEA rules. The Committee operates with representatives from NMDOT TSD, NMLEA and a consortium of certified SFST instructors, Drug Recognition Experts (DRE), and subject matter experts. The Committee is dual-chaired by the NM SFST Manager and an executive from the NMLEA.

Discussion and Outline of the SFST Curriculum

The NHTSA/IACP SFST Administrator's Guide¹³ is intended to facilitate planning and implementation of the DWI Detection and Standardized Field Sobriety Testing Course. Instructors are strongly encouraged to utilize the Administrator's Guide during course planning, preparation and presentation.

A. What should be directly addressed in the SFST curriculum?

In response to the May 2005 NHTSA Assessment, it is imperative that SFST Instructors emphasize adequate training time for students to refresh, re-train and properly implement proficiency skills in delivery of the SFST battery. Adequate course time should be availed to officers for enabling comprehension, re-iteration and practice of the psychomotor training involved with proficient SFST delivery. Instructors should focus on the training elements of dialogue, timing, and distance related to successful learning and/or enhancement in the student's SFST skills. In many cases, such as the SFST Refresher Course, the instructor may not have sufficient time to include other activities (e.g., a wet lab, Introduction to Drugged Driving, etc.) when students have been evaluated with needing more time towards proficiency training.

¹³ NHTSA/IACP DWI Detection & Standardized Field Sobriety Testing Administrative Guide, REVISED 10/2017

B. What activities take place during the training?

The principal activity of the DWI Detection/SFST curriculum is realistic and hands-on practice by the participants. In a variety of ways, they spend approximately three-quarters of the total training time actually doing various elements of the detection and description tasks. They observe video-taped presentations of vehicles and operators and gather evidence of impairment. The students should form decisions from viewing the video tapes on the reasonable suspicion identified and documented to stopping a suspected impaired driver, requesting a driver to exit their vehicle, developing probable cause during the administration of the standardized field sobriety tests and the decision to arrest. The students are tasked with writing a narrative report to document evidence. The students can be instructed to organize and testify to the evidence they have observed. Most significantly, they practice -- again and again -- administering and interpreting the standardized field sobriety tests. Among the most important learning activities of the course are the following:

- A field sobriety proficiency examination, in which participants demonstrate their ability to administer Horizontal Gaze Nystagmus, Walk-and-Turn and One-Leg Stand tests.
- Video-taped presentations of vehicles and operators exhibiting indicators associated with the various phases of DWI detection. Participants view the tapes, then identify and record the clues of possible impairment.
- Brief "testimony" sessions are conducted where selected participants attempt to give clear, convincing verbal descriptions of the clues observed in the video presentations.
- "Dry run" practice in administering standardized field sobriety tests. Participants work in small groups, taking turns administering Horizontal Gaze Nystagmus, Walk-and-Turn, and One-Leg Stand to each other.
- "Controlled drinking" practice(s), in which participants administer the standardized field sobriety tests to volunteers (not members of the class) who have consumed various amounts of alcohol. Participants also practice observing, recording and interpreting test results during these sessions. It is preferred that two (2) separate controlled drinking sessions (wet labs) are conducted in the Basic SFST courses. Minimally, two (2) controlled drinking sessions must be delivered (e.g., One set of controlled drinkers begin a session at 10:00 a.m. and are tested by students prior to lunch. The second session, involving the same drinkers, are controlled through the lunch hour and afterwards, are tested a second time in the later afternoon). **Note: an exception can be made with the approval of the NMLEA when the class size exceeds 24.**
- NHTSA/IACP approved video tapes of the three standardized field sobriety tests being performed by volunteer drinkers are available for options one and two only. These tapes allow participants to practice observing, interpreting and recording the tests.
- Report writing exercise, in which participants view a video tape of simulated DWI detection/arrest sequence and prepare a detailed narrative report.
- Moot court, in which selected participants "testify", based on the contents of their narrative reports.
- Written tests, in which participants demonstrate their knowledge of the content subject matter.

C. Class Size Considerations

This course is a highly participative learning experience. Participants need to have ample opportunities to practice applying the skills they are trying to learn; (i.e., observing, testifying, reporting and administration of the standardized field sobriety tests). Participants need substantial individual attention during practice sessions. The recommended maximum class size in the NHTSA/IACP Administrative Guide is 24 participants. An ideal range would be 15-21. The maximum instructor-student ratio for completing the Proficiency Evaluation portion of the course shall not exceed 1:10.

D. Course Hours and Curriculum

There are three primary course curriculums that NHTSA/IACP has developed: Basic SFST Training, Refresher SFST Training and Drugs That Impair Driving. Each of these curriculums offer law enforcement officers with the opportunity to gain the knowledge, skills and abilities to detect, apprehend and assist in the prosecution of impaired drivers. All of these impaired driving courses have been approved by the IACP, NHTSA, and the NMLEA. National standards have been established by the IACP to ensure consistency in the content, delivery, and application of the SFST and drug impaired training.

Current Course Accreditation Numbers:

- | | | |
|------------------------------------|----------|-------------------|
| • 4 Hour Officer Refresher: | NM180153 | Expires 3/15/2020 |
| • 8 Hour Instructor Refresher: | NM180154 | Expires 3/15/2020 |
| • 24/32/40 Hour DWI/SFST Basic | NM180155 | Expires 3/15/2020 |
| • 40 Hour Instructor Certification | NM180156 | Expires 3/15/2020 |

TRAINING/CURRICULUM DETAILS and OVERSIGHT

A. Basic SFST Training Curriculum¹⁴

This training is the initial training in the NHTSA/IACP standards. This course includes 16 blocks of required training and one optional block as follows:

Session 1:	Introduction to DWI Detection and Standardized Field Sobriety Testing
Session 2:	Detection & General Deterrence
Session 3:	The Legal Environment
Session 4:	Overview of the Detection, Note Taking, and Testimony
Session 5:	Phase One – Vehicle in Motion
Session 6:	Phase Two – Personal Contact
Session 7:	Phase Three – Pre-Arrest Screening
Session 8:	Concepts & Principles of the SFST
Session 9:	Test Battery Demonstrations
Session 10:	“Dry Run” Practice Session
Session 11:	“Testing Subjects” Practice: First Session
Session 12:	Processing the Arrested Subject and Preparation for Trial
Session 13:	Report Writing and Moot Court
Session 14:	“Testing Subjects” Practice: Second Session (Wet-Lab)
Session 15:	Review and Proficiency Exams
Session 16:	Written Examination and Program Conclusion
OPTIONAL:	Introduction to Drugged Driving

The Basic SFST training curriculum must involve two (2) alcohol workshops. **Note: an exception can be made with the approval of the NMLEA when the class size exceeds 24.** The IACP strongly believes that conducting live alcohol workshops is the optimal way of achieving the learning objectives of this training. This course is intended only for law enforcement officers at the federal, state, county and local levels who are in need of the NHTSA and IACP approved DWI Detection and Standardized Field Sobriety Testing Training Program. The Basic SFST training may include one of the following courses, dependent upon the agency's time ability and training needs of the students:

- a. 40 hour Wet-Lab. This course includes two (2) live alcohol workshops and an 8 hour course in Introduction to Drugged Driving.
- b. 32 hour Wet-Lab. This course includes two (2) live alcohol workshops and a 4 hour course in Introduction to Drugged Driving.
- c. 24 hour Wet-Lab. This course includes two (2) live alcohol workshops.

B. SFST Refresher Training Curriculum¹⁵

The SFST Refresher Training Program is for law enforcement officers who have previously completed the NHTSA and IACP approved SFST training. The purpose of the refresher training is to review the administration and interpretation of the SFST battery. The goal of the program is to improve the overall consistency of how the SFST test battery is administered by individual police officers.

¹⁴ Note: Each approved Basic course has been accredited by the NMLEA.

¹⁵ Note: Each approved Refresher course has been accredited by the NMLEA.

The program allows officers to refresh their skills at recognizing and interpreting evidence of DWI; administering and interpreting the scientifically validated sobriety tests; and describing DWI evidence clearly and convincingly. The program provides a review of note-taking procedures and the trial preparation and testimony process. It also provides updated information regarding recent case law and research studies. **THIS PROGRAM IS INTENDED FOR THE PURPOSES OF REFRESHER TRAINING ONLY. THIS PROGRAM IS NOT A SUBSTITUTE FOR NHTSA/IACP APPROVED DWI DETECTION AND STANDARDIZED FIELD SOBRIETY TESTING TRAINING.** This training involves the following units:

- i. Session 1: Introduction to DWI Detection and SFST
- ii. Session 2: Phases One and Two: Vehicle In Motion And Personal Contact
- iii. Session 3: Concepts & Principles of the SFST

Dependent upon the agency need and training ability, Departments may opt for one of the following course curriculums:

C. Introduction to Drugged Driving Curriculum

Enforcement of alcohol impaired driving is a complex and demanding law enforcement responsibility sufficient to warrant a separate curriculum. This is not to deny or minimize the importance of detecting and arresting drivers impaired by drugs other than alcohol. Indeed, other materials (as referenced in this document) are available from the National Highway Traffic Safety Administration (NHTSA) to improve police officers' skills in **detecting** and **apprehending** drug impaired drivers. This course offers information on the DRE Program, and introduces officers to the principles and concepts regarding drugged driving, methods of ingestion/injection, categories and observations of drugs. In this regard NHTSA has developed two modules that address drug impaired driving:

- i. **"Introduction to Drugged Driving"** a four-hour overview of drugs other than alcohol that impair (Session 0).
- ii. **"Advanced Roadside Impaired Driving Enforcement"** or **A.R.I.D.E.**, a sixteen-hour module that provides officers with information on the general observable signs of drug impaired drivers. This module was developed to increase officer awareness of signs of drug impairment and the need to make referrals to DREs.

