

MISSOURI STANDARDS

DWI Detection and Standardized Field Sobriety Testing

The following National Standards as well as specified Missouri Standards are hereby adopted to govern the Missouri **DWI Detection and Standardized Field Sobriety Testing** program.

I. STANDARDS FOR TRAINING IN STANDARDIZED FIELD SOBRIETY TESTING

Standards in this section specify the criteria which must be met prior to an individual's completion in the Standardized Field Sobriety Testing (SFST) Program. These criteria outline the knowledge and skills required to be considered for training, as well as the knowledge required for completion of the program.

The current approved curriculum involves a three-day training program. Prior to beginning the training program, candidates should have an interest in traffic law enforcement with an emphasis on DUI/DWI. During this training, candidates are taught to administer and interpret the results of the SFST battery, including horizontal gaze nystagmus (HGN), walk and turn and the one leg stand.

Upon completion of this classroom training, the candidate must pass a comprehensive written examination and successfully complete a proficiency examination witnessed by an SFST instructor.

1.1 In order to be considered for training in the SFST, a candidate shall be in the employ, including part- time and unpaid positions, and under the direct control of a public criminal justice agency involved in the enforcement of criminal or traffic safety laws as a credentialed law enforcement officer/employee or an institution involved in providing training services to officers of law enforcement agencies.

Commentary: At the discretion of the agency head or administrator, and with consent of the training authority, other persons may audit or observe any or all portions of the SFST training.

1.2 SFST candidates shall complete an approved classroom training course which shall, at a minimum, achieve the learning objectives as stated in the NHTSA/IACP-approved training curriculum.

Commentary: This curriculum normally takes about 24 hours to complete. To be recognized by NHTSA/IACP, regardless of hours, candidates must have met all the listed learning goals and performance objectives included in each of the training sessions.

Because of the differences in the type and level of training for officers in the detection of impairing substances, agencies should determine the most effective means of providing classroom training in SFST. However, in order to maintain the credibility and integrity of the program, agencies that use a training program other than that currently approved by NHTSA/IACP must have the alternative curriculum approved by the IACP Highway Safety

Committee (HSC) as meeting the required learning objectives. In addition, the IACP Drug Evaluation and Classification (DEC) Program Technical Advisory Panel (TAP), an advisory arm of the HSC, will be responsible for providing periodic updates and modifications to the NHTSA/IACP-approved training curriculum. Presently, the core SFST training course is 24 hours in length and includes at least two controlled drinking sessions utilizing volunteer drinkers, (i.e. “live alcohol workshops”). Acceptable options to the “live” workshops involving the use of videos have been approved. The acceptable alternatives are (1) to substitute NHTSA/IACP approved videos of “dosed” subjects for the first alcohol workshop, but to conduct the second alcohol workshop “live”; or (2) to substitute NHTSA /IACP approved videos of “dosed” subjects for both alcohol workshops.

It is critical to note that the purpose of this training is to ensure that candidates become proficient in administering and interpreting standardized field sobriety tests. NHTSA and IACP strongly recommend the use of live alcohol workshops as part of SFST training, however, NHTSA and IACP recognize the limitations some agencies have in conducting live alcohol workshops. If either option is selected, each candidate must maintain a log of each SFST administered.

Missouri Standard: Currently, the approved training curriculum for DWI Detection and Standardized Field Sobriety Testing consists of the twenty-four hour course. The SFST Coordinator and DRE/SFST Technical Panel for Missouri must approve any deviation from either approved training agenda in advance.

One alcohol workshop employing alcohol-dosed subjects and one video-taped segment shall constitute the recommended standard for the training in Missouri. However, agencies are free to use the two videotaped sessions if desired. Funding for the alcohol-dosed wet lab cannot come out of federal highway safety funding provided by MoDOT, Highway Safety and Traffic Division.

Missouri Commentary: Currently DWI Detection and Standardized Field Sobriety Testing training is a prerequisite training class to Advanced Roadside Impaired Driving Enforcement and the Drug Evaluation and Classification Program. Attendance at unauthorized or unapproved training classes will not meet the requisite standards for admission to these training classes.

1.3 All SFST Candidates shall attend and complete all classroom portions of an approved SFST curriculum. This shall include satisfactorily completing all assignments and required examinations. Candidates shall not be permitted to “test out” of portions of the training nor shall they be permitted to attend only those classes that they have not previously completed.

