

In preparation for this hearing you reviewed your citations.
The video?
Anything else?

Incident report?
Why not?
Forms provided?
Taught to do them?

Speeding

Stopped for speeding.

Ms. _____ was traveling NB on Hwy. 441 when you saw her speeding.

You measured her speed by radar.

Measured her speed at 79 mph in a 55 mph zone.

You regularly stop people for speeding on Hwy. 441.

You have been through a NHTSA training curriculum on DUI detection.

As part of that training, they talk with you about different types of driving patterns that suggest someone may be impaired.

Speeding is NOT one of the types of driving that correlates with someone being impaired.

Ms. _____ did not commit any other traffic violations

After you turned around and sped up to catch Ms. _____, were there any vehicles between your car and the truck she was driving.

Ms. _____ did not weave within her lane.

Ms. _____ did not weave outside of her lane.

She did not let her passenger side tires touch the fog line.

She did not let her driver's side tires touch the lane divider line.

Ms. _____ did not commit any other traffic violation besides speeding.

Let's Talk About How Ms. _____ Reacted to the Emergency Lights

Ms. _____ applied her brakes immediately after you started your emergency lights.

Did not slam on the brakes?

Turned into safe location?

Turned into the 1st safe location?

On the part of GA 441 where you stopped Ms. _____, there is not an emergency lane along the entirety of the road.

There is an emergency for a hundred yards or so, then you have to go on down the highway to another paved emergency lane area.

She was driving a full-size Silverado pick-up truck and pulling a small box trailer?

A horse trailer?

She safely made the turn into the emergency lane?

She judged the distance correctly so that the horse trailer did not leave the roadway?

She did not turn too early?

Let's talk about the lane that she stopped her vehicle and the trailer in.

There is a guard rail on the right side.

And a solid line - a fog line - on the left.

She stopped inside of the emergency lane.

Wheels were completely out of the roadway.

There was a couple feet from the truck and trailer to the fog line.

There was a couple of feet on the passenger side of the truck and the guard rail.

Let's talk about how Ms. _____ reacted after she stopped her truck

After Ms. _____ stopped her truck, Ms.

_____ exited her truck before you approached her vehicle.

As you approached him, Ms. _____ opened his door.

And he immediately provided his license.

No trouble producing his license.

Get it from his wallet?

Did not fumble with his license.

Odor of Alcohol

Cannot conclude that anyone is impaired because of an odor of alcohol.

Cannot reach a conclusion as to someone's BAC based upon the smell of an alcoholic beverage.

You cannot draw any correlation between the strength of the smell of an alcoholic beverage and the amount of alcohol Ms. _____ consumed.

You cannot draw any correlation between the strength of the smell of an alcoholic beverage and Ms. _____'s BAC.

You could not conclude that Ms. _____ was impaired based upon the smell of alcohol.

Speeding ticket issued prior to any request for field sobriety tests

You completed the speeding ticket prior to requesting that Ms. _____ submit to any field sobriety tests.

You told her how to contact the court to pay the speeding ticket.
You handed her the citation and her license back.

She turned around to go back to her truck after you handed her the speeding ticket.
Then, you told her to come back so you could look at her eyes.

No mention of field sobriety prior to giving her the speeding ticket
Told her who to contact about the speeding ticket
What would happen if she did not pay it.

HGN - Performance

You were trained that in order for HGN to be reliable, you must perform it in accordance with your training?

Under your training, you must perform it in a standardized and prescribed manner.

You were trained that if you did not perform the HGN in the standardized and prescribed manner the HGN test is not reliable.

Do it the same everytime

HGN - According to Report

You performed the HGN test on Ms. _____.

And you indicated that you observed all six clues for this test.

WAT - 3 CLUES

OLS - NO CLUES

Did not sway while balancing.

Did not use his arms to balance.

Did not hop.

Did not put his foot down during the entirety of the test.

Performed test for entirety of 30 seconds.

In training, you were taught that few impaired suspects can hold perform this test for 30 seconds.

Passed this test.

If you were just judging possible impairment,

EYES = BLOODSHOT AND GLOSSY

There are numerous causes for glossy and bloodshot eyes besides alcohol consumption, correct.

- Tired?
- Smoking?

Told you he had been at Wiley's

Did you try to exclude any other possible causes for red and bloodshot eyes?

You cannot conclude anything about a person's ability to drive safely based on red and bloodshot eyes?

Let's Talk About Ms. _____'s Speech

Clear.

Not mumbled.

Not slurred.

Throughout the entirety of your interaction with her.

Responded appropriately to your questions.

Stayed on-topic.

She answered the questions that you asked.

Let's Talk About Mr. _____' Exit From His Vehicle and The Walk to the Rear

Exit

No trouble exiting.

Did not hold onto the vehicle for balance.

Did not stagger when he exited him car.

Did not fall.

Wasn't slow to exit the car.

Walk to Rear

No abnormal gait.

Did not stagger.

Did not hold onto the car.

Did not support himself against the side of the car.

Did not fall.

Tag Expired, Too

Thought he had 30 days.

Tag expired too.

Face

Notice anything unusual about his face?

Flushed?

Red?

[NOTHING IN REPORT]