Either module is an excellent add-on or follow-up to the DWI Detection and Standardized Field Sobriety Testing training program. Both are highly recommended. **HOWEVER, NEITHER WILL QUALIFY AN OFFICER TO SERVE AS A DRUG RECOGNITION EXPERT (DRE).**

D. DWI/SFST Oversight Committee and Executive Board

The Oversight Committee shall be composed of representatives to ensure the NHTSA/IACP standards are held into conformance and the directions of the Oversight Committee are consistent with the NHTSA/IACP and the NMLEA expectations. The Executive Board shall be composed of the two (2) co-chair persons, one from the New Mexico DPS LEA and the other shall be the SFST Statewide Program Manager. The remaining executive board shall be representative(s) from the NMLEA (if so desired), NMDOT TSD and/or the NMDOT TSD SFST Coordination Manager.

The Executive Board and/or the Committee as a whole shall require the SFST Statewide Coordinator to review the qualifications and standards application for all state-wide SFST instructors. The coordinator may be used to enhance consistency and conformance to the NHTSA/IACP SFST Standards and provide recommendations to the NMLEA, via the Executive Board or Committee, for initial and continued certification as an SFST Instructor. The SFST Statewide Coordinator is tasked to report the following, including but not limited to:

- a. Validate the accuracy of the current list of SFST instructors,
- b. Document when, where and who trained the instructor in the NHTSA/IACP SFST Train-The-Trainer course (NMLEA SFST Instructor Certification Course),
- c. Determine if the instructor has obtained an NMLEA SFST Instructor Certification
- d. Determine the frequency and proficiency of instructorship in SFST
- e. Review instructor applications, conformance with these standards and then, after Committee approval, forward recommendations to NMLEA for initial or continued certification as a SFST Instructor,.
- f. Keep and maintain an accurate contact list of all SFST Instructors for the dissemination of timely information, updates, course locations/dates, etc.
- g. Maintain accurate and up-to-date files on each instructor to include, at a minimum, certifications, applications, and required documents supporting certification
- h. Maintain files for the minutes and attendance rosters of the quarterly SFST Oversight Committee meetings.

E. SFST Instructors

The quality and conformance to the New Mexico and NHTSA/IACP SFST Standards, including the SFST Instructor performance, shall be under the control of the NMLEA DWI/SFST Oversight Committee. All SFST Instructors shall adhere to curriculum direction given by the NM SFST Manager or Coordinator. Only NMLEA approved and accredited curriculum may be taught.

1. **Instructor Qualifications:** Candidates desiring to acquire certification shall:
 - a. Be employed or under the direct control of a public criminal justice agency or institution involved in providing training services to law enforcement agencies/personnel,
 - b. Have acquired a law enforcement patrol field experience of at least three (3) years utilizing the SFST,
 - c. Demonstrate proficiency of SFST administration prior to attending/starting the SFST Instructor Certification course:
 - (1) **Students will have one (1) opportunity to demonstrate SFST proficiency at the start of the Instructor Certification course.**
 - **Failure to demonstrate SFST proficiency at the start of the course will result in the student being sent home and his/her sponsoring agency notified.**
 - d. Provide written documentation of the number of DWI arrests and/or convictions for the previous 12-month period, and
 - e. Provide evidence of successfully completing the NHTSA/IACP approved SFST Instructor Certification course:
 - 1) Within two (2) years of the application for certification, or
 - 2) More than two (2) years previous to the application and completing eight (8) hours of SFST refresher instructor training annually.
 - f. Complete the NMLEA DWI/SFST Instructor Certification Application (LEA-65A) and forward it to the SFST Statewide Coordinator

- g. Be approved by the DWI/SFST Oversight Committee that the candidate meets the above requirements.
 - h. Upon certification, be certified for a two (2) year period, and be proctored by the SFST Coordinator, or his designee, for continued certification.
2. **SFST Instructors may obtain certification in one of five (5) categories:**
 - a. Initial
 - b. First Time Renewal
 - c. Subsequent Renewal
 - d. Initial Master Instructor
 - e. Renewal Master Instructor
3. **Initial and renewal certifications are good for two (2) years, per NMLEA rules. Master Instructor certification is good for four (4) years, per NMLEA rules and recent Oversight Committee approval.**
 - a. Initial Certification
(1) Initial certification requires:
 - Successful completion of the 40-hour SFST Instructor Certification Course.
 - Written Documentation of the student's DWI activity for the previous 12 months.
 - Department head/supervisor approval
 - b. First Time Renewal
(1) First Time Renewals require:
 - Successful completion of two (2) Instructor Refresher courses in the previous two (2) years
 - Written recommendation from a lead instructor that the instructor has successfully completed two (2) apprentice courses in SFST
 - Department head/supervisor approval.
 - c. Subsequent Renewal
(1) Subsequent renewals require:
 - Successful completion of two (2) Instructor Refresher courses in the previous two (2) years
 - Proof of two (2) SFST courses taught within the past two (2) years
 - Department head/supervisor approval
 - d. Master Instructor Certification – Initial
(1) Initial Master Instructor Certification requires:
 - Successful completion of two (2) Instructor Refresher courses in the previous two (2) years
 - All documentation required for master instructor certification per NMLEA rules 10.29.4.11 NMAC
 - Proof of two (2) 24+ hour wet labs as primary instructor within the last four (4) years
 - Department head/supervisor approval

New Mexico Standards for the Standardized Field Sobriety Testing Program

Revision #1

- e. Master Instructor Renewal
 - (1) Master Instructor Renewal Certification requires:
 - Successful completion of two (2) Instructor Refresher courses in the previous two (2) years
 - Proof of at least one (1) 24+ hour wet lab conducted as primary instructor within the last four (4) years
 - Department head/supervisor approval
- 4. **SFST Instructors are subject to qualification and/or performance review by the DWI/SFST Oversight Committee, inclusive of class proctoring, course evaluation reviews, etc. at any time deemed necessary by the Committee or its members. The DWI/SFST Oversight Committee may cause review of any SFST Instructor for compliance with the NM Standards for the SFST Program.**
- 5. **The Committee may recommend the revocation of an officer's instructor certification to the NMLEA, at the Committee's discretion, including but not limited to the following reasons:**
 - a. The arrest of the instructor for a criminal act
 - b. The arrest of the instructor for DWI
 - c. An instructor who conducts or allows to be conducted a wet lab practical exercise that is unprofessional, unethical, unsafe, and/or does not follow the NHTSA required standards and oversight when conducting a wet lab.
 - d. Brings disrepute upon the instructional integrity of the SFST Program that may include a reported incident, investigation or finding of officer misconduct as defined in 10.29.1.11 NMAC.
 - e. Just cause reasons that impact the credibility or integrity of this program and/or the credibility or integrity of the instructor.
 - (1) The authority to revoke an instructor certification rests solely with the Director of the New Mexico Law Enforcement Academy.
 - (2) Any request for revocation of a certification shall be made in writing to the Director, by the Coordinator, at the direction of the Committee.
- 6. **The Committee may suspend an officer's instructor certification, when the instructor:**
 - a. Fails or refuses to follow the guidelines set forth in these standards
 - b. Fails or refuses to maintain proficiency in the current training standards required as an SFST Instructor
 - c. Fails to attend the required annual instructor update, or
 - d. Brings disrepute upon the instructional integrity of the SFST Program that may include a reported incident, investigation or finding of officer misconduct as defined in 10.29.1.11 NMAC.
 - (1) Instructors receiving notice of suspension may appear before the Committee to appeal the Committee's decision at the next, regularly scheduled Oversight Committee meeting.
 - (2) The Committee will provide a decision on the appeal, to include but not limited to:
 - Maintaining the suspension
 - Move the instructor to 'Probationary' status, pending remediation of deficiencies and/or issues

- Move the instructor to 'Active' status
 - Grant a waiver with a time-line for compliance/remediation.
- (3) The Coordinator will deliver the Committee's decision, in writing, to the Instructor within two (2) weeks of the Committee's decision, to include the re-instatement procedures as outlined in (11) below.
- 7. **The Program Manager or Coordinator may move an instructor to 'INACTIVE' status for reasons to include but not limited to:**
 - a. Failure to attend required annual instructor update
 - b. Failure to apply for and/or receive a current NMLEA Instructor Certification
 - c. Having an expired NMLEA Instructor Certification
 - d. Not instructing in the previous two (2) years
 - e. Failing to address any of the above after reasonable efforts to contact the instructor have occurred and failed to result in action.
- 8. **The Coordinator shall maintain a current list of all revoked, suspended, current, expired and inactive instructors and shall make it available to any Committee member upon request.**
 - a. Moving an instructor from INACTIVE to CURRENT shall be at the approval of the Committee, as the Committee may require extensive steps for an Instructor to become current, including but not limited to:
 - (1) Successful completion of a current 40-hour Instructor Certification Course
 - (2) Successful completion of a current 8-hour Instructor Refresher
 - (3) Successful apprenticeship under a current instructor
 - (4) Assisting a lead instructor with a wet lab or refresher training
 - (5) Recommendation from a lead instructor
 - (6) Reapplication for certification as either initial, first-time renewal, or subsequent renewal
 - (7) Or some or all steps as detailed in (9) below
- 9. **Instructor Status: The DWI/SFST Oversight Committee and/or Coordinator shall classify each SFST instructor into one of the following statuses:**
 - a. Current - meets all criteria established by the NMLEA and DWI/SFST Oversight Committee.
 - b. Inactive – is in expired status from either certification, update training, or teaching requirement(s) and has made no effort to get current.
 - c. Expired – is currently in expired status from either certification, update training, or teaching requirement, has been notified, and is actively working to get current.
 - d. Waived – the instructor is current except for the current year Instructor Refresher and a bona fide reason has been provided by a commander or department head as to why the instructor missed the current year refresher: manpower, budget, military duty, FMLA, etc.
 - (1) Waived instructors shall not teach in a 'lead' capacity
 - (2) Waived instructors will be put on a time-line by the Coordinator to ensure the instructor gets current with all requirements.