Commentary: Class sessions missed should be made up at the earliest possible time.

Missouri Standard: Any SFST Candidate who misses two (2) or more hours of the approved instructional curriculum shall not be eligible to complete the course unless prior arrangements for making up the missed portion of the classroom training have been made. SFST Candidates will have seven (7) days to make up the missed session(s). If they are unable to complete the makeup in the allotted time, the candidate will have to attend the entire course over.

NOTE: This standard does not apply to Missouri Licensed Basic Training Academies provided the academy director ensures that all hours missed by recruits are made up prior to graduation, as per POST standards.

1.4 In order to satisfactorily complete the classroom portion of the training, SFST Candidates must complete the NHTSA/IACP-approved final examination with a score of not less than eighty percent (80%). Candidates scoring less than 80% on the final may be retested one time under the supervision of an SFST Instructor. The retest shall be completed not less than 15 nor more than 30 days following the completion of the classroom training.

Commentary: The examination used to retest the candidate shall be an NHTSA/IACP-approved examination and shall not have been administered to the candidate previously. If the candidate does not achieve a passing score on reexamination, the candidate must retake the classroom portion of the training and pass the final examination.

1.5 Upon completion of training, the candidate must demonstrate the ability to administer the SFSTs in the approved sequence and appropriately document and interpret the results.

Commentary: One of the primary factors in the success of the SFST program has been the emphasis upon a standardized approach. The training stresses the importance of a systematic, structured administration of the SFSTs. This includes completing all portions of the field sobriety tests in the appropriate sequence.

Missouri Standard: Designated SFST Instructors shall use the approved form for student proficiency examination and shall check each step of the examination as it occurs. Any person failing to meet the minimum standards for proficiency, which will consist of three (3) opportunities, shall not be allowed to take the final examination, and must retake the entire DWI Detection and Standardized Field Sobriety Testing curriculum.

Missouri Commentary: An SFST Candidate shall be given a maximum of three (3) opportunities to complete the proficiency examination in a satisfactory manner. If at the end of the second attempt the candidate still has not demonstrated satisfactory performance, the candidate should be placed under the guidance of another instructor for testing. It is recommended that a different SFST Instructor grade the proficiency part of the test to ensure fairness. After failing to meet the minimum standards on the third attempt, the student cannot complete the SFST training, and must take the entire training curriculum again.

II. STANDARDS FOR TRAINING AS INSTRUCTORS IN THE STANDARDIZED FIELD SOBRIETY TESTING PROGRAM

SFST instructors will have successfully completed the NHTSA/IACP-approved Standardized Field Sobriety Testing (SFST) training program or its equivalent, and will have experience in administering the SFSTs and in proving testimony in court in the area of DUI/DWI enforcement. Dedicated, qualified instructors are critical to the continued success of the SFST program.

SFST Instructors are responsible for observing, evaluating and verifying performance of SFST Candidates throughout the training process. Therefore, only persons experienced in the administration of the SFST battery should become instructors. Also addressed in this section are standards for instructors/trainers in the program. These individuals are responsible for training the SFST Instructors.

2.1 Only persons who have successfully completed the NHTSA/IACP-approved DUI Detection and Standardized Field Sobriety Testing training program, or its equivalent, may be designated as SFST Instructors.

2.2 Any SFST trained person desiring to become an instructor in the SFST Program shall make a written application through and be recommended by their agencies as meeting all requirements to become instructors.

Commentary: The agency head or SFST Coordinator shall verify that a candidate instructor meets the prerequisites to enter SFST Instructor training. Prerequisites may also include any state, local or agency requirements specified for instructors within the jurisdiction.

Missouri Standard: In addition to the requirement above, any person who desires to become an instructor in the SFST program shall have licensure as a peace officer from the Peace Officer Standards and Training program; have a minimum of seventy five (75) DWI arrests; hold a current/valid permit issued by the Missouri Department of Health and Senior Services for one or more of the Missouri approved breath alcohol instruments; and provide a resume outlining education and law enforcement history. Candidate must also show proficiency in administering the SFST battery in front of an SFST Instructor Trainer prior to completing the course. Candidate will be given two (2) attempts to satisfactorily complete the battery. If a second attempt is conducted, it must be conducted in front of a different SFST Instructor Trainer. If they are unable to proficiently administer the test battery, the candidate will not be able to complete the course and must take the entire training curriculum again.

