Driving Under The Influence
( Impairment and Arrest an Essay)

Introduction

In this essay I will discuss some of the more interesting points about driving under the influence of drugs or alcohol from the perspective of police who are tasked with taking these drivers off the road. I will explore why impairment is often unrecognized by the consumer and the effects of impairment on a person's ability to drive safely. I will also address the process of a DUI arrest beginning with recognizing an impaired driver, standardized field tests and the actual arrest. I will also discuss some of the ways DUI arrests and reports differ from other types of police actions and why the apprehension of impaired drivers often takes precedence over the investigation of other crimes.

The Impaired Driver

The average individual who is arrested for impaired driving is not someone who has a blatant disregard for the risk they impose on others. They are not typically experienced criminals or disrespectful of the law in general. When the potentially impaired driver leaves home for whatever activity they have planned it is usually at a time when they have some free time and the opportunity to relax attention on normal responsibilities in exchange for some form of enjoyment.

Drugs and alcohol have a cumulative effect that is often not recognized by the user. As time goes on and more and more of a substance is consumed the physical effects are often not noticed to their full extent. By the time several hours of moderate, social consumption has passed, many times people have consumed more than they realize. Some of the side effects of alcohol and drugs contribute to this without the driver being fully aware of their impairment.

As a person consumes alcohol several things happen physiologically that the consumer may not be aware of. First is the lowering of situational awareness. The passage of time often goes unnoticed. Clear recognition of details is also lost. Rarely will an impaired driver be able to recall precisely the type or number of drinks consumed. When the decision is made to drive, people often base that decision on the way they feel at the time. Perhaps the most dangerous of all the symptoms is the unnoticed slowing of reaction times and the inability to divide concentration.

As the stereotypical impaired driver we have been discussing leaves wherever they were spending their time and proceeds to their next destination (usually home) they have lost the ability to objectively evaluate their ability to safely operate a vehicle. They are easily distracted as they drive down the road and are not able perform simple tasks they are used to performing and still keep their attention on the road. Some of these simple attention dividers include common things such as conversation, sightseeing or operating the radio.

Recognition

Many police officers have specialized training in recognizing the signs of impaired drivers on
As with many skills though, the best teacher is experience. While watching the general public operate on the road you are able to notice a lot of inattentive driving. Vehicles are commonly over the lane lines or following the vehicle in front of them too closely. They race through yellow lights and come to screeching halts to avoid crashes due to a multitude of distractions. The impaired driver will exhibit many of these same actions. The main differences are patterns and reasonableness of their actions.

As an officer watches an impaired driver proceed down the roadway the driver will often cross the lane lines just like a sober driver but the difference is that the impaired driver will often drift up against or over that lane line in a rhythmic fashion. The vehicle of a sober driver will usually track in a smooth trajectory regardless of the vehicle's location on the roadway. Another common sign is the impaired drive will cut off corners of the roadway going both directions and the deviation from the marked lane will begin sooner and last longer than normal. The last and most frightening sign I will discuss is slowed reaction times. The impaired driver is not able to make an observation, realize they must act and take action very quickly even if they are paying attention. The most observable manifestation of this is at traffic signals. Impaired drivers will take longer to react to the signals than drivers around them. They will often stop over stop lines and on crosswalks. Many times the reduction in speed will not be smooth but start slowly and become faster and faster until the vehicle completes the stop very quickly.

As I mention earlier, experience is very valuable in recognizing these signs and differentiating them from the actions of sober drivers. Many times it is not a single one of these actions that will make an officer determination to stop the vehicle. When an officer is able to observe several of these signs, especially in the form of a pattern, the likelihood of the driver's impairment goes up.

**Arrest and Report**

The DUI arrest, report and charges have some very unique characteristics. Most police incidents that result in an arrest are reactive. When they are proactive they are often premeditated on the part of the police. The apprehension of impaired drivers is a specific and proactive. The ability of law enforcement to gain a conviction for DUI often rests on a very specific blood alcohol level. The consequences of a DUI arrest create significant cost and inconvenience for an arrestee beyond release from jail even if never convicted. The DUI arrest is one of the only times when the police initiate and take part in criminal and civil actions simultaneously against the accused. If convicted the defendant faces not only the ramifications dictated by the court but also the loss of their driving privilege.

These factors have made DUI arrests often hotly contended in court and the process very detailed. The arrest is based on the accumulation of clues observed during National Highway Safety and Transportation Administration (NHTSA) Standardized Field Sobriety Tests (SFST's). These tests must be administered in a precise manner and accurately recorded. A chemical test is not administered until after the determination of impairment is made and the arrest is complete. As with SFST's, chemical testing is highly regulated and must be explained very precisely to an arrestee in the form of admonitions.

Submission to a chemical test to determine the alcohol or drug content of a person's body is where the civil portion of the DUI comes into play. The court deals only with the criminal charges, The State Driver License Division is the administrative agency which manages citizens driving privileges.
Consent to submit to a chemical test is given by the act of accepting a driver license. A DUI charge may result in the loss of a person's driver license and refusal to submit to chemical tests results in much harsher civil action against one's driver license.

Each of these steps are outlined in a standardized DUI report and must be followed closely. The exact wording of admonitions, questions and responses must be carefully recorded. Additionally the precise times of certain parts of the process are relevant and must be logged correctly. Interestingly, this entire process is conducted over a criminal charge which is a Class B Misdemeanor. A Class B Misdemeanor is, in most circumstances, a charge resulting in an on scene citation with no physical arrest.

**Prioritizing Impaired Driver Apprehension**

Impaired drivers are one of the largest risks we contend with when we decide to take our families on our roadways. Impairment may come from a variety of sources. We all have some understanding of why drunk drivers are dangerous but any type of impairment can cause the same level of devastation. Alcohol, drugs and many other types of distractions may impair a person's ability to safely operate a multi-thousand pound vehicle in close proximity to unsuspecting families.

There is a wide variety of crimes that are damaging to society for police departments to spend their resources on. Additionally, much of those resources must be spent on calls for service. Any departments primary responsibility is to be available to assist its citizens in need. Equally important is to protect them from imminent harm. In many respects an impaired driver is as dangerous as an active gunman who has no idea what he is doing.

**Conclusion**

Impaired drivers are usually normal people who have had a simple lapse in judgment. I believe that in most cases an arrest for DUI permanently changes the choices that people make for the better. The difficult consequences paid for an arrest are far better than the devastation that such a simple mistake could visit on so many. Crashes that are a result of an impaired driver have far reaching consequences for the victims and society. Many lives have been lost and permanently altered by the actions of impaired drivers. In my opinion the efforts of police and the use of valuable resources to reduce the number of impaired driver on the road provides a valuable return on investment for society and correctly ranks among the highest of proactive enforcement priorities.

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