



3 killed, 5 seriously injured in pedestrian accident in Kakaako



Watch later



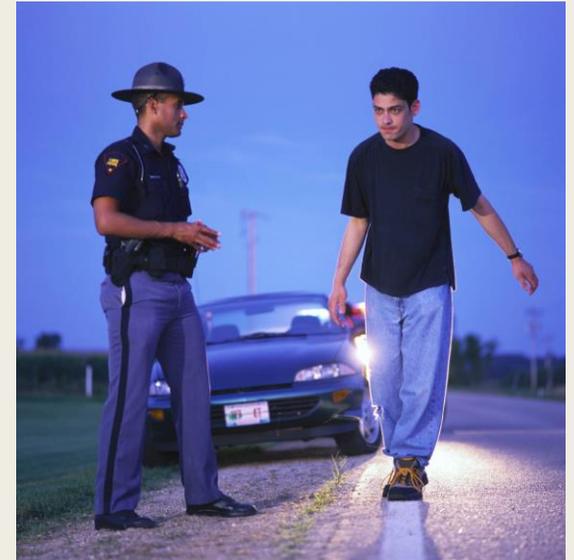
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DRIVING UNDER THE INFLUENCE

AN OVERVIEW OF THE OVUII PROCESS

The Investigation Process for OVUII



How many have been in this position?



“Oh...shhhhoot! It’s da cops!”

Contacting DUI drivers

- Officers use their senses when contacting drivers on traffic stop.
- Divide attention by asking multi-part questions and follow up questions.
 - *License, registration and insurance, then...*
 - *“Where are you coming from tonight?”*
- DUI drivers are usually unable to divide their attention.
- Watch vehicle exit.



Field Sobriety Testing



Top Fifteen List

- HGN
- Walk & Turn
- One Leg Stand
- Modified Romberg Balance
- Finger Count
- Finger to Nose
- Counting backwards (by 3's)
- Tracing
- Tongue Twisters
- Tapping Rate
- Letter Cancellation
- Grip Strength
- Coin Pickup
- Two-Point Tactile Discrimination
- Color Naming

COLOR NAMING?

