

# LOS ANGELES POLICE DEPARTMENT

## D.R.E. Update

1850-22172

**Instructional Goal:** To have Officers successfully complete the classroom certification requirement to Re-Certify as a DRE, set out by the National Highway Traffic Safety Administration (NHTSA) and by the International Association of Chiefs of Police (IACP).

**Performance Objectives:** Using Instructor-Led Presentations, Participant-Led Presentations Knowledge Examination, Reading Assignments students will:

- ❑ Drug Law Updates
- ❑ Update of DRE Procedures
- ❑ Update of the Seven Drug Categories
- ❑ Update on Drug Trends
- ❑ Supervised Evaluation
- ❑ Overview of the DEC (Drug Evaluation Classification) Program Procedures
- ❑ Drug reference sources
- ❑ By the conclusion of the training, students will understand how the application of this training is in keeping with IACP Standards and what is required for DRE Re-certification

**References:** Instructors, facilitators, and training supervisors shall ensure that the most current references are utilized

### **I. Introduction**

- A. Welcoming remarks
  - 1. Introduction of instructors
  - 2. Explanation of facilities

### **II. Current State of DRE**

- A. The DWI Problem
  - 1. Annual deaths due to DWI
  - 2. Alcohol and fatalities
  - 3. Many people commit DWI offense
- B. Concept of general deterrence
  - 1. Fear of arrest
  - 2. Need for Enforcement
- C. Relating detection to deterrence potential
  - 1. How much deterrence is enough
  - 2. How much deterrence had been accomplished?
- D. Evidence of effective detection and effective deterrence
  - 1. Enforcement programs, statistics

### **III. New Drug Trends**

- A. Basic DWI Statutes
  - 1. Elements of offense
- B. Implied consent law
  - 1. Principals of the law
  - 2. Key elements of the law
  - 3. Refusal to complete the test

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- C. Illegal per se statute
  - 1. Elements of the law
  - 2. Legal presumptive limits
- D. Preliminary breath testing
  - 1. Purpose
  - 2. Legal presumptive limits
- E. Case law review
  - 1. Loomis case
  - 2. Blake case
  - 3. Joehnk case

#### **IV. The Legal Environment**

- A. The three phases of detection
  - 1. Three phases
  - 2. Decisions each phase
  - 3. Possible outcomes
- B. DWI investigation field notes
  - 1. Evidence is observational
  - 2. Observations are short-lived
  - 3. Systematic and chronological notes
- C. Courtroom testimony
  - 1. Be prepared to testify
  - 2. Testimony may be the only evidence of DWI
  - 3. Principals of good testimony

#### **V. SFST Review and Update**

- A. Overview, Tasks, and decisions
  - 1. Initial observations of the vehicle
  - 2. Decision to stop
- B. Initial observation, visual cues of vehicle operation
  - 1. Signs of impairment
  - 2. Anacapa Science studies
- C. Videotape demonstration
  - 1. "Anacapa Science Study 20 Clues of DWI Detection"
  - 2. "Anacapa Science Study DWI Motorcycle"
- D. Initial cues, recognition and description
  - 1. First step in DWI detection
  - 2. Articulate observations
  - 3. Video segment
- E. Typical reinforcing cues of the stopping sequence
  - 1. Clues of impairment after the command to stop the vehicle
  - 2. Divided attention, stopping the vehicle
- F. Initial and reinforcing cues, recognition and detection
  - 1. Divided attention skills and signs of impairment

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## **VI. DRE Evaluation Review and Update**

- A. Overview, tasks and decisions
  - 1. Face to face with violator
  - 2. Decision to have violator exit the vehicle
- B. Typical investigation cues of the driver interview
  - 1. Use three senses to detect clues of impairment
  - 2. Observe and articulate observations
- C. Recognition and description of investigative cues
  - 1. Video segment
- D. Interview/questioning techniques
  - 1. divide attention
  - 2. Clues of impairment, divided attention
- E. Typical clues of the exit sequence
  - 1. After suspicion of impairment
  - 2. Video segment
- F. Recognition and description of initial, reinforcing and investigation clues
  - 1. key points and observations
  - 2. Video segment

## **VII. DRE Evaluation Practice Session**

- A. Overview, tasks, and decisions
  - 1. Formal tests
  - 2. Final step in the decision process
- B. Divided attention tests. Concepts and examples
  - 1. Divided attention, concept
  - 2. Single task, focused attention
  - 3. Alcohol impairs attention
- C. Horizontal Gaze Nystagmus (HGN), concept and demonstration
  - 1. Involuntary jerking of the eye
  - 2. Correlates to alcohol BAC
- D. Vertical Gaze Nystagmus (VGN)
  - 1. Demonstration
- E. Preliminary Alcohol Screening device (PAS)
  - 1. Applications and limitations
  - 2. Acceptance in courtroom testimony
- F. The arrest decision
  - 1. Based on totality, all observations

## **VIII. Conclusion**

- A. Curriculum Vitae preparation and maintenance
  - 1. Example