New Mexico Standards for the Standardized Field Sobriety Testing Program

Revision #1

- e. Suspended - fails or refuses to follow the guidelines set forth in these standards as outlined in Section F.
- f. Revoked – has had their certification revoked by the Director of the NMLEA.

10. Instructor Refresher/Update Training and Requirements

- a. All instructors, regardless of status (except revoked instructors) shall attend an annual Instructor update course, as prescribed by the Oversight Committee. These courses are generally 8 hours in length and are held at multiple locations throughout the state, affording ample opportunity for instructors to attend.
 - (1) New Instructors are required to attend the update training, annually, beginning in the calendar year following their initial certification.
 - (2) Instructor update training is NOT re-certification training. Rather, it is a requirement for continued certification as an SFST Instructor.
- b. NMLEA SFST Instructor certifications are valid for a period of two (2) years. As such, all instructors (except new instructors) are required to attend two (2) update training courses during that two (2) year period.
 - (1) Attending two update training sessions in the same calendar year does NOT meet this requirement, as legal updates and curriculum updates are based on new calendar years.
- c. Waiver requests for missing an instructor update training will only be considered in the following circumstances:
 - (1) A department head, in writing, articulates bonafide reason(s) for an instructor missing the update based on, but not limited to:
 - manpower shortage(s), budget constraints, FMLA, military leave or other personnel issues not subject to public disclosure.

11. Instructor Reinstatement:

- a. An instructor whose certification has been suspended by the Committee will have one (1) year from the date of the suspension to conform to the standards established by the Committee. An instructor's certification shall be reinstated by the NMLEA and DWI/SFST Oversight Committee after meeting the following criteria:
 - (1) Demonstrate proficiency of SFST administration,
 - (2) Successfully complete an eight-hour SFST Instructor Update Course,
 - (3) Attend as an instructor under the proctor of a Master DWI Instructor at least one (1) Basic or Satellite Academy SFST course that includes at least one (1) wet-lab and,
 - (4) Be recommended by the proctoring Master DWI Instructor.
 - (5) Instructors who fail to reinstate within the prescribed timeframe must attend the SFST train-the-trainer course.
- b. An instructor whose certification has been expired and has been inactive for over two (2) years shall be required to attend a current SFST Instructor Certification Course (40 Hour).

F. Course Administration

- 1. SFST Instructors shall properly plan, prepare and present materials consistent with the NHTSA/IACP Standards.

2. In order to accurately track, monitor and accredit SFST training, each instructor shall complete the following forms and submit copies to the NM SFST Coordinator upon final delivery of a SFST course:
 - a. Course Accreditation Roster (LEA-86B) (original will be submitted to the NMLEA by the SFST Statewide Coordinator)
 - b. Student Critiques

G. Guidelines for Controlled Drinking Practice Sessions

The SFST core curriculum requires the participation of volunteers who will consume carefully measured quantities of alcohol and submit to standardized field sobriety tests administered by the participants. Drinking volunteers are an essential resource for the core curriculum. Therefore, careful steps must be taken to ensure the volunteers' safety as well as their contribution to a worthwhile learning experience.

NOTE: CONTROLLED DRINKING SESSIONS SHALL BE USED FOR DWI/SFST LAW ENFORCEMENT TRAINING PURPOSES ONLY. Other law enforcement training (e.g., interrogation methods, TAZER, chemical mace, etc.) shall not be combined with controlled drinking sessions.

NO WEAPON SHOULD BE PERMITTED IN THE VICINITY OF ANY DRINKING VOLUNTEER.¹⁶

1. Criteria to be considered when selecting volunteer drinkers:

- They cannot be members of the class.
- **THEY SHOULD NOT BE LAW ENFORCEMENT OFFICERS.**
- They must be verified to be at least 21 years old, but not over 65 years old.
- They cannot have any history of alcoholism.
- They cannot be known to suffer from any medical condition that may be exacerbated by alcohol (such as hypertension or diabetes).
- They cannot be taking any medication (prescription or otherwise) that might adversely interact with alcohol.
- They should be in good physical health.
- They shall not be a defendant in a current criminal case or be on probation.

2. Managing the Volunteer Drinkers

Transportation must be provided for the volunteers to and from the training session. Under no circumstances may volunteers be permitted to drive from the training session, regardless of their blood alcohol concentration (BAC) at the time of departure. Volunteers should be released only into the custody of responsible, sober persons. It is suggested that there be a minimum of one drinking volunteer for every three to five participants. From the time of their arrival until safely disposed of, volunteers must be kept under constant supervision. It is suggested that at least one monitor be present for every four volunteers. Volunteer must be paired with a monitor of the same sex. The aides must monitor the volunteers, serve their drinks, make sure they comply with the schedule, and kept under close observation. **THE EFFECTIVENESS OF THE VOLUNTEERS AS TRAINING RESOURCES DEPENDS ON THEIR BLOOD ALCOHOL CONCENTRATIONS. IDEALLY, VOLUNTEERS AT ANY SESSION SHOULD ACHIEVE PEAK B.A.C.'s BETWEEN 0.06 AND 0.14.**

New Mexico Standards for the Standardized Field Sobriety Testing Program

Revision #1

Volunteers should be instructed to refrain from eating two hours prior to their arrival at the training facility. Food in their stomachs may affect the absorption of alcohol into their bloodstreams, and impede your ability to control their BACs. Volunteers should be brought to the training facility a minimum of three hours before the practice session is scheduled to begin. **Each volunteer should be breath tested, have their pulse, blood pressure, and HGN checked and recorded.** NOTE: Additional time may be needed for administrative procedures.

¹⁶ This change occurred in 2006 NHTSA Revision.

3. Guidelines for achieving target B.A.C.'s

The table below indicates the ounces of 80-proof distilled alcoholic beverage that volunteers should consume, in relation to their weight and the "target" peak BAC, during a three (3) hour interval.

Weight (Pounds)	MEN	WOMEN
110	5	4
120	6	5
130	6	5
140	7	5
150	7	6
160	8	6
170	8	6
180	9	7
190	9	7
200	10	8
210	10	8
220	10	8
230	11	9
240	11	9
250	12	10

It is suggested that volunteers consume half of the total allocated amount of alcoholic beverage during the first hour. They should refrain from drinking or smoking prior to any breath test.

NOTE: A volunteer may cease drinking at any time.

H. Course Administrative Planning and Preparation Requirements

Course administrative planning and preparation tasks are to:

1. Select officers whom you expect to devote substantial amounts of time to DWI enforcement.
2. Identify the learning objectives that are appropriate for your participants.
3. Tailor the instructional material, as appropriate, to conform to your learning objectives.
4. Select instructors and assign them to teach specific sessions of the course. Review the lesson plans and visual aids with the instructors. Give them sufficient time to prepare.
5. Prepare the instructional facilities by arranging the classroom seating format. Secure the necessary audio visual equipment and materials.
6. If the core curriculum or option one (1) is selected, recruit volunteer drinkers. Arrange for their supervision and transportation and secure the necessary supplies

needed for the alcohol workshop(s).

I. Standards for Certification

In order to successfully complete this course of instruction, participants must pass the written examination and demonstrate proficiency in administering and interpreting the standardized field sobriety tests.

1. The Written Examination. A written knowledge examination (post-test) is in the lesson plans for Session 16. This test focuses on the administrative and interpretation procedures for the standardized field sobriety tests. Participants must achieve a grade of 80% to successfully complete this training.

NOTE: For retesting requirements refer to IACP National Standards, Section 1.4.

2. Assessing Student Proficiency. Instructors must decide whether individual participants are proficient with the standardized field sobriety tests. This is accomplished by the following:
 - The lesson plans for Session 15 (Review and Examinations) set forth a procedure for testing each student's ability to administer the three standardized field sobriety tests properly.
 - "Passing" this test requires that the participants administer the complete test battery at least once, in an instructor's presence, without deleting or erroneously performing any of the critical administrative elements of the tests.

J. Student Critiques

Student Critique Forms are provided for the basic and 4-hour refresher to document their ratings of course content and activities at the conclusion of the training. Evaluation of these critiques by the instructors and course coordinator is critical for maintaining a high degree of achievement in learning and delivery. The form is divided into following sections:

A single-page critique form has been created to better facilitate critiques and possibly capture better input from students about course content and instructor performance. It can be found at <http://swtcnm.com/sfst> and is attached to this manual.