RED YELLOW BLUE GREEN BLACK

PINK ORANGE BROWN GRAY PURPLE

GREEN GRAY BLACK BLUE YELLOW

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Study Comparison

1983 Stats

- HGN – 77%
- Walk & Turn – 68%
- One Leg Stand – 65%
- HGN & WAT – 80%

1998 Stats

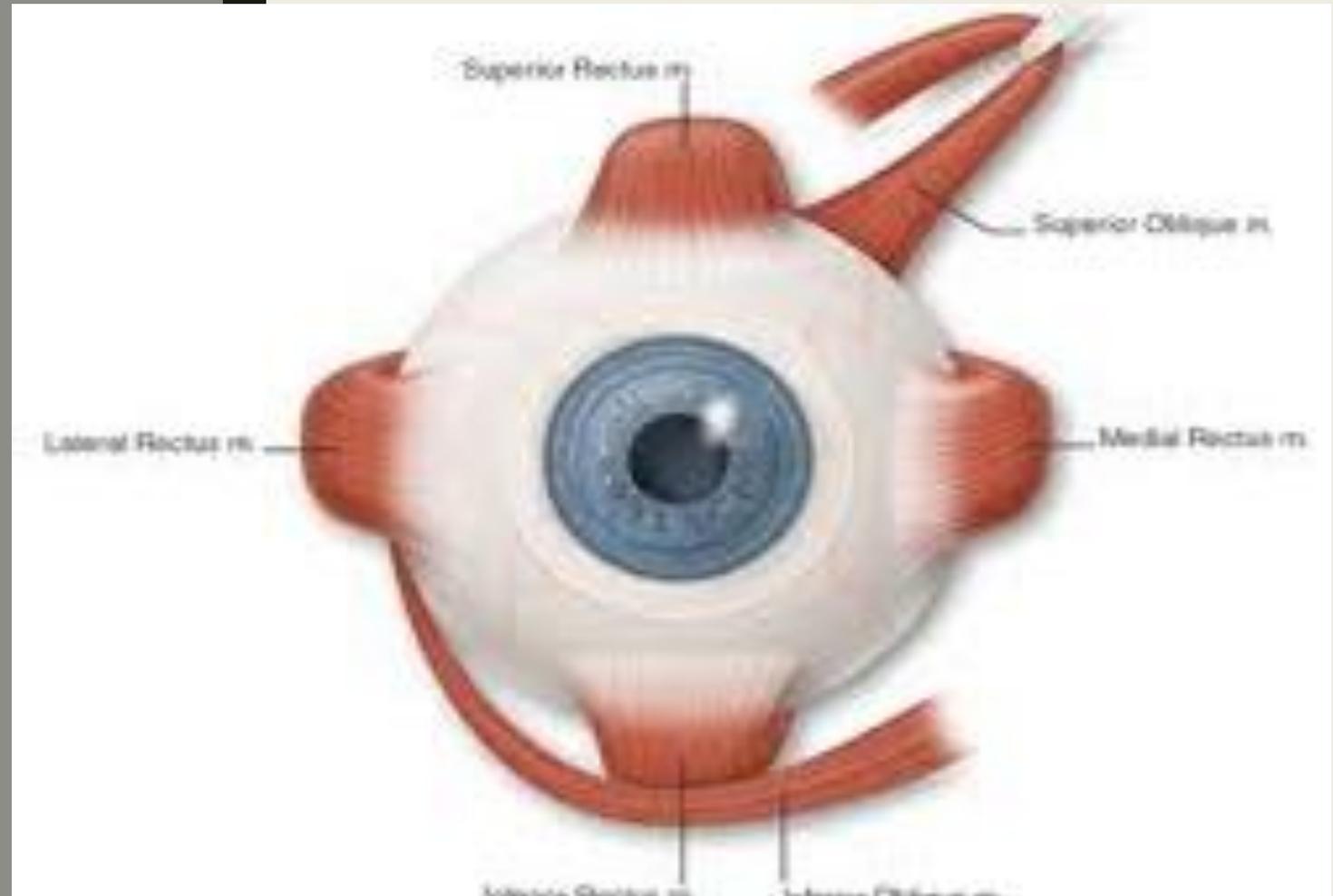
- HGN – 88%
- Walk & Turn – 79%
- One Leg Stand – 83%
- HGN & WAT – 91%

What is Nystagmus?



Nystagmus is the involuntary jerking of the eye

Alcohol will
slow
(depress) the
optical
muscles



HGN

- Stimulus is held 12"-15"

Slightly above eye level

**3 - Pre-Test Observations
(medical assessment)**

Resting Nystagmus





ARE THE PUPILS EQUAL IN SIZE?

Eliminate any possible
medical conditions



IS THERE
EQUAL
TRACKING?
ELIMINATING
MORE
MEDICAL
PROBLEMS

Clue #1

When the eyes jerk or bounce as they follow a smoothly moving stimulus

Lack of Smooth Pursuit

Stimulus should be moved in a smooth manner to best observe the eyes in motion

Two-second timing is provided based on how the eyes should follow the stimulus if the individual is not impaired by alcohol and/or other drugs

Lack of Smooth Pursuit



Clue #2

- At extreme lateral gaze, the nystagmus is obvious and sustained when the stimulus is held for a minimum of four seconds

Distinct and Sustained Nystagmus at Maximum Deviation

Distinct and Sustained Nystagmus at Maximum Deviation



Clue #3

Angle of
Onset Prior
to 45
Degrees

Does the jerking start
prior to a 45 degree
angle?

The higher degree of
impairment, the sooner
the jerking will start to
be observed.

