

50 WAYS TO BETTER A DUI REPORT

PRELIMINARY INFORMATION

1. Indicate at top of report whether incident was recorded;
2. Note BAC result or Refusal at top of report;
3. Make sure the reporting officer is prominently displayed early in the report as well as occasionally in the narrative. Use "I, Officer _____" every few paragraphs;
4. Include your first name for summoning purposes;
5. Include any DUI related trainings, awards, certificates or special assignments;
6. List names of other officers and their role in the investigation;
7. Keep separate headings/paragraphs for the stages of the investigation;
8. Estimated number of DUI stops investigated vs. number of DUI arrests in your career;

VEHICLE IN MOTION

9. Indicate what first drew your attention to the suspect/vehicle;
10. How long did you follow suspect vehicle in terms of time and distance;
11. Check that the time of stop and time of arrest are accurate. Times between initial observation and arrest shouldn't be the same or just a few minutes apart;
12. If radar was basis of stop, include that it was tested before and after and found to be in proper working order;
13. Note if other people were in the suspect's vehicle and where they were seated. Were they impaired?
14. Be aware of "Atkinson" situations. Was suspect seen driving; did suspect admit to driving to that location (especially if others in the vehicle); or simply using vehicle as a shelter to "sleep it off";

PERSONAL CONTACT

15. Describe *all* observations that seem to indicate impairment. Be descriptive;
16. If suspect says they had "two drinks", ask them what kind of drinks; the brand of beer; size of drinks; when they finished their last one; were they eating anything;
17. If they say a name of a mixed drink, ask them what type of alcohol is in it;
18. If they say they were at a bar, ask the name of the bar and when they left it;
19. If you see open containers, note whether they are totally empty, half empty, alcohol content, cold, sweating;
20. Always write down any incriminating statements suspect makes. If not written in report and not turned over in discovery, probably not admissible;

STANDARDIZED FIELD SOBRIETY TESTS

21. Make note of the kind of shoes suspect was wearing;
22. Describe weather conditions;
23. Describe the location and surface where SFST's were conducted;
24. Describe lighting, including lack of emergency equipment;
25. Always explain and demonstrate the SFST's the same way. That way you can easily testify that you conducted them as per your standard protocol and won't always have to write out in your report;
26. Ask about any medications suspect may be taking;
27. Ask about any physical issues that would affect balance/coordination;
28. If they say "yes" still have them perform the OLS and W&T but then offer other, non-standardized tests such as finger to nose, finger dexterity, alphabet test, backwards count, Romberg Balance;
29. Did suspect acknowledge that they understood your instructions;
30. Always list the number of clues in relation to possible clues (6/6, 4/8, 3/4);
31. List the specific steps in which heel to toe was missed and by how much;
32. List the specific steps in which they stepped off line and by how much;
33. List the specific numbers on which suspect put foot on ground;
34. Very helpful to actually write down what the "violations" were that constituted the clues following the description of performance. For example, "The suspect indicated 4 of 8 clues on the Walk and Turn. Those four clues were: 1. Couldn't maintain instructional stance; 2. Stepped off line 3. Missed heel to toe by more than one inch; etc;"
35. Note if the test was marked as a refusal and explain why;
36. Try not to stop the test for suspect safety unless truly necessary for safety reasons. Make sure to fully explain why the test was stopped;
37. Prior to arrest, ask the suspect "On a scale of 0 – 10, with 0 being stone cold sober and 10 being the drunkest you've ever been, where would you rate yourself";

ARREST

38. List all observations that contributed to probable cause to arrest;
39. Was Miranda given;
40. Were questions asked;
41. If statements were made after arrest, were they spontaneous or in response to your questions;
42. All incriminating statements made by suspect must be in your report;
43. Was DR-15 advised? Any language issues;
44. List name of Intoximeter Operator and BAC Results or if refusal;

GENERAL CATCH ALL

45. If the suspect was polite and cooperative, put that in your report;
46. Make sure name of suspect and gender matches up throughout your report. No cut and paste;
47. List suspects full contact information, including address, cell number and e mail address, if possible;
48. List contact information of all witnesses to the case, including victims and other officers;
49. List all the citations issued;
50. A/ways end your report with "All events occurred in _____ County, Maryland".