2.3 The candidate instructor shall satisfactorily complete the NHTSA/IACP-approved SFST Instructor Development Course (IDC), or an approved equivalent, which shall include both knowledge and practical examination of candidate instructors. DRE Instructors are recognized as SFST Instructors and are approved to instruct the SFST program.

Commentary: This requirement does not preclude state or local jurisdictions from placing additional requirements on persons assigned to teach in local law enforcement programs.

The IACP Highway Safety Committee shall be responsible for reviewing and evaluating alternative training programs submitted by agencies. Those programs meeting or exceeding the approved learning objectives for instructor training shall be deemed equivalent.

Missouri Standard: In addition to successful completion of an approved instructor-training course, the instructor candidate must also teach at least four (4) hours of the SFST curriculum in a classroom under the supervision of at least two (2) designated SFST Instructors and be approved for teaching the SFST curriculum. The four (4) hours of instruction is to be completed within six (6) months of completing the SFST Instructor Development Course.

Once the instructor candidate has fulfilled all training requirements, he/she must teach a minimum of eight (8) hours in each two year cycle to maintain instructor status. This instruction can be in any Impaired Driving curriculum related to the SFST test battery. It is the sole responsibility of the Instructor to provide their teaching documentation to the SFST State Coordinator or his/her designee utilizing the most current reporting form.

An officer who was trained in another state as an SFST Instructor, then transfers to Missouri, must show proficiency in administering the SFST battery in order to obtain a Missouri SFST Instructor status. They will be given two (2) attempts to satisfactorily complete the battery in front of a DRE/SFST Technical Panel member or their designee. If a second attempt is conducted, it must be conducted in front of a different DRE/SFST Technical Panel member or designee than the first attempt. If they are unable to proficiently administer the test battery, they will not be able to obtain a Missouri Instructor status and must take the SFST Instructor course again.

In addition to proficiently administering the SFST battery, the transferring instructor candidate must also teach at least four (4) hours of the SFST curriculum in a classroom under the supervision of at least two (2) designated SFST Instructors and be approved for teaching the SFST curriculum.

If a Missouri SFST Practitioner attends an out of state SFST Instructor Course, the requirements of the host state to attend the course must meet or exceed the Missouri standards to be acceptable. The DRE/SFST State Coordinator will contact the state in question and report their requirements to the DRE/SFST Technical Panel. The DRE/SFST Technical Panel will review the requirements and will accept or deny the training. Upon completion of an accepted out of state training course, the SFST Instructor Candidate must then complete the same requirements listed above for a transferring instructor candidate.

2.4 All training sessions conducted as part of the SFST Program shall be coordinated by a designated SFST Instructor who has previously instructed, to insure proper conduct and delivery of the approved curriculum.

Commentary: To ensure that all training classes are conducted in accordance with the standards, it is recommended that the instructor coordinating the training have a minimum of one-year experience as a SFST instructor.

2.5 An Instructor Trainer (a person who is training instructors) shall have demonstrated proficiency as an instructor.

Missouri Standard: The state SFST Coordinator and DRE/SFST Technical Panel shall designate qualified SFST Instructors as Instructor Trainers. Consideration for the designation of SFST Instructor Trainer shall be initiated by written request to the SFST Coordinator by the SFST Instructor desiring to become an Instructor Trainer. The SFST Coordinator will present the written request to the DRE/SFST Technical Panel for approval and inclusion on the list of instructor trainers.

Missouri Commentary: The SFST Coordinator will maintain such a list and will provide it to any agency or training academy desiring to use Instructor Trainers.

2.6 An Instructor Trainer must be knowledgeable of and have audited the SFST School and the SFST IDC, and must be thoroughly familiar with the SFST student and instructor manuals.

Commentary: An instructor must demonstrate evidence of the satisfactory completion of the NHTSA/IACP-approved Instructor Development Course or equivalent. Instructor Trainers must be familiar with the approved SFST Training Program and be thoroughly familiar with the curricula for their assigned blocks of instruction.

III. SFST REFRESHER TRAINING

The standards in this section outline the recommended requirements for refresher/update training of SFST practitioners and SFST instructors.

3.1 It is recommended that all law enforcement agencies maintain records concerning the training of law enforcement officers trained in SFSTs.