K. Requests for Information, Assistance or Materials

The NMDOT TSD is committed to providing materials to SFST Instructors. In order to aid law enforcement agencies in acquiring SFST Refresher training, the TSD has contracted with Southwest Training Consultants, LLC to distribute these materials. Should an instructor need materials, please contact:

**Southwest Training Consultants, LLC
SFST Program Management**

Mailing Address:

13 Calle Alfredo
Algodones, NM
(505) 270-1884
Bruno2179@msn.com
<http://swtcnm.com>

SFST Statewide Coordinator

Mailing Address:

PO Box 28282
Santa Fe, NM 87592
(505) 328-9262
shilling.robert@gmail.com

Appendix I

NMLEA DWI/SFST OVERSIGHT EXECUTIVE BOARD

1. NMLEA Co-ChairVacant
2. NMDOT TSD SFST Program Manager Co-ChairKevin Bruno
3. NMDOT TSD Program Manager.....Kimberly Wildharber

NM DPS DWI/SFST OVERSIGHT COMMITTEE

- | | |
|-----------------------|---|
| 1. Ronald Vigil | Rio Rancho Police Department |
| 2. Kelly Brown | Hobbs Police Department |
| 3. Charles Files | NM DRE Coordinator |
| 4. James Maiorano | McKinley County Sheriff's Department |
| 5. John Palmer | Doña Ana County Sheriff's Department |
| 6. Michael Naus | Rio Rancho Police Department |
| 7. Terry McCoy | San Juan County Sheriff's Department |
| 8. Daron Roach | Clovis Police Department |
| 9. Marisa Martinez | Albuquerque Police Department |
| 10. Roy Martinez | Albuquerque Police Department |
| 11. Kurtis Ward | New Mexico State Police |
| 12. Toby Lafave | New Mexico State Police |
| 13. Kyle Jackson | New Mexico Department of Game and Fish |
| 14. David Testa | Carlsbad Police Department |
| 15. Jose Gonzales | Santa Fe Police Department |
| 16. Kevin Lucero | Bernalillo County Sheriff's Department |
| 17. Julie Gallardo | 1 st Judicial District Attorney's Office |
| 18. Ashley Schweizer | Office of the New Mexico Attorney General |
| 19. Jason Greenlee | 2 nd Judicial District Attorney's Office |
| 20. Christopher Smith | NM EMNRD/NM State Parks |
| 21. Tim Baughman | LEL, Safer NM Now |
| 22. Darin Hardy | LEL, Safer NM Now |

Appendix II

ATTACHMENTS:

- LEA65A
- LEA86B
- SFST PROFICIENCY EXAM FORM
- SFST REFRESHER TEST AND ANSWERS
- DWI/SFST POST TEST AND ANSWERS
- REMEDIAL TEST AND ANSWERS
- NHTSA COURSE/INSTRUCTOR CRITIQUE
- SWTC ONE PAGE COURSE/INSTRUCTOR CRITIQUE
- LIVE ALCOHOL WORKSHOP FORMS/GUIDE
- NHTSA ADMINISTRATOR'S GUIDE

DWI/SFST INSTRUCTOR CERTIFICATION APPLICATION

***Please Print or type all information**

Instructor Application	<input type="checkbox"/> Initial	<input type="checkbox"/> Renewal	Master Instructor Application	<input type="checkbox"/> Initial	<input type="checkbox"/> Renewal
<p>Qualifications: SFST Instructor certification and performance monitoring, is conducted by the New Mexico DPS SFST Oversight Committee. SFST Instructor application for certification is reviewed by the SFST Oversight Committee. The Committee provides its recommendations to the NM DPS Law Enforcement Training Center for the initial and continued certification of an SFST Instructor. <i>**Persons holding a DWI / SFST Instructor certification may instruct <u>only</u> those <u>SFST</u> courses approved by NHTSA. "General" courses may not be taught by DWI / SFST instructors without a General Police Instructor certification**</i></p>					
<p>INITIAL Instructor Application Requirements:</p> <p><input type="checkbox"/> Be a certified law enforcement officer with patrol field experience of at least three (3) years utilizing SFST.</p> <p><input type="checkbox"/> ATTACH certificate of completion of a NHTSA/IACP approved SFST Instructor Certification Course.</p> <p><input type="checkbox"/> ATTACH certificate of completion of an eight (8) hour DWI/SFST Instructor Refresher Update Course if the SFST Instructor Certification course was completed more than two (2) years prior to the date of application.</p> <p><input type="checkbox"/> ATTACH written documentation of the number arrests and/or convictions for the previous twelve (12) months.</p>					
<p>RENEWAL Instructor Application Requirements:</p> <p><input type="checkbox"/> Provide a written recommendation by a lead SFST Instructor designated by the State SFST Coordinator that the applicant has successfully completed two (2) apprentice courses in SFST for first time renewals.</p> <p><input type="checkbox"/> Thereafter, provide documentation of two (2) SFST courses taught within the past two (2) years.</p> <p><input type="checkbox"/> ATTACH certificates of completion of two (2) SFST Instructor Update/Refresher Courses within the last two (2) years.</p>					
<p>INITIAL MASTER Instructor Application Requirements:</p> <p><input type="checkbox"/> ATTACH all documentation per requirements for Master Instructor per 10.29.4.11 NMAC</p> <p><input type="checkbox"/> ATTACH written documentation that at least two (2) 24+ hour Wet Labs were conducted as primary instructor within the last four (4) years.</p>					
<p>RENEWAL MASTER Instructor Application Requirements:</p> <p><input type="checkbox"/> ATTACH written documentation that at least one (1) 24+ hour Wet Labs was conducted as primary instructor within the last four (4) years.</p>					
<p>Applicant Name</p> <p><i>Last</i> <i>First</i> <i>Middle</i> <i>Maiden</i></p> <p>SSN# (At Least Last 4 digits) DOB: NMLEA Certification #:</p>					
<p>Home Mailing Address</p> <p><i>Street or PO Box</i> <i>City</i> <i>State</i> <i>Zip</i></p> <p>Agency/Organization (if applicable) Contact Phone Number: _____</p> <p>Email: _____</p>					
<p>I hereby certify the information contained in this application is true and correct. I understand I must follow the rules and regulations established by the Training Center in order to obtain credit for training courses I conduct.</p>					
<p>_____ <i>Printed or Typed Name of Applicant</i> <i>Applicant Signature</i> <i>Date</i></p> <p><i>I certify the applicant is responsible for conducting training for my department and recommend that an instructor certificate be issued.</i></p>					
<p>_____ <i>Sponsoring Agency</i> <i>Type or Print Name of Agency Head</i> <i>Title</i></p> <p>_____ <i>Agency Mailing Address</i> <i>City</i> <i>State</i> <i>Zip</i></p> <p>_____ <i>Agency Telephone Number</i> <i>Agency Head/Designee Signature</i> <i>Date</i></p>					

FOR SFST OVERSIGHT COMMITTEE USE ONLY

Initial Instructor Certification				
1.	Is the applicant a certified law enforcement officer with patrol field experience of at least three (3) years utilizing the SFST?		Yes	No
2.	Written documentation of the number of DWI arrests and/or convictions for the previous twelve (12) month period attached?		Yes	No
3.	Has applicant successfully completed the NHTSA/IA approved SFST Instructor Certification Course? Certificate Attached? If YES, When:		Yes	No
4.	Has applicant completed an eight (8) hour DWI/SFST Instructor Refresher/Update where the SFST Instructor Certification Course was completed more than two (2) years prior to the date of this application? Certificate Attached?		Yes	No
5.	(MASTER Instructor Only) All documentation required under NMAC 10.29.4.11 for Master Instructor certification has been attached?		Yes	No
6.	(MASTER Instructor Only) Written documentation that at least two (2) 24+ Hour Wet Labs were conducted as primary instructor within the last four years?		Yes	No
Instructor Renewal				
1.	First Time Renewals: Written recommendation by a lead SFST Instructor designated the State SFST Coordinator that the applicant has successfully completed two (2) apprentice courses in SFST? Attached?		Yes	No
2.	Subsequent Renewals: Two (2) SFST courses taught within the past two (2) years? Documentation Attached?		Yes	No
3.	Two (2) Eight (8) Hour SFST Instructor Refresher/Update courses with the last two (2) years? Documentation Attached?		Yes	No
4.	Master Instructor Only: Written documentation attached showing at least one (1) 24+ hour Wet Lab was conducted as primary instructor within the last four (4) years?		Yes	No
COMMITTEE RECOMMENDATION				
Request Approved by Committee		Request Denied by Committee		
Comments:				
Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:
Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:
Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:		Committee Member Email Approval or Signature:
<input type="checkbox"/> Request approved by Committee Chairperson(s): Print Names: _____				
<input type="checkbox"/> Request denied by Committee Chairpersons: Explanation: _____				
TSB DWI/SFST State Coordinator/Program Manager Co-chair:		DPS/NMLEA Co-chair:		
<i>Signature</i>		<i>Signature</i>		

Mail Packet To: Southwest Training Consultants, LLC
Attn: SFST Coordinator
PO Box 28282, Santa Fe, NM 87592

PARTICIPANT PROFICIENCY EXAMINATION

Date ___/___/___ Participant _____

STANDARDIZED FIELD SOBRIETY TEST BATTERY DWI Detection and SFST Participant Proficiency Examination

HORIZONTAL GAZE NYSTAGMUS

1. ___ Have subject remove glasses if worn.
2. ___ Stimulus held in proper position (approximately 12"-15" from nose, just slightly above eye level.
3. ___ Check for equal pupil size and resting nystagmus.
4. ___ Check for equal tracking.
5. ___ Smooth movement from center of nose to maximum deviation in approximately 2 seconds and then back across subject's face to maximum deviation in right eye, then back to center. Check left eye, then right eye. **(Repeat)**
6. ___ Eye held at maximum deviation for a minimum of 4 seconds (no white showing). Check left eye, then right eye. **(Repeat)**
7. ___ Eye moved slowly (approximately 4 seconds) from center to 45 angle. Check left eye, then right eye. **(Repeat)**
8. ___ Check for Vertical Gaze Nystagmus. **(Repeat)**

WALK AND TURN

1. ___ Instructions given from a safe position.
2. ___ Tells subject to place feet on a line in heel-to-toe manner (left foot behind right foot) with arms at sides and gives demonstration.
3. ___ Tells subject not to begin test until instructed to do so and asks if subject understands.
4. ___ Tells subject to take nine heel-to-toe steps on the line and demonstrates.
5. ___ Explains and demonstrates turning procedure.
6. ___ Tells subject to return on the line taking nine heel-to-toe steps.
7. ___ Tells subject to count steps out loud.
8. ___ Tells subject to look at feet while walking.
9. ___ Tells subject not to raise arms from sides.
10. ___ Tells subject not to stop once they begin.
11. ___ Asks subject if all instructions are understood.