Angle of Onset Prior to 45 Degrees



6 Clues Maximum

- Clues are **generally** progressive starting with a lack of smooth pursuit.
- HGN can begin as early as a .02 -.03 BAC

4 or more clues = 88% chance
of .08 BAC

Vertical Nystagmus



Clues for Walk and Turn Test

- Cannot maintain balance while listening to the instructions
- Starts too soon
- Stops while walking
- Does not touch heel-to-toe
- Steps off the line
- Uses arms to balance
- Improper turn
- Incorrect number of steps

2 or more clues = 79%
chance of .08 BAC



Clues for One Leg Stand Test

- Sways while balancing
- Uses arms to balance
- Hopping
- Puts foot down



2 or more clues = 83%
chance of .08 BAC

Preliminary Alcohol Screening

- PAS is a roadside screening for alcohol
 - *Helps establish probable cause*
 - *Not admissible in trial*
 - *Voluntary in Hawaii*



Where it all leads...

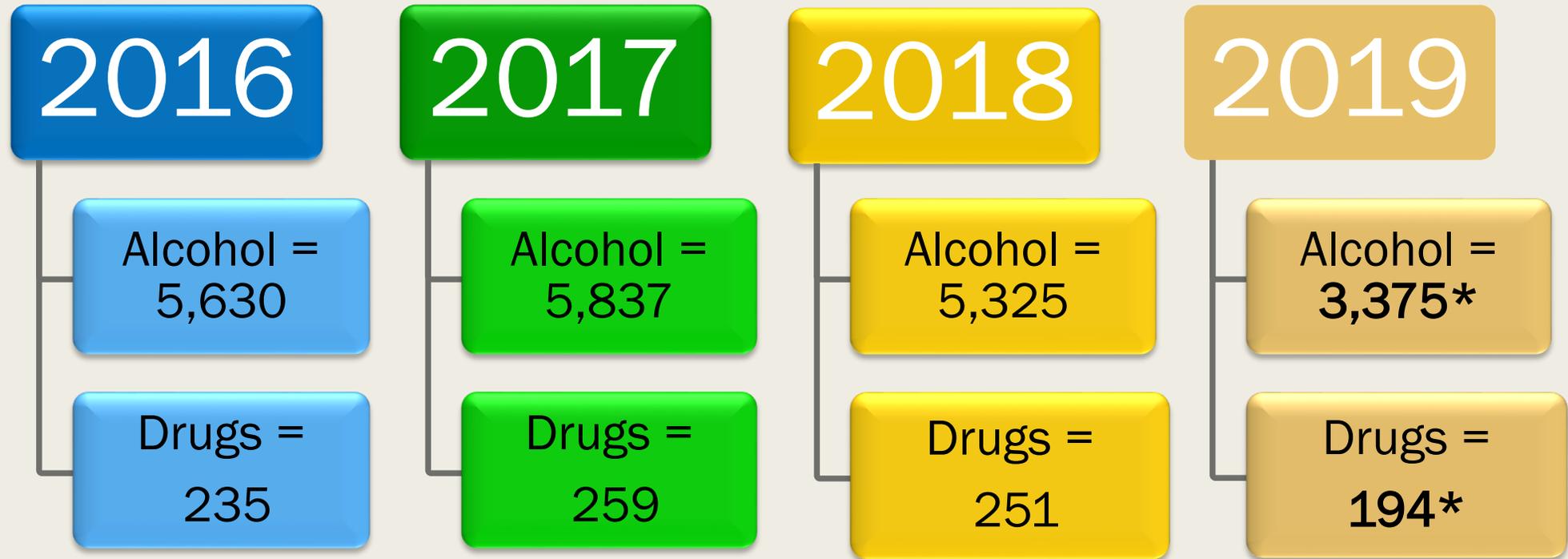


It takes less than you think to get arrested.

- A few drinks
- Minor traffic violation(s)
- Odor of intoxicants (maybe)
- A few clues on the SFSTs



Statewide OVUI Arrests



*Jan. 1 through Aug. 31

2018 BAC Averages by County

■ BIG ISLAND = .139

■ HONOLULU = .143

■ MAUI = .159

■ KAUAI = .196

Statewide average = .159

Enough already...let's take a break!



WHAT "ROLL" DO YOU TAKE?
IF ANY?



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DRIVING UNDER THE INFLUENCE

“I would never do something like that...or would I?”



