

Memorandum

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: DUTY MANUAL REVISION:
DRINKING DRIVER**

DATE: March 24, 2023

APPROVED

Memo# 2023-007

BACKGROUND

A review of Duty Manual Section L 6604 revealed revisions were necessary to reflect the title change of SJPD Form 202-65. The current form is called "Field Sobriety Exercises," and the new form will be called "Standardized Field Sobriety Tests" (SFSTs). This revision will also inform Department members on how to properly conduct standardized field sobriety tests on suspected impaired drivers.

The revised forms are available at Central Supply.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in ~~strike-through~~ form.

L 6604 IMPAIRED DRINKING DRIVER: *Revised 03-24-23*

Officers detaining suspected *impaired* ~~drunk~~ drivers will adhere to Section L 6601 = *INTOXICATION CASES – GENERAL PROVISIONS* and then administer the following *SFSTs at the scene (refer to SJPD Form 202-65)*, unless the *subject* suspected is injured, refuses to *perform the tests, or unusual circumstances exist*:

- Walk and Turn/~~heel to toe~~ (*Validated Test* ~~at scene and processing area~~)
- ~~Leg raise exercise (at scene and processing area)~~
- Modified Position of Attention (*Non-Validated Test* ~~at scene only~~)
- Finger to Nose Exercise (*Non-Validated Test* ~~at scene only~~)
- Finger Dexterity (*Non-Validated Test*)
- ~~Alphabet exercise (at scene only)~~

- Horizontal Gaze Nystagmus (Validated Test)
- One-Leg Stand (Validated Test)

The officer conducting these SFSTs will refer to the “Standardized Field Sobriety Tests” form “Field Sobriety Exercises Form” (SJPd Form 202-65). Officers will note the subject’s suspect’s performance on the “CHP Driving Under the Influence Arrest/Investigation Report” (CHP form 202).

When a subject suspect refuses to perform the tests exercises, the subject suspect will be asked why, and the reason given will be noted on the CHP 202 form.

When a subject’s suspect’s physical condition precludes conducting the above tests exercises, physical condition will be noted on the CHP 202 form.

If alcoholic beverages, drugs, or narcotics are discovered on the subject’s arrestee’s person or in the vehicle, the evidence will be processed in accordance with DM Section L 5500 (Property and Evidence Control – PROPERTY REQUIRING SPECIAL PROCCESSING Handling).

ORDER

Effective immediately, all Department personnel shall adhere to the above Duty Manual section.



Anthony Mata
Chief of Police

AM:PH:GB