ONE LEG STAND

1. ___ Instructions given from a safe position.
2. ___ Tells subject to stand straight, place feet together, and hold arms at sides.
3. ___ Tells subject not to begin test until instructed to do so and asked if subject understands.
4. ___ Tells subject to raise one leg, either leg, approximately 6" from the ground, keeping raised foot parallel to the ground, and gives demonstration.
5. ___ Tells subject to keep both legs straight and to look at elevated foot.
6. ___ Tells subject to count out loud in the following manner: one thousand one, one thousand two, one thousand three, and so on until told to stop, and gives demonstration.
7. ___ Asks subject if all instructions are understood.
8. ___ Checks actual time subject holds leg up. (Time for 30 seconds.)

Instructor: _____

Note: In order to pass the proficiency examination, the student must explain and proficiently complete each of the steps listed.

DWI DETECTION AND STANDARDIZED FIELD SOBRIETY TESTING

PRE TEST

Name _____ Date ____ / ____ / ____

Agency _____

1. The type of alcohol contained in alcoholic beverages is _____.
 - A. Methanol
 - B. Isopropanol
 - C. Butyl
 - D. Ethanol
 - E. All of the Above
2. The "illegal per se" law makes it an offense to operate a vehicle while _____.
 - A. Having a statutorily prohibited blood alcohol content.
 - B. Under the influence of alcohol and/or drugs.
 - C. Impaired by alcohol or drugs to the slightest degree.
 - D. Having consumed any alcohol (if the operator is a minor).
 - E. Incapable of safely operating, regardless of cause.
3. A good, structured field sobriety test is simple and _____.
 - A. Focuses the subject's attention.
 - B. Interrupts the subject's attention.
 - C. Captures the subject's attention.
 - D. Divides the subject's attention.
 - E. Multiplies the subject's attention.
4. The police officer's principal decision during the Detection Phase Two usually is _____.
 - A. Do I have sufficient grounds to request a chemical test?
 - B. Should I arrest the operator for DWI?
 - C. Is this person the operator of the vehicle?
 - D. Should I instruct the driver to exit the vehicle?
 - E. Is the impairment due to alcohol or drugs?

5. The police officer's principal decision during Detection Phase Three is ____.
- A. Do I have sufficient ground to request a chemical test?
 - B. Should I arrest the operator for DWI?
 - C. Is this person the operator of the vehicle?
 - D. Should I instruct the driver to exit the vehicle?
 - E. Is the impairment due to alcohol or drugs?
6. The word "nystagmus" means ____.
- A. Eyes unable to move independently of the head.
 - B. Impaired pupillary contraction ("alcohol dilation effect")
 - C. Gaze fixation ability.
 - D. Vision impairment due to central nervous system depression.
 - E. Involuntary jerking of the eye.
7. According to law, a person cannot be convicted of DWI/alcohol, if the blood alcohol content is below your state's legal limit.
- A. True
 - B. False
8. In the Walk and Turn test, the subject is required to take nine heel to toe steps in a straight line, to turn around in a prescribed manner, and to return ____ heel to toe steps back along the line.
- A. Nine
 - B. Any specific number other than nine.
 - C. Eight
 - D. Seven
 - E. Ten
9. Which of the following is (are) a validated field sobriety test?
- A. One Leg Stand
 - B. Alphabet
 - C. Coin Pick Up
 - D. Finger Count
 - E. Hand Pat

10. The police officer's principal decision during Detection Phase One is_____.

- A. Do I have sufficient grounds to stop this vehicle?
- B. Should I instruct the driver to exit the vehicle?
- C. Is this person the operator of the vehicle?
- D. Do I have sufficient grounds to request a chemical test?
- E. Is the operator's ability to drive impaired to any degree?

DWI DETECTION AND STANDARDIZED FIELD SOBRIETY TESTING

POST TEST

Name _____ Date ____ / ____ / ____

Agency _____

1. There are a total of _____ observable clues in the HGN test.
 - A. 1
 - B. 2
 - C. 4
 - D. 6
 - E. 8
2. The "illegal per se" law makes it an offense to operate a vehicle while _____.
 - A. Having a statutorily prohibited blood alcohol content.
 - B. Under the influence of alcohol and/or drugs.
 - C. Impaired by alcohol or drugs to the slightest degree.
 - D. Having consumed any alcohol (if the operator is a minor).
 - E. Incapable of safely operating, regardless of cause.
3. A good, structured field sobriety test is simple and _____.
 - A. Focuses the subject's attention.
 - B. Interrupts the subject's attention.
 - C. Captures the subject's attention.
 - D. Divides the subject's attention.
 - E. Multiplies the subject's attention.
4. The police officer's principal decision during the Detection Phase Two usually is _____.
 - A. Do I have sufficient grounds to request a chemical test?
 - B. Should I arrest the operator for DWI?
 - C. Is this person the operator of the vehicle?
 - D. Should I instruct the driver to exit the vehicle?
 - E. Is the impairment due to alcohol or drugs?

5. There are a total of _____ observable clues in the OLS test.
- A. 1
 - B. 2
 - C. 4
 - D. 6
 - E. 8
6. The word "nystagmus" means _____.
- A. Eyes unable to move independently of the head.
 - B. Impaired pupillary contraction ("alcohol dilation effect")
 - C. Gaze fixation ability.
 - D. Vision impairment due to central nervous system depression.
 - E. Involuntary jerking of the eye.
7. According to law, a person cannot be convicted of DWI/alcohol, if the blood alcohol content is below your state's legal limit.
- A. True
 - B. False
8. In the Walk and Turn test, the subject is required to take nine heel to toe steps in a straight line, to turn around in a prescribed manner, and to return _____ heel to toe steps back along the line.
- A. Nine
 - B. Any specific number other than nine.
 - C. Eight
 - D. Seven
 - E. Ten
9. During the One Leg Stand test the subject must be timed to stand on one foot for _____ seconds.
- A. 25
 - B. 30
 - C. 45
 - D. 60
10. Name the two stages of the One Leg Stand, divided attention test.
1. _____
2. _____

11. There are a total of _____ observable clues in the WAT test.
- A. 1
 - B. 2
 - C. 4
 - D. 6
 - E. 8
12. The police officer's principal decision during Detection Phase One is_____.
- A. Do I have sufficient grounds to stop this vehicle?
 - B. Should I instruct the driver to exit the vehicle?
 - C. Is this person the operator of the vehicle?
 - D. Do I have sufficient grounds to request a chemical test?
 - E. Is the operator's ability to drive impaired to any degree?
13. The three phases of DWI detection are _____.
- A. Vehicle in motion, personal contact, pre-arrest screening.
 - B. Investigation, arrest, chemical test.
 - C. Driver identification, vehicle identification, probable cause.
 - D. The stop, the field test, the chemical test.
14. The implied consent law states drivers must submit to a chemical test or be subject to license sanctions.
- A. True
 - B. False
15. When checking for distinct and sustained nystagmus at maximum deviation, the eye is held out for a minimum of _____ seconds.
- A. 1
 - B. 2
 - C. 4
 - D. 6
 - E. 8
16. The three clues of Horizontal Gaze Nystagmus are (fill in the blanks):
- _____
 - _____
 - _____

17. Which of the following is one of the validated clues of the Walk and Turn test:

- A. "Starting too soon"
- B. "Hopping"
- C. "Putting foot down"
- D. "Failing to Count Steps Out Loud"

18. List the Standardized Field Sobriety Tests:

19. How many clues are assessed a subject who displays 1) lack of smooth pursuit in both eyes; 2) distinct and sustained nystagmus in both eyes at maximum deviation; and, 3) no onset of nystagmus prior to 45 degrees in either eye.

- A. 2
- B. 4
- C. 6
- D. 0

20. The police officer's principal decision during Detection Phase Three is _____.

- A. Do I have sufficient ground to request a chemical test?
- B. Should I arrest the operator for DWI?
- C. Is this person the operator of the vehicle?
- D. Should I instruct the driver to exit the vehicle?
- E. Is the impairment due to alcohol or drugs?

PRE TEST ANSWER SHEET

1. D
2. A
3. D
4. D
5. B
6. E
7. B
8. A
9. A
10. A

Note: Each correct answer is worth ten (10) points.

POST TEST ANSWER SHEET

- | | |
|---|--|
| 1. D | 12. A |
| 2. A | 13. A |
| 3. D | 14. A |
| 4. D | 15. C |
| 5. C | 16. Lack of smooth pursuit;
Distinct and sustained
nystagmus at
maximum deviation;
Onset of Nystagmus
prior to 45 degrees |
| 6. E | |
| 7. B | |
| 8. A | 17. A |
| 9. B | 18. HGN; Walk and Turn;
One Leg Stand |
| 10. Instruction Stage
Balancing and Counting Stage | 19. B |
| 11. E | 0. B |

Note: Each correct answer is worth five (5) points.

Learning Objectives

- **Complete written examination with passing grade**
- **Provide comments and suggestions for improving course**



Upon successfully completing this session the participant will be able to:

- Complete a written examination with a passing grade
- Provide comments and suggestions for improving the course

CONTENT SEGMENTS

- A. Post Test
- B. Critique
- C. Review of Post Test
- D. Concluding Remarks
- E. Certificates and Dismissal

LEARNING ACTIVITIES

- Written Participant Examination
- Written Participant Critique
- Instructor-Led Presentation

Deterrence and DWI

- What approximate percentage of fatal crashes involve drivers who have been drinking?
- On any typical weekend night, approximately what percentage of cars are driven by persons who are DWI?

Suggested topics for review to prepare for the test.

Deterrence and DWI

- Approximately what percentage of fatal crashes involve drivers who have been drinking?

- On any typical weekend night, approximately what percentage of cars are driven by persons who are DWI?

Deterrence and DWI

- About how many times does the average DWI violator drive intoxicated before arrest?
- An alcohol-related crash at night is more likely to result in death than is a non alcohol related crash. How many times more likely?

