

The Traffic Unit's D.U.I. Emphasis program is designed to detect and apprehend the intoxicated driver and reduce collisions and violations involving intoxicated drivers. Traffic and Patrol officers may work in conjunction with other officers as part of a regional DUI emphasis as requested or needed.

The Accident Investigations Unit Sergeant will identify the most prevalent periods of violations based on collision and violation data involving intoxicated drivers. The emphasis program will be implemented on an as needed basis, with the periods to be covered determined by the Accident Investigations Unit Sergeant. The emphasis program increases the number of officers during the targeted period having the primary goals of detection, apprehension, and processing intoxicated drivers.

The Department will strive to participate with other local law enforcement agencies in a regional D.U.I. Task Force. Such participation will be governed by the Washington Mutual Aid Peace Officers' Powers Act of 1985, and by written agreement between participating agencies which addresses operational objectives and control, participation levels, participant qualifications, and personnel policies.

Supervisory Responsibility

A Traffic Section Supervisor will coordinate the Department's DUI enforcement program including:

- ❖ Officer training (including DUI detection and pre-arrest screening)
- ❖ Joint enforcement programs with outside agencies
- ❖ Conducting emphasis patrols

Pre-arrest screening

When possible, officers shall administer field sobriety tests to evaluate the extent of a suspect's impairment. The following five field sobriety tests officers are encouraged to use based on their experience and training:

- ❖ Horizontal Gaze Nystagmus
- ❖ Romberg Balance
- ❖ Walk and Turn
- ❖ One leg stand
- ❖ Finger to Nose

DUI Arrest Processing (CALEA 61.1.11)

The arrestee will be transported to the Police Department for booking and to provide a breath sample in accordance with RCW 46.20.

The arrestee will be advised of their implied consent warnings. The arrestee will be requested to sign the Alcohol/Drug Arrest Report in the appropriate area indicating advisement and understanding of these rights.

Officers will:

- ❖ Take a breath sample using the Department's breath test equipment in accordance with Department procedures. Samples will be taken as soon as possible after the arrest

- ❖ Conduct the alcohol/drug interview when appropriate
- ❖ Complete the Report of Refusal to Give a Breath Test, if the arrestee refuses to give a breath sample, and forward to the Department of Licensing

Arrestee Requiring Medical Treatment:

Arrestee will not be released if their physical appearance and/or breath test reading indicate the need for medical treatment.

Arrestee will be provided necessary medical treatment in accordance with Department procedures.

Continued detention of an arrestee requiring medical treatment will be in accord with existing Custodial Care Standards. Refer to the policies on **Prisoners**.

Release/Detention of Arrestee

The arrestee may be released after signing a criminal citation, or posting bail, provided that:

- ❖ There are no additional charges against the arrestee that require continued detention
- ❖ There is a sober adult available to provide the arrestee with transportation

If circumstances preclude the immediate release of the arrestee, they may be held in the Department holding facility for no more than six hours.

If circumstances indicate that the arrestee will be held for more than six hours, the arrestee must be booked into the King County Jail, or other 24-hour jail facility.

Taking Arrestee's Blood

RCW 46.20 establishes guidelines for the taking of blood in lieu of breath testing.

In the event an arrestee is unable to give a breath sample because they have been injured and taken to a medical treatment facility and/or they are physically unable to provide a breath sample, blood may be taken with the arrestee's consent, provided:

- ❖ They are under arrest, they have been advised of Miranda and advised of their implied consent warnings as printed on the Alcohol/Drug Arrest Report
- ❖ That the blood test is voluntary
- ❖ That they are informed that they have the right to refuse the blood test, if they refuse, their driver's license will be revoked
- ❖ In the event the arrestee is involved in a vehicle collision which results in death or serious injury, or the arrestee has consumed enough alcohol as to be rendered unconscious, blood may be taken without the arrestee's consent provided the person is under arrest for vehicular homicide, vehicular assault, DUI unconscious, or DUI with serious injury to another.
- ❖ The person, conscious or unconscious, should be advised that they are under arrest, advised of Miranda and advised of the special evidence warning as printed on the Alcohol/Drug Arrest Report

Procedure for Taking Blood as Evidence

Blood may only be taken by a qualified physician, RN, or technician.

An officer will be present when the suspect's blood is drawn.

After checking the expiration date on the 2 gray top vials, blood will be deposited into them by the clinical staff. The name and date of birth of the suspect will be written on both vials.

The vials will be booked into the evidence refrigerator for transportation to the State Toxicologist for examination.

Breath-Test Instrument

Maintenance of the Breath Test Instrument will be the responsibility of the Washington State Patrol Datamaster Technician(s).

Breath test instrument records are maintained by the Washington State Patrol.

Operators of the breath test instrument will be required to pass a certification course and to be recertified on a three-year basis to comply with the State law.

Arrest Documentation

Circumstances surrounding the arrest will be documented in accordance with existing Department procedures.