3.2 It is recommended that states adopt SFST refresher/update training guidelines for SFST practitioners and instructors to ensure they remain proficient and knowledgeable in the administration and interpretation of the SFST's.

Commentary: The methods and frequency of the SFST refresher/update training are left to the individual states. NHTSA and the IACP have developed an SFST Refresher Training curricula that can be taught in either a 4-hour or 8-hour classroom setting.

Missouri Standard: Upon the release of new NHTSA SFST Practitioner curriculum, the SFST State Coordinator will establish training dates for instructors. SFST Instructors must attend and successfully pass one of the established training classes in order to retain their instructor status. The SFST Instructor will have to proficiently administer the SFST battery in front of a DRE/SFST Technical Panel member or designee. The instructor will be given two (2) attempts to satisfactorily complete the battery. If a second attempt is conducted, it must be conducted in front of a different DRE/SFST Technical Panel member or designee than the first attempt. If they are unable to proficiently administer the test battery, the instructor will not be able to complete the update course and must take the entire SFST Instructor training curriculum again. The DRE/SFST Technical Panel members will be evaluated on their proficiency by a DRE/SFST Instructor designee as the SFST State Coordinator deems appropriate. The member will be given two (2) attempts to satisfactorily complete the battery.

3.3 It is recommended that all SFST practitioners complete a state-approved refresher/update training at a minimum of every three years from the date of their most recent state refresher/update training as an SFST practitioner.

Missouri Commentary: Refresher training for SFST Practitioners represents a voluntary program and it is recommended that all practitioners attend a Missouri POST approved update course every two years.

3.4 It is recommended that all SFST instructors complete a minimum of 8 hours of state-approved refresher/update training at a minimum of every two years from the date of their most recent state refresher/update training as an SFST instructor.

Commentary: The methods of training are left to the individual state. However, the training should include curriculum revision updates to ensure consistency and accuracy in the delivery of the SFST training. Instructing an SFST course shall not be considered part of the refresher/update training.

IV. STANDARDS FOR REMOVAL OF A STANDARDIZED FIELD SOBRIETY TESTING (SFST) INSTRUCTOR

The standards in this section outline the circumstances and procedures for removing an SFST instructor. In order to assure that standards of performance are maintained, a means of removing persons unable to meet those criteria are recommended. The final authority and responsibility for maintaining program professionalism and standards resides with the state. It shall be incumbent upon the state to assure that SFST instructors meet approved standards for delivering the SFSTs in accordance with the IACP International Standards or approved equivalent state standards.

4.1 It is recommended that decertification occur when an SFST instructor fails to meet minimum program standards and requirements, or demonstrates unethical or unprofessional behavior that reflects adversely on the program.

Missouri Standard: The qualification of any SFST Instructor is subject to review by the SFST Coordinator and the DRE/SFST Technical Panel. An SFST Instructor will no longer be recognized in good standing if he or she:

- a. Fails or refuses to follow the guidelines set forth in these standards; or
- b. Fails or refuses to maintain proficiency in the current training standards required as an SFST instructor (i.e., using the current NHTSA/IACP manual); or
- c. Brings disrepute upon the instructional integrity of the DWI Detection and Standardized Field Sobriety Testing program, that may include a reported incident, departmental or POST investigation; or
- d. Using instructor status as an endorsement from the state or local agency for promotional or commercial purposes; or
- e. Demonstrates unethical or unprofessional behavior that reflects adversely on the program.

4.2 Recognition as an SFST instructor will remain in place as long as that individual meets the requirements of Standards 3.2 and 3.4

4.3 Reinstatement of Missouri SFST instructor status if decertified due to failing to complete the requirements of Standards 2.3 and 3.2 shall be the following:

From date of end of certification to one year:

- 1) Attend an 8 hour refresher including a Proficiency Test
- 2) Teach 4 hours, observed by two Certified SFST/DRE Instructors
- 3) Attend Instructor Update, if applicable

One year after date of end of certification to three years:

- 1) Attend an 8 hour refresher including a Proficiency Test
- 2) Teach 4 hours, observed by two Certified SFST/DRE Instructors
- 3) Attend Instructor Update, if applicable
- 4) SFST Instructor written test, obtaining a minimum of 80%

Three years after date of end of certification

- 1) Must retake SFST IDC in full