ADMINISTRATIVE ORDER NO. 16

SUBJECT: DRIVING-UNDER-THE-INFLUENCE ARREST REPORT, FORM 05.02.05 – RENAMED AND REVISED

PURPOSE: This Order renames and revises the Driving-Under-the-Influence Arrest Report, Form 05.02.05, to be consistent with current procedures and will be incorporated into the revised Traffic Manual that Traffic Coordination Section, Emergency Operations Division, will be making available at a later date.

PROCEDURE: The Driving-Under-the-Influence Arrest Report has been renamed as the Driving Under the Influence Arrest Report Supplemental. Additionally, the following three areas have been added within the “STANDARDIZED FIELD SOBRIETY TESTS” on Page 2 of the form, as follows:

- Two oblong circles have been added to document eye movement during the Lack of Convergence Test;
- An Angle of Onset box has been added to document the third examination of the eyes during the evaluation for Horizontal Gaze Nystagmus; and,
- The “Romberg Balance” has been changed to “Modified Romberg Balance Test” to be consistent with the International Drug Evaluation and Classification Program.

The following information has been added and/or revised on Page 3 of the form to include:

- PRELIMINARY ALCOHOL SCREENING TEST box: Voluntarily provided breath sample pursuant to SFST, or as obligated by conditions of DUI probation or is under 21 years of age (per 13353.1 VC);
- PAS TEST box: ADMINISTERED BY:, PAS MODEL:, PAS SERIAL #:, TEST #1 TIME/TEMP/%BrAC: and, TEST #2 TIME/TEMP/%BrAC (OPTIONAL IF TEST #1 IS 00);
- Within the CHEMICAL TEST ADMONITION box, “23614 VC” was inserted after “NOTE” and, “or urine” was included as an optional test;
- Within the DRUG ADMONITION box, “23612 VC” was added. The word “urine” was removed from Question Number 3, since urine is no longer an option given to persons arrested for DUI or Drugs;
- “A Urine test is only given as an additional chemical test or when medical condition prohibits a blood test,” was added under the BLOOD TEST and URINE TEST boxes;
- “(23612 VC)” was added after the NOTIFICATION OF REFUSAL TO SUBMIT TO OR COMPLETE CHEMICAL TESTING box;
- SUPERVISOR WITNESSING REFUSAL:, SERIAL NO., DIV., TIME RE-ADMONISHED:, and, RESPONSE: boxes were added; and,
- The CIRCUMSTANCES OF ARREST box has been renamed as the ARREST NARRATIVE SEQUENCE box and some of the elements have been revised, accordingly.
The use, completion and distribution of this form remain unchanged.

FORM AVAILABILITY: The Driving Under the Influence Arrest Report Supplemental form is available in E-Forms on the Department's Local Area Network. All other versions of the Driving-Under-the-Influence Arrest Report form shall be marked "obsolete" and placed in the divisional recycling bin.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

CHARLIE BECK
Chief of Police

Attachment

DISTRIBUTION "D"
LOS ANGELES POLICE DEPARTMENT
DRIVING UNDER THE INFLUENCE ARREST REPORT SUPPLEMENTAL

ARRESTEE'S NAME (LAST, FIRST, M): ____________________
BOOKING NO.: ____________________
DRIVING ESTABLISHED BY: OF CRS. 40300.5
WITS 0

PERSONAL CONTACT:
ATTITUDE: ____________________
BREATH: ____________________
COORDINATION: ____________________
CLOTHING: ____________________
FACE: ____________________
SPEECH: ____________________
EYES: ____________________
SHOE TYPE: ____________________

PRE-ARREST QUESTIONS **

*Pre-arrest responses to questions do not require a Miranda Admonition.