**Liquor
Commission**

Police

Prosecutors

Treatment

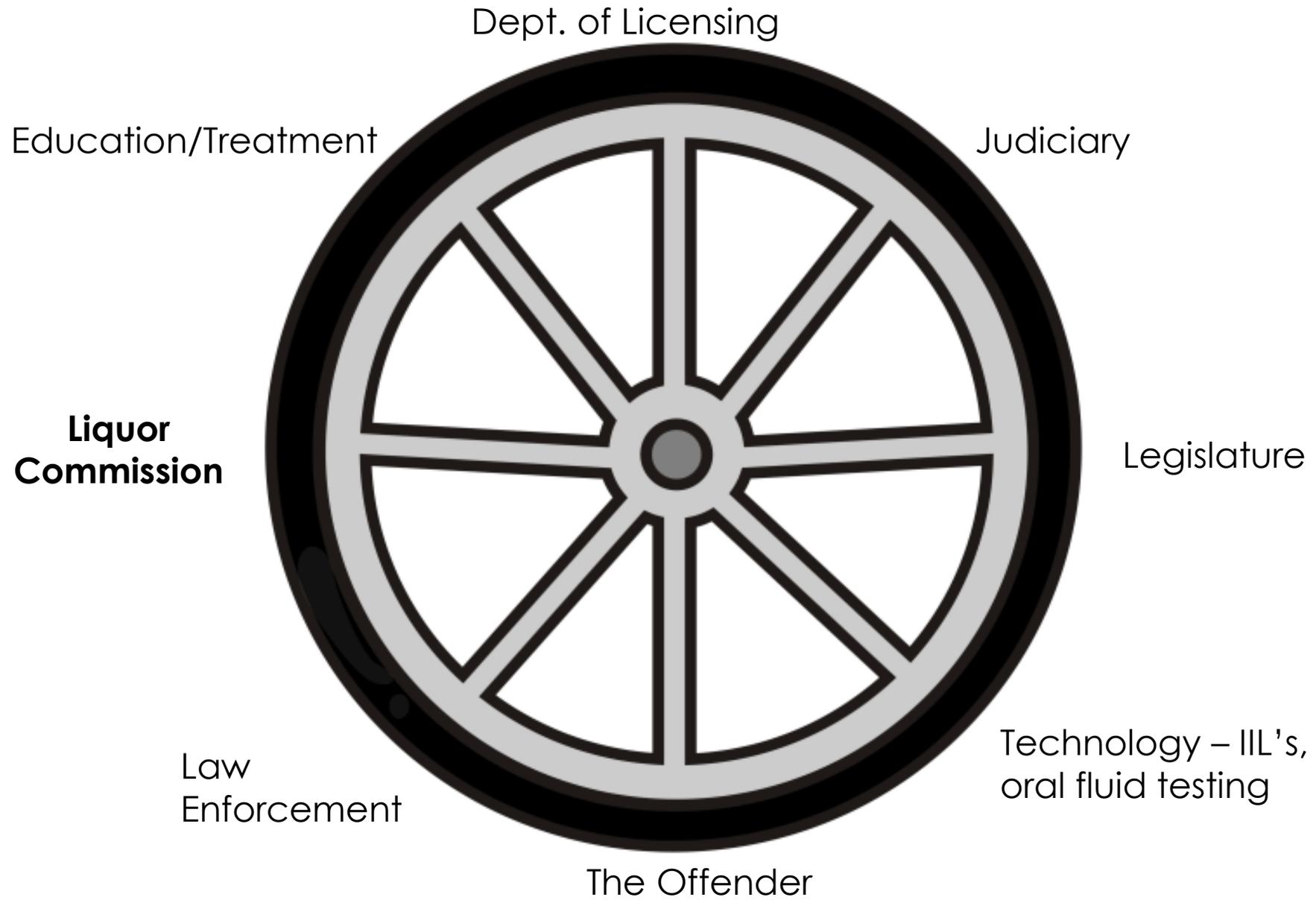
**Societal
Approach**

Judiciary

Toxicologist

Legislature

**Ignition
Interlock**



THANK YOU

ANY QUESTIONS?