

WOONSOCKET POLICE DEPARTMENT

Thomas J. Oates, III
Chief of Police



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	330.08	1/19/2021	1/24/2021
SUBJECT		PREVIOUSLY ISSUED DATES	
Driving Under the Influence		6/1/2015	
ACCREDITATION		RE-EVALUATION DATE	
CALEA Standards: 61.1.5, 61.1.10, 61.1.11, 61.2.1 RIPAC Standards: 11.4, 11.6		12/23/2020, 1/9/2023	
INDEX		DISTRIBUTION	
Traffic		Sworn Personnel	

DRIVING UNDER THE INFLUENCE (DUI)

I. PURPOSE

The purpose of this policy is to establish procedures for handling persons charged with driving while under the influence of alcohol and/or drugs. To establish guidelines for conducting a Driving Under the Influence (DUI) countermeasure program designed to reduce alcohol/drug-related crashes.

II. POLICY

The Woonsocket Police Department is dedicated to decreasing the incidence of traffic crashes and injuries caused by impaired motorists. Officers are expected to be alert for signs of alcohol and/or drug impairment in contacts with motorists. Countermeasures including programs involving education, enforcement, adjudication, treatment, and public support are essential to be successful in reducing the DUI problem.

III. PROCEDURE

RI 11.4.a A. Driving under the influence countermeasures

1. During every traffic stop and while investigating every traffic accident, the officer will check the driver for signs of impairment due to alcohol/drugs and make arrests where appropriate.

2. Officers of this department will aggressively prosecute offenders and enforce laws on alcohol use by motorists.
3. After reviewing alcohol-related data, the Traffic Division may make selective enforcement assignments of personnel at a time and location where a significant number of violations or crashes involving impaired drivers have occurred.
4. Selective surveillance of roadways on which there has been an unusual number of impaired driver-related crashes to ascertain the types of violations committed by the impaired person who drives.
5. Officer training in detecting those under the influence.
6. The department will aggressively seek grants and funding for DUI and enforcement and training.
7. A DUI arrest flow chart will be maintained. The chart will detail the steps to take in a DUI arrest. The chart will be reviewed and updated by the Traffic Division as needed.

RI 11.6

B. DUI Detection

1. There are several observations that alert officers in identifying impaired drivers. Once a suspected impaired driver has been contacted, several standard steps should be taken to determine the level of impairment before an arrest.
2. While driving, officers should watch for the following possible signs of impaired drivers. Officers must have sufficient probable cause (a traffic violation, erratic operation) to stop a suspected impaired driver. Signs an officer should be alert for include but are not limited to:
 - a. Turning movements with a wide radius;
 - b. A driver appearing to be impaired;
 - c. Weaving within a traffic lane or across lanes;
 - d. Driving off of the roadway;
 - e. Swerving or drifting actions;
 - f. Driving into opposing or across traffic;
 - g. Signaling that is inconsistent with driving actions;
 - h. Slow response to traffic signals; and
 - i. Turning abruptly or illegally.

C. DUI Traffic stops

1. When an officer makes a stop of a traffic law violator and believes the driver's ability to safely operate a motor vehicle is impaired due to the use of alcohol/drugs, the officer will request a back-up unit.
2. When the back-up officer is present, the officer will request the driver to submit to a series of Field Sobriety Tests.
3. If the driver is able, they should be asked to move to an area that is a safe distance from the roadway and on a firm, level surface if possible.

4. The officer will follow the department's standard procedures for sobriety testing.
5. The results must be documented in the offense report.
6. If the officer is satisfied that probable cause exists to charge the suspect with DUI, the driver should be arrested, the "Rights for use at the Scene" read and the driver transported to headquarters for further investigation and testing. Officers will log the reading of the "rights at the scene" with dispatch.
7. Vehicles on the roadway will be towed per General Orders [330.05 Tow Policy](#) and [330.06 Motor Vehicle Inventory Policy](#).
8. Advise the Communications Center you will need a breathalyzer operator (if not certified).
9. The breathalyzer area is automatically monitored and recorded on the department's closed-circuit surveillance system.
10. The breathalyzer operator will advise the suspect of their rights and provide the operator with the opportunity to make a confidential telephone call.
11. If the suspect refuses the breathalyzer test, it is the arresting officer's responsibility to complete the refusal form.
12. If breath test results are over .30, the suspect will be transported to the hospital for evaluation after notification to a supervisor. If the results are over .30 on the first phase of the test, the test should be immediately repeated if possible to confirm the result.
13. If drug impairment is suspected, a Drug Recognition Expert (DRE) will be contacted to assist in the investigation. A list of DRE's is posted in the breathalyzer area.
14. Whenever blood and urine samples are taken as part of the DUI investigation, the samples must be placed in the refrigerator in the temporary evidence storage area. All other procedures regarding the breathalyzer exam should still be followed.
 - a. The RI Department of Health has supplied kits that are designed to assist an officer in obtaining blood evidence test kits, in applicable cases. These kits can be located in the Uniform Officer-In-Charge (OIC) Office.
 - b. The Evidence Officer will be responsible for completing the toxicology sheet and transportation of any blood samples obtained as a result of DUI Investigation to the RI Department of Health for Toxicology Screening.
15. Charges of DUI on observations will be based on probable cause.

D. DUI Crashes / Fatal Crashes

1. If impairment is detected while investigating a crash, the investigating officer should inform the driver when the investigation of the crash is complete and when the criminal investigation begins.
2. The crash scene should be checked for evidence of alcohol or drugs.
3. Other drivers and witnesses should be questioned as to their observations concerning driver impairment.

4. If the crash results in death or serious bodily injury, the crash investigation will be investigated by an Accident Reconstruction Officer (ARO).
5. The DUI investigation will be treated as a separate criminal investigation which should be investigated through the use of a Drug Recognition Expert (DRE) and other investigative techniques such as search warrants or Grand Jury subpoenas to secure the necessary evidence to further the investigation.
6. Additionally, any crash involving fatalities will be forwarded to the Attorney General for consideration even when evidence does not indicate any criminal action on the part of the driver(s).
7. Exceptions to this policy will be crashes wherein the driver(s) is deceased or one-car collisions.
8. RI Department of Health supplied Blood sample kits must be tagged as evidence and placed in the evidence refrigerator in the Temporary Evidence Storage area which is marked, "BIOHAZARD."
9. Charges may be withheld pending results from the State Toxicologist.

Per order,

Thomas F. Oates, III

Chief of Police

Written directives published within PowerDMS are in full force and effect on the referenced dates and have been approved by the Chief of Police