

## **Additional Sobriety Tests**

### **Alphabet**

Ask the driver if they know the English alphabet. If they do, ask them to recite the alphabet without singing it. This evaluates a person's speech pattern and memory.

### **Balance or Romberg Test**

Instruct the person to stand with their heels together and their toes slightly apart. Keep their arms to their sides and close their eyes and tilt their head slightly backwards. Have them maintain this position for about 30 seconds. Evaluate them by looking for swaying in any direction as well as in a circular pattern, or the obvious loss of balance. This test needs to be evaluated carefully because even sober people will have some indications of swaying when attempting this test.

### **Finger to Nose**

Have the person stand with their heels together and toes slightly apart. Instruct the person to extend their index fingers out and to relax their arms to the sides pointing to the ground. With the eyes closed and head tilted slightly backwards direct them to touch the tip of their nose with the left index fingertip then with the right index fingertip. This test evaluates the person's coordination and muscle control by their inability to touch the tip of their nose.

### **Finger Dexterity Test**

Instruct the person to touch their thumb to each of their fingertips one at a time. They are to count as they touch each fingertip. They are to do the sequence forward and backward twice, and repeat with the other hand.

This test evaluates a person's memory as well as their coordination and small muscle control.

### **Words of Caution**

Some words of caution, there are some individuals that due to some sort of physical limitation won't do well on the tests completely sober. Older people do poorly simply because of their age. People that are 50 pounds or more overweight may have problems with the tests. People with inner ear problems may also have trouble with their balance.

Your emergency equipment that is operating may cause disorientation to the person and may compromise your test when it goes to trial.

### **Closing**

Field Sobriety Tests should be conducted in the field. If you make an arrest without conducting a field test and decide to do them at the station it may weaken some of your probable cause. If you do for some reason conduct the test after the arrest was made make sure it is either the arrested person's idea or that the proper rights of advisement's have been made prior to the re-testing.

Conduct Field Sobriety Tests, unless it is so obvious that a driver can't do the tests due to their impairment level such as falling down or unable to stand without support

In court the defense attorney will sometimes try to trick you into admitting that you felt you had probable cause to make an arrest after the first field test that was conducted. If they can do this then all of your other tests may be inadmissible in court, which can weaken your case. Establish that you evaluate each test on its own merit then make a totality decision at the completion of the F.S.E.