

Standardized Field Sobriety Testing:

Learning from our mistakes

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It all comes back to these issues...

Was the defendant given a fair opportunity to pass the tests and...the context of validation.

VALIDATION APPLIES ONLY WHEN:

- The tests are administered in the prescribed, standardized manner.
- The standardized clues are used to assess the suspect's performance.
- The standardized criteria are employed to interpret that performance.

If any one of the standardized field sobriety test elements is changed, the validity is compromised.

Purpose

- The purpose of the analysis was to:
 - Report findings regarding proper and improper standardized field sobriety testing (SFST) administration methods in a field environment.
 - Identify and reinforce both positive and problematic performance areas in administering SFST's.
 - Target areas for officer improvement in SFST administration in order to reduce adverse impact in court.

Research Questions

- Is there a significant difference between the standardized administrative protocol taught in the basic SFST practitioner course and the manner in which trained officers administer the standardized tests to individuals in the field.
- If there was a significant difference from the standardized SFST administrative protocol, what instructions were deviated from most often and what was the rate of error.

Horizontal Gaze Nystagmus



HGN Data

<u>Instructional Elements</u>	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Feet together	256	360	71	29
□ Arms to your side 26		268	360	74
□ Maintain the position	192	360	53	47
□ Look at stimulus	346	360	96	04
□ Follow with eyes only	347	360	96	04
□ Don't move head	339	360	94	06
□ Continue to follow	130	360	36	64
□ Do you understand	299	360	83	17

HGN Data

<u>Physical Elements</u>	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Position of stimulus 22		287	360	78
□ Check = tracking	208	360	58	42
□ Check = pupil size 40		215	360	60
□ LOSP properly	70	360	19	81
□ DSNMD properly	136	360	38	62
□ ONP45* properly	159	360	44	56
□ VGN properly	108	360	30	70
□ Optokinetic factors 74		94	360	26

HGN Data



Out of **360** tests that were analyzed, officer's followed NHTSA standardized procedure in only **24** evaluations. This represents **7%** of all HGN assessments.

Walk & Turn



Walk & Turn

<u>Instructional Stage Elements</u>		<u>Obs.</u>	<u>Exp.</u>	<u>%</u>
<u>Dif</u>				
□ Imagine a line	268	360	74	26
□ Place left foot on line	264	360	73	27
□ Place right foot in front	321	360	89	11
□ Heel to toe		307	360	85
15				
□ Arms to the sides	326	360	90	10
□ Remain in pos./don't start		310	360	86
14				
□ Do you understand		291	360	81
19				

Walk & Turn

<u>Walking Stage Elements</u>		<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Take 9 heel to toe steps		343	360	95	05
□ Turn taking small steps		313	360	87	13
□ Take 9 heel to toe steps		331	360	92	08
□ Officer demos turn	341	360	95	05	
□ Officer demos steps	341	360	95	05	
□ Look at feet	261	360	73	27	
□ Count steps aloud	323	360	90	10	
□ Arms to the side/walking	302	360	84	16	
□ Don't stop walking	261	360	72	28	
□ Do you understand	327	360	91	09	
□ First step forward is #1		86	360	24	76

Walk & Turn

	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Poor testing surface	100	360	28	72
□ Issues with shoes 87		46	360	13
□ Weather issues 88		43	360	12

Walk & Turn

Out of **360** tests that were administered, officer's followed NHTSA standardized procedure in **67** evaluations. This represents a correct assessment rate of **19%**.

One Leg Stand



One Leg Stand

<u>Instructional Stage Elements</u>	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Put feet together 18		295	360	82
□ Arms to your side	297	360	83	17
□ Maintain that position 30		252	360	70
□ Do you understand	259	360	72	28

One Leg Stand

<u>Balance & Count Elements</u>	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Lift leg of choice	357	360	99	01
□ Approx. 6" off ground	342	360	95	05
□ Keep both legs straight	240	360	67	33
□ Keep arms to the sides	308	360	85	15
□ Point toe of elev. foot	289	360	80	20
□ Look at the foot	312	360	87	13
□ Count aloud by 1000's	324	360	90	10
□ Do you understand	323	360	90	10
□ Officer demos test	349	360	97	03

One Leg Stand

	<u>Obs.</u>	<u>Exp.</u>	<u>%</u>	<u>Dif</u>
□ Poor testing surface	101	360	28	72
□ Issues with shoes 87		45	360	13
□ Weather issues 87		48	360	13

One Leg Stand

Out of 360 tests that were administered, officer's followed NHTSA standardized procedure in **179** evaluations. This represents a correct assessment rate of **50%**.

Three Test Battery



Out of **360** tests that were administered (three test battery), officer's followed the NHTSA standardized procedures in only **10** evaluations. This represents a proficiency assessment rating of **3%**.

Thanks



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