- ARE YOU TAKING MEDICINE OR DRUGS? WHAT KIND?
- WHAT HAVE YOU BEEN DRINKING? HOW MUCH?
- WITH WHOM WERE YOU DRINKING?
- WHERE (IF ABC LICENSED PREMISES, INCLUDE SPECIFIC INFO)?
- TIME STARTED DRINKING?
- TIME STOPPED DRINKING?
- TIME NOW?
- ACTUAL TIME?
- WHERE WERE YOU STOPPED BY OFFICERS?
- WHERE WERE YOU GOING WHEN STOPPED?
- WHAT HAVE YOU EATEN TODAY?
- WHERE DID YOU EAT?
- WHEN?
- WHEN DID YOU LAST SLEEP?
- HOW LONG?
- DO YOU FEEL THE EFFECTS OF DRINKING? DESCRIBE THE EFFECTS.
- WERE YOU DRIVING?
- IS YOUR DRIVER'S LICENSE PRESENTLY SUSPENDED? WHY?
- IF TIC, WHICH VEHICLE WERE YOU DRIVING?
- HAVE YOU BEEN CONVICTED OF DUI? IF YES, NO. OF TIMES?
- WHERE?
- WHEN?
- ARE YOU ON PROBATION OR PAROLE?
- DID YOU DRINK AFTER THE ACCIDENT?

FIELD SOBRIETY TEST ADMONITION (To be given only in case of a refusal to submit to a test)
The Field Sobriety Test is given to determine the extent to which alcohol and/or drugs have impaired your mental or physical processes. Your refusal to submit to all or part of the test WILL be commented on in court and a jury will be instructed that your refusal may show a consciousness of guilt on your part.

Will you take the test now? Response:

ADMOTION GIVEN BY: ____________________
SERIAL NO.: ____________________
Given in language other than English (Language) ____________________

FIELD SOBRIETY TEST

<table>
<thead>
<tr>
<th>TIME:</th>
<th>ADMINISTERED BY:</th>
<th>LOCATION:</th>
<th>PARTNER:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

- Are you sick or injured? YES NO
- Are you epileptic or diabetic? YES NO
- Are you under the care of a doctor or dentist? YES NO
- Do you take insulin? YES NO
- Do you have any physical defects? YES NO
- If YES, explain:

STANDARDIZED FIELD SOBRIETY TESTS: (To be completed as test is administered) * Must be attempted.

- Wearing Glasses? YES NO
- Wearing Contacts? YES NO
- Eye Problems? YES NO
- LOC? YES NO
- HGN Left Eye Right Eye
- Lack of Smooth Pursuit? YES NO YES NO
- Maximum Deviation? YES NO YES NO
- Angle of Onset Prior to 45°? YES NO YES NO
- VGN Present? YES NO YES NO
- Internal Clock sec. estimated as 30
- DRAW LINES TO SPOTS TOUCHED
- FINGER TO NOSE
- Additional Observations:

- * WALK AND TURN
- * ONE LEG STAND

- Actual Steps Taken
- Additional Observations:

- 05.02.05 (10/16)
**NOTIFICATION OF REFUSAL TO SUBMIT TO OR COMPLETE CHEMICAL TESTING (23612 VC)**

At the time of arrest, I had reasonable cause to believe that the person arrested had been driving a motor vehicle in violation of 23140, 23152, or 23153 VC. This belief was established by the arrestee’s objective symptoms as stated in this arrest report. The arrestee was admonished of the provisions of Vehicle Code Section 23612 as indicated in this report. The arrestee refused to submit to or complete required testing.

ARRESTEE’S VERBATIM STATEMENT OF REFUSAL OR REASON FOR REFUSAL. USE NO ABBREVIATIONS AND USE ARRESTEE’S EXACT WORDS, INCLUDING PROFANITY. IF NO STATEMENT WAS MADE, DESCRIBE ACTION OF ARRESTEE THAT INDICATED A REFUSAL.

1. Source of activity. 2. Investigation (pre-arrest questions and responses, objective symptoms observed, actions and statements of arrestee which would tend to corroborate opinion of impairment, etc. If driving was not observed by officer - include witness statements establishing driving). 3. Arrest. 4. Injury/Medical Treatment. 5. Photos, Recordings, Videos, DICV, BWV and Digital Imaging. 6. Booking. 7. Evidence. 8. Canvassing. 9. Court Information. 10. Additional* 11. Collision Summary* (If Traffic Collision Report has been completed). Attach Arrest Narrative on Continuation Sheet, Form 15.09.00.* (* If applicable)