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Field Sobriety Tests

The Standardized Field Sobriety Tests (SFST), created by the National Highway Traffic Safety Administration (NHTSA), is a set of three tests administered by law enforcement officers to determine if someone should be tested further for driving under the influence (DUI).

What is a Field Sobriety Test?

The Field Sobriety Test is comprised of three parts—all of which are supposed to indicate up to a 77% chance that a driver has been driving under the influence (.10 BAL or higher).

The three tests are:

- The horizontal gaze nystagmus (HGN) Test
- The walk-and-turn (WAT) Test
- The one-leg stand (OLS) Test

If a person fails these tests, then a “Breathalyzer” test typically follows so as to determine blood alcohol level (BAL). Most people are unaware that the test is usually not mandatory. Furthermore, people may be unjustly charged as a result of a field sobriety test—one that does not produce solid evidence in a court of law.

HGN Testing

According to the NHTSA, the horizontal gaze nystagmus is an involuntary jerking of the eyeball, which occurs naturally as the eyes gaze to the side. Under normal circumstances, nystagmus occurs when the eyes are rotated at high peripheral