-
- About how many times does the average DWI violator drive intoxicated before arrest?

- An alcohol-related crash at night is more likely to result in death than is a non-alcohol-related crash. How many times more likely?

Detection Phases

- What are the three phases of detection?
- What is the definition of "DWI detection"?
- What is the police officer's principal decision during Detection Phase One?

Detection Phases

- What are the three phases of detection?

- What is the definition of "DWI detection"?

- What is the police officer's principal decision during Detection Phase One?

Detection Phases

- During Phase Two?
- During Phase Three?

-
- During Phase Two?

-
- During Phase Three?

Laws

- What does "Per Se" mean?
- The "illegal per se" law makes it an offense to operate a motor vehicle while _____.
- True or False: The implied consent law states suspected DWI drivers are deemed to have given their consent to submit to chemical testing.
- True or False: A person cannot be convicted of DWI if BAC was below 0.05.

Laws

- What does "Per Se" mean?

- The "illegal per se" law makes it an offense to operate a motor vehicle while

- True or False: The implied consent law states suspected DWI drivers are deemed to have given their consent to submit to chemical testing.

- True or False: A person cannot be convicted of DWI if BAC was below 0.05.

Alcohol Physiology

- **True or False: Alcohol is the most abused drug in the United States.**
- **Name three of the more commonly known alcohols.**

Alcohol Physiology

- True or False: Alcohol is the most abused drug in the United States.

- Name three of the more commonly known alcohols.

Field Sobriety Testing

- What does "nystagmus" mean?
- WAT is an example of a _____ attention test
- Name the eight distinct clues of WAT
- Name the four distinct clues of OLS
- Name the three distinct clues of HGN

Field Sobriety Testing

- What does "nystagmus" mean?

- Walk and Turn (WAT) is an example of a _____ attention test.
- Name the eight distinct clues of WAT.

- Name the four distinct clues of One Leg Stand (OLS).

- Name the three distinct clues of Horizontal Gaze Nystagmus (HGN).

- What is the critical angle for determining whether the third clue of HGN is present?
- How many steps in each direction must the subject take in the WAT test?
- How long must the subject stand on one foot in the OLS test?

- What is the critical angle for determining whether the third clue of HGN is present?
- How many steps in each direction must the subject take in the WAT test?
- How long must the subject stand on one foot in the OLS test?

16-1

-

- [illegible]

- 16-12

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

- 16-13

Session 16
13 of 21

Course Location _____ Date _____ / ____ / ____

DWI Detection And Standardized Field Sobriety Testing Training Program Participant's Critique

A. Workshop Objectives

Please indicate whether you feel that you personally achieved the following course objectives.

	Yes	No	Not Sure
1. Enable you to understand enforcement's role in general DWI deterrence.			
2. Enable you to understand the detection phases.			
3. Enable you to understand requirements for organizing and presenting testimonial and documentary evidence in DWI cases.			
4. Improve your ability to recognize and interpret evidence of DWI violations.			
5. Enable you to administer and interpret validated psychophysical tests to DWI subjects.			

6. Improve your ability to describe DWI evidence clearly and convincingly in written reports and verbal testimony.			
--	--	--	--

B. Workshop Sessions and Quality of Instruction

Please rate how helpful each workshop session was for you personally. Also, please rate the quality of instruction (subject knowledge, instructional techniques and learning activities).

Use a scale from 1 to 5 where: 5=Excellent, 4=Very Good, 3=Good, 2=Fair, 1=Poor.

	<u>Session/Activity</u>	<u>Quality</u>
Detection and General Deterrence	_____	_____
The Legal Environment	_____	_____
Overview of Detection, Note Taking and Testimony	_____	_____
Phase One: Vehicle in Motion	_____	_____
Phase Two: Personal Contact	_____	_____
Phase Three: Pre-Arrest Screening	_____	_____
Concepts and Principles of Standardized Field Sobriety Tests	_____	_____
Test Battery Demonstrations	_____	_____
"Dry Run" Practice	_____	_____
"Drinking Subjects" Practice	_____	_____
Processing the Arrested Subject and Preparation for Trial	_____	_____
Report Writing Exercise and Moot Court	_____	_____

C. Course Design

Please circle the appropriate word to indicate your agreement or disagreement with each of the following statements.

1. The program contains some information that is not needed and that should be deleted.

Agree Disagree Not Sure

2. There are some important topics missing from the program that should be added.

Agree Disagree Not Sure

3. The program is too short.

Agree Disagree Not Sure

4. I feel this program has improved my own ability to enforce DWI laws.

Agree Disagree Not Sure

5. The instructors did a good job.

Agree Disagree Not Sure

6. I am very glad I attended the program.

Agree Disagree Not Sure

7. The program is too long.

Agree Disagree Not Sure

8. The instructors should have been better prepared.

Agree Disagree Not Sure

9. I feel fully qualified to use the nystagmus test now.

Agree Disagree Not Sure

10. I feel fully qualified to use the two divided attention tests now.

Agree

Disagree

Not Sure

11. Too much time was spent practicing with drinking volunteers.

Agree

Disagree

Not Sure

12. These three new tests definitely will improve our ability to identify impaired drivers.

Agree

Disagree

Not Sure

13. I wish we had more practice with drinking volunteers.

Agree

Disagree

Not Sure

D. If you absolutely had to delete one session or topic from this course, what would it be?

E. If you could add one new topic or session to this course, what would it be?

F. Overall Course Rating

Please rate the overall quality of the seminar on a scale from 1 to 5 where: 5=Excellent, 4=Very Good, 3=Good, 2=Fair, 1=Poor.

Overall Course Rating: _____

G. Quality of Instruction

Please rate each instructor on a scale from 1 to 5 where: 5=Excellent, 4=Very Good, 3=Good, 2=Fair, 1=Poor.

<hr/>	<hr/>
Instructor	Rating

<hr/>	<hr/>
Instructor	Rating

<hr/>	<hr/>
Instructor	Rating

<hr/>	<hr/>
Instructor	Rating

H. Please provide any final comments or suggestions that you feel are appropriate.

I. Please comment on the "Introduction to Drugged Driving" portion of the class, if presented.



SFST Instructor/Curriculum Evaluation and Critique

Instructor: _____ Date: _____ Location: _____

1. What is the best thing the instructor did during this class?

2. What did the instructor do/not do that needs to be improved?

3. Rate the Instructor: 1 2 3 4 5 6 7 8 9 10

4. What is the best part of the curriculum?

5. What part of the curriculum needs to be improved?

6. Rate the Curriculum: 1 2 3 4 5 6 7 8 9 10 (*Curriculum is NHTSA mandated*)

Student (OPTIONAL): _____

DWI Detection
and
Standardized
Field Sobriety
Testing

Session 14 – “Testing Subjects” Practice:
Second Session



February 2018

Session 14

"Testing Subjects" Practice: Second Session



Learning Objectives

- Properly administer SFSTs
- Properly observe and record subject's performance utilizing field note-taking guide
- Properly interpret subject's performance



See "Guidelines for Controlled Drinking Practice Session," in the Administrator Guide. Briefly review the objectives, content and activities of this session.

At the conclusion of this session, participants will be able to:

- Properly administer the Standardized Field Sobriety Tests (SFSTs)
- Properly observe and record subject's performance utilizing the field note-taking guide
- Properly interpret the subject's performance

CONTENT SEGMENTS

- A. Procedures
- B. Hands on Practice
- C. Session Wrap Up

LEARNING ACTIVITIES

- Instructor-Led Presentations
- Participant Practice Session
- Instructor-Led Discussion

Explain participants will work as teams to administer SFSTs to volunteers who have consumed alcoholic beverages. Some of these volunteers will have BACs above 0.08. Others will be below that level.

Participants will carefully note and record the volunteers' performance and attempt to distinguish those above 0.08 from those below 0.08.

Participants will also learn to record their observations on a SFST Field Arrest Log.

Administer SFSTs

- Volunteers who have consumed alcohol
- Each team member will administer one complete series of tests to at least one drinking volunteer
- Each team prepares a descriptive, written test record on each volunteer tested

A. Procedures

Participants work in the same teams constituted for the Dry Run Practice Session.

Make sure all participants understand the practice procedures. Each team will test at least as many drinking volunteers as the team has members. Example: If a team has four members, that team will administer a complete set of tests to at least four volunteers.

Each team member will administer one complete series of tests to at least one drinking volunteer.

If time permits, teams will test additional volunteers.

Emphasize each team is to prepare a descriptive, written test record on each volunteer tested (using the standard note-taking guide).

While one participant is administering tests to a volunteer, the other team members will observe and record the volunteer's performance.

As soon as the team has completed the SFSTs on a particular volunteer, the volunteer must be escorted by a monitor to the next scheduled team.

Define the sequence in which volunteers will circulate among teams.

Upon termination of this practice segment, monitors will escort the volunteer subjects to the Breath Testing Station.

Emphasize teams will not be informed of the volunteers' BACs until the session "Wrap Up".

Teams return to classroom to complete report writing assignment. An instructor records the BACs of the volunteer.

[illegible]

Session Wrap Up

- **SFST results on each volunteer**
- **Observations concerning the relationship between volunteers' BACs and their performances on the tests**

C. Session Wrap Up

Teams report their observations of volunteers.

Solicit SFST results on each volunteer. Record results on dry erase board (See sample array on next page).

Notify participants of volunteers' BACs as obtained during the breath tests.

Write BACs next to volunteers' names or code letters on the dry erase board.

Solicit participant comments, questions, or observations concerning the relationship between volunteers' BACs and their performances on the tests.

[illegible]

QUESTIONS?

Sample Dry Erase Board Array for Tabulating Results

“Designated Subjects”	Horizontal Gaze Nystagmus	Walk and Turn	One Leg Stand	Arrest?
“A”				
“B”				
“C”				
“D”				
“E”				
“F”				
“G”				
“H”				
“I”				
“J”				

SFST Field Arrest Log

Date	Name	HGN	WAT	OLS	BAC +/- .08	Arrest / Not Arrest	Measured BAC	Remarks

ALCOHOL WORKSHOP PARTICIPANT STATEMENT OF INFORMED CONSENT

I, _____, hereby agree to participate in the alcohol
(Print Name)

workshop conducted on ____/____/____ by _____.
(Agency/Department)

I understand that I will consume alcohol, and may become impaired or intoxicated. I specifically agree that my participation as a volunteer drinker in this program makes it imperative that I refrain from driving for at least twelve hours following completion of the program.

I understand that, while participating in the program, I will be required to submit to breath tests to determine my blood alcohol concentration. I also understand that I will be required to submit to psychophysical examinations and other non-intrusive clinical tests to assess the extent of my impairment.

I represent that I am in good physical health, and that I am not an alcoholic. I attest that I am not now under the influence of alcohol or any other drug. I attest that I have not consumed any drug, medication, or other substance that would make my consumption of alcohol at this time inadvisable. I affirm that there exists no condition that should preclude my participation in this alcohol workshop as a volunteer drinker.

I have been informed of the purpose of this workshop, namely, to assist in training police officers to recognize and investigate persons impaired by alcohol and other drugs. I acknowledge that I may refuse to consume any or all of the alcohol offered to me during this workshop.

I also consent to being photographed or video recorded, by instructors, for training purposes only.

Signature

Date ____/____/____

Witness

VOLUNTEER DRINKER QUESTIONNAIRE

VOLUNTEER: _____

DATE: _____

LOCATION: _____

Wearing Glasses? Yes ☐ No ☐

Wearing Contacts? Yes ☐ No ☐

Eye Problems? _____

Sick or Injured? _____

Diabetic? _____

Epileptic? _____ Other: _____

Physical Defects? _____

Under Doctor's Care? _____

Taking Any Medications or Drugs? Yes No What: _____

Been Drinking? Yes ☐ No ☐ What: _____ When: _____

Last Sleep? _____

Number of Hours? _____

Last Ate – Time: _____ What: _____

Age _____ Eye Color _____

Height _____ Sex M ☐ F ☐

Weight _____ Build _____

DOSING CHART

MIX: _____

TOTAL NUMBER OZ ETOH _____ TYPE _____ PROOF _____

	BEFORE DRINKING	PRE-TESTNG	POST TESTING
Lack of Smooth Pursuit	YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Maximum Deviation	YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Angle of Onset			
Pupil Size	MM	MM	MM
Pulse	BPM	BPM	BPM
Blood Pressure	/	/	/
BAC/Time	/	/	/

DWI Detection & Standardized Field Sobriety Testing

Administrator Guide



February 2018

**DWI Detection and Standardized Field Sobriety Testing
Instructor Guide
Table of Contents
02/2018 Curriculum**

Acknowledgements

Preface

Forward

Administrator Guide

Session 1: Introduction and Overview

Session 2: Detection and General Deterrence

Session 3: The Legal Environment

Session 4: Overview of Detection, Note Taking and Testimony

Session 5: Phase One: Vehicle In Motion

Session 6: Phase Two: Personal Contact

Session 7: Phase Three: Pre-Arrest Screening

Session 8: Concepts and Principles of the SFSTs

Session 9: Standardized Field Sobriety Testing (SFST) Demonstrations

Session 10: “Dry Run” Practice

Session 11: “Testing Subjects” Practice: First Session

Session 12: Processing the Arrested Subject, Report Writing, and Preparation for Trial

Session 13: Moot Court (Optional)

Session 14: “Testing Subjects” Practice: Second Session

Session 15: Review and Examinations

Session 16: Program Conclusion

Acknowledgements

The National Highway Traffic Safety Administration (NHTSA) and the International Association of Chiefs of Police (IACP) would like to thank the following individuals for their contributions in updating and revising the 2017 DWI Detection and Standardized Field Sobriety Testing curricula.

Joseph Abrusci, Morris County Park Police Department, Morristown, NJ

Jonlee Anderle, Wyoming Department of Transportation Highway Safety Office

Kyle Clark, International Association of Chiefs of Police

Don Decker, Nahant MA Police Department

Chuck Hayes, International Association of Chiefs of Police

Mike Iwai, Oregon State Police

Pam McCaskill, DOT Transportation Safety Institute, Oklahoma City, OK

Bill O'Leary, Highway Safety Specialist, Enforcement and Justice Services Division, National Highway Traffic Safety Administration

Kendall Smith, DOT Transportation Safety Institute, Oklahoma City, OK

California Highway Patrol

Oklahoma Highway Patrol

Preface

The DWI Detection and Standardized Field Sobriety Testing (SFST) training curriculum prepares police officers and other qualified persons to conduct the SFSTs for use in driving while impaired (DWI) investigations. This training, developed under the auspices and direction of the NHTSA and the IACP, has experienced remarkable success since its inception in the early 1980s.

As in any educational training program, an instructor guide is considered a “living document” that is subject to updates and changes based on advances in technology and science. A thorough review is made of information by the IACP Technical Advisory Panel (TAP) of the Highway Safety Committee of the IACP with contributions from many sources in health care science, toxicology, jurisprudence, and law enforcement. Based on this information, any appropriate revisions and modifications in background theory, facts, examination, and decision-making methods are made to improve the quality of the instruction as well as the standardization of guidelines for the implementation of the SFST curriculum. The reorganized manuals are then prepared and disseminated, both domestically and internationally. Changes will take effect 90 days after approval by the TAP, unless otherwise specified or when so designated.

The procedures outlined in this manual describe how the SFSTs are to be administered under ideal conditions. We recognize that the SFSTs will not always be administered under ideal conditions in the field because such conditions do not always exist. Even when administered under less than ideal conditions, they will generally serve as valid and useful indicators of impairment. Slight variations from the ideal, i.e., the inability to find a perfectly smooth surface at roadside, may have some effect on the evidentiary weight given to the results; however, this does not necessarily make the SFSTs invalid.

Introduction

The Administrator Guide provides an introduction and overview of the SFST Training Program. The acronym "DWI" means driving while impaired **and is synonymous with the acronym "DUI," "driving under the influence."** These terms refer to any and all offenses involving the operation of vehicles by persons under the influence of alcohol and/or other drugs. However, the focus of this curriculum is on the alcohol-impaired driver.

The procedures outlined in this guide describe how the SFSTs are to be administered under ideal conditions. We recognize that the SFSTs will not always be administered under ideal conditions in the field because such conditions will not always exist. Even when administered under less than ideal conditions, they will serve as useful indicators of impairment. Slight variations from the ideal, i.e., the inability to find a perfectly smooth surface at roadside, do not necessarily make the SFSTs invalid.

Enforcement of alcohol-impaired driving is a complex and demanding law enforcement responsibility sufficient to warrant a separate curriculum. This is not to deny or minimize the importance of detecting and arresting drivers impaired by drugs other than alcohol. Indeed, other materials (as referenced in this document) are available from NHTSA to improve police officers' skills in **detecting** and **apprehending** drug-impaired drivers.

In this regard NHTSA and IACP have developed two trainings that address drug-impaired driving:

- *Introduction to Drugged Driving* is a four-hour overview of drugs other than alcohol that impair.
- *Advanced Roadside Impaired Driving Enforcement (ARIDE)* is a 16-hour course which offers additional information to law enforcement officers on detecting impairment caused by more than just alcohol. Oftentimes law enforcement officers who have not received advanced or in-service training regarding drug impairment tend to not be able to identify these characteristics; therefore, they will release an impaired driver. Once an officer completes the training, he/she will be more proficient with the Horizontal Gaze Nystagmus (HGN), Walk and Turn (WAT), and One Leg Stand (OLS) tests and gain a broader knowledge of drug impairment indicators. The law enforcement officer will also be more familiar with the Drug Evaluation and Classification (DEC) Program and its function. This will facilitate better communication and transfer of critical roadside indicators of impairment to the evaluating Drug Recognition Expert (DRE) for a more complete and accurate assessment of the impairment.

The *Introduction to Drugged Driving* session is an excellent option to the SFST training. The ARIDE course is an excellent stand-alone training for experienced SFST practitioners. **BOTH ARE HIGHLY RECOMMENDED, HOWEVER, NEITHER WILL QUALIFY AN OFFICER TO SERVE AS A DRE.**

These impaired driving courses have been approved by NHTSA and IACP. International Standards have been established by IACP to ensure consistency in the content, delivery, and application of the SFST and drugged driving detection training. The SFST Standards are provided in this Administrator Guide (Appendix B).

For more information regarding these impaired driver detection programs, contact your State Highway Safety Office (SHSO) or NHTSA Regional Training Coordinator (Appendix E).

Note: Neither NHTSA nor IACP are certifying agencies for impaired driving courses, i.e., SFST, ARIDE, DRE, etc. This includes both practitioners and instructors.

TABLE OF CONTENTS

Purpose of This Document.....	1
Overview of the Course	1
Intended Audience.....	1
Purpose of the Training.....	1
Benefits of the Training.....	3
Course Content	3
Training Activities.....	4
Length of the Training.....	5
Course Flexibility	6
Overview of the Curriculum Package	7
Instructor Guide	7
Visual Aids	8
Participant Manual.....	9
General Administrative Requirements	9
Facility Requirements	9
Instructor Qualifications	9
Class Size Considerations	10
Guidelines for Controlled Drinking Practice Sessions.....	10
Criteria to be considered when selecting volunteer drinkers	10
Managing the Volunteer Drinkers	11
Guidelines for achieving target BACs.....	11
Course Administrative Planning and Preparation Requirements.....	12
Standards for Course Completion.....	13
The Written Examination	13
Assessing Participant Proficiency.....	13
Participant Critiques	13
SFST Field Evaluations.....	14
Requests for Information, Assistance or Materials	14

APPENDICES

- A. Synopsis of the SFST Curriculum
- B. IACP International Standards for the Standardized Field Sobriety Testing Program
- C. Overview of SFST Refresher Training
- D. Instructor/Participant Roster
- E. Resources

SESSION ATTACHMENTS

- Glossary of Terms (Session 1)
- Field Note-taking Guide (Session 4)
- 45 Degree Template (Session 8)
- Participant Proficiency Examination (Sessions 10 and 15)
- Sample Dry Erase Board Array for Tabulating Results (Session 11, 11-A, 14, and 14-A)
- SFST Field Arrest Log (Session 11, 11-A, 14, and 14-A)
- Video Score Sheet (Session 11-A and 14-A)
- Alcohol Workshop Participant Statement of Informed Consent (Sessions 11 and 14)
- Volunteer Drinker Questionnaire and Dosing Chart (Sessions 11 and 14)
- SFST Option Video Subject Results – CD/Video Day 1 (Session 11-A)
- NPSRI Technical Report “The Use of Video in Training for SFSTs” – Summary (Sessions 11-A and 14-A)
- Trial Tips and Techniques – Courtroom Decorum (Session 12)
- Sample DWI Incident Report (Session 12)
- SFST Option Video Subject Results – CD/Video Day 2 (Session 14-A)
- Course and Instructor Evaluation (Session 16)

THUMB DRIVE CONTENTS

- HGN Case Law Summary (Session 3)
- The Visual Detection of DWI Motorists (Session 5)
- The Detection of DWI Motorcyclists (Session 5)
- San Diego Field Validation Study (Validation of the Standardized Field Sobriety Test Battery at BACs Below 0.10 Percent) (Session 8)
- Video Score Sheet (Session 11-A and 14-A)
- Overcoming Impaired Driving Defenses

Purpose of This Document

The Administrator Guide is intended to facilitate planning and implementation of the SFST Course. The core course consists of 16 sessions with two "live" alcohol workshops.

The Guide outlines acceptable options to the "core" training procedures (see "How Flexible Is the Course?" Item 7, page 7). It overviews the sequence of instruction, documents the materials and the teaching aides that make up the instructional package, describes course administrative requirements, and provides guidelines for discharging those requirements satisfactorily. The Guide sets forth the fundamental tasks that make up the job of DWI enforcement and identifies knowledge, skills, and attitudes police officers need to perform those tasks well. The Guide also outlines the preparatory work that must be accomplished (primarily at the departmental or academy level) before the course can be conducted and outlines the follow-up work that should be undertaken, subsequent to training, to ensure that the desired outcomes of the training are realized.

Overview of the Course

Intended Audience

Participants should be persons employed and under the direct control of public criminal justice agencies or institutions involved in providing training services to law enforcement agencies. Ideally, officers responsible for DWI enforcement will actually use all aspects of the training, especially the three SFSTs - HGN, WAT, and OLS. Officers selected to attend this training should be aware of the hazards caused by impaired drivers and be motivated to arrest those drivers. Their duty assignments should enable them to spend the time required to process DWI offenders.

Some law enforcement agencies have concluded the subject matter should be offered only to officers who have amassed substantial on-the-job experience in detecting and arresting impaired drivers. Other agencies have advanced equally strong arguments to support the position the training is appropriate for recruit-level officers. Either assessment is left up to the individual agencies using this curriculum. However, all user agencies should note the ability to maintain the skills learned in this course will rapidly diminish if they are not reinforced by frequent "street" application and regular in-service training. This is not to imply this training is so complex or confusing that it can only be mastered by exceptionally skilled officers. The techniques of the SFSTs can readily be grasped by anyone of average competence, provided they are willing to devote the appropriate time and effort to study and practice.

Purpose of the Training

The fundamental purpose of this training course is to foster DWI deterrence, i.e., to dissuade people from driving while impaired by increasing the odds that they will be arrested and convicted. This course is based on the assumption that a principal reason for enforcing DWI laws is to deter those who might otherwise be tempted to break the law. If potential DWI violators believe that there is a real risk of being caught, it is reasonable to believe most will refrain from driving while impaired.

Police officers can't possibly detect and arrest all DWI violators. Not all who are arrested will be convicted and punished. However, officers can improve the skills that increase the chances of detecting, arresting, recording, articulating, and gathering sufficient evidence to sustain a conviction. The training is based on the premise that officers perform two fundamental tasks which affect the likelihood of apprehending and convicting impaired drivers. The first of those tasks is **detection**. In this course, "detection" is defined as "the entire process of identifying and gathering evidence to determine whether a suspect should be arrested for DWI." DWI detection begins when an officer's attention is drawn to a particular vehicle or its operator. The precipitating events are unlimited. The initial "spark" that causes the officer to focus attention on the particular vehicle may carry with it an immediate, strong suspicion of the possibility of impairment; or, only a slight suspicion of the possibility of impairment; or, depending on the circumstances, no suspicion at all at that time. Regardless, it sets in motion a process in which the officer focuses on the particular individual and has the opportunity to observe and elicit additional evidence.

The detection process ends only when the officer formulates the decision either to arrest or not arrest the individual for DWI. That decision is based on all of the accumulated evidence. Effective DWI enforcers do not leap immediately to the arrest/no arrest decision. Rather, they proceed carefully through a series of intermediate decisions, each of which can elicit evidence. The course clearly outlines each decision step.

Successful DWI detectors are those officers who know what to look and listen for, who have the skills to ask the right questions, and choose and use the right tests. They are highly motivated and apply their knowledge and skill whenever they contact someone who may be under the influence. In this way, they tend to make more DWI arrests and gather the best possible evidence to support their charges.

The second basic task of effective DWI enforcement is **description**. Just as detection is the process of collecting evidence, description is the process of articulating evidence. Successful description demands the ability to verbally convey evidence clearly and convincingly. The officer's challenge is to communicate observational evidence to people who weren't there to see, hear, or smell the evidence themselves. The officer's tools are words. These words make up the written report and verbal testimony which the officer uses to "paint a word picture" when communicating with the prosecutor, the judge, the members of the jury, and the defense attorney. This skill allows these people to develop a sharp mental image that allows them to "see," "hear," and "smell" the evidence. Successful DWI describers have the verbal skills needed to use descriptive words and phrases to communicate their evidence clearly and convincingly.

This training will help officers become more skillful at detection and description, make more DWI arrests, and obtain more convictions. These actions will lead to greater DWI deterrence through less impaired driving and fewer crashes, injuries, and deaths.

Benefits of the Training

Participants will learn to:

- Recognize driving behaviors and other indicators commonly exhibited by impaired drivers
- Become better detectors and better describers by improving their knowledge, attitudes, and skills in detecting the impaired driver and articulating their observations
- Develop a better understanding of the tasks and decisions involved in the DWI detection process
- Recognize the magnitude and scope of DWI-related crashes, injuries, deaths, property loss, and other social aspects of the DWI problem
- Understand the deterrent effects of DWI enforcement
- Have a better understanding of the legal environment relevant to DWI enforcement and use of the three SFSTs
- Know and recognize typical clues of alcohol impairment that may be detected during face-to-face contact with DWI suspects
- Know and perform the appropriate administrative procedures for the divided attention psychophysical tests
- Know and perform appropriate administrative procedures for the HGN test
- Know and recognize typical clues of alcohol impairment that may be seen during administration of the SFSTs
- Understand the DWI prosecution requirements and their relevance to DWI arrest reporting.

Course Content

The course presents a substantial body of information relevant to the entire DWI detection process, including the organization, presentation, and articulation of the evidence gleaned from that process. It also presents supportive information to bolster the participants' awareness of the importance of effective DWI enforcement.

Key elements of the subject matter include:

- Involvement of impaired driving in traffic crashes, deaths, and injuries, both Nationally and within the participants' State(s)
- Concept of general deterrence of DWI and evidence of the effectiveness of deterrence in reducing impaired driving
- Laws governing DWI and its enforcement within the participants' State(s)

- Concept of detection as a three-phase process, with specific evidence-gathering and decision-making tasks in each phase
- Kinds of evidence of alcohol impairment typically associated with each phase of detection
- Concepts and principles of divided attention (psychophysical) testing
- Concepts and principles of HGN testing
- Guidelines for processing suspects arrested for DWI, preparing arrest reports, and delivering testimony in DWI trials

Training Activities

The principal activity of this course is hands-on practice by the participants. In a variety of ways, they spend approximately three quarters of the total training time actually doing various elements of the detection and description tasks. They observe video presentations of vehicles and operators and gather evidence of impairment. They form decisions, i.e., to stop suspected impaired drivers, to request them to exit their vehicles, to administer SFSTs, and to decide to arrest or not arrest them. They write narrative and other reports to document that evidence. They organize and testify to the evidence they have observed. Most significantly, they practice—again and again—administering and interpreting the SFSTs.

Even though significant time is spent in lectures and demonstrations by instructors, the participants are actively engaged, never passive listeners.

The following are among the most important learning activities of the course:

- Video presentations of vehicles and operators exhibiting indicators associated with the various phases of DWI detection
 - Participants view the videos, then identify and record the clues of possible impairment
- Brief "testimony" sessions are conducted where selected participants attempt to give clear, convincing verbal descriptions of the clues observed in the video presentation
- "Dry run" practice in administering SFSTs, in which participants work in small groups, taking turns administering HGN, WAT, and OLS to each other
- "Controlled drinking" practice(s), in which participants administer the SFSTs to volunteers (not members of the class) who have consumed various amounts of alcohol
 - Participants also practice observing, recording, and interpreting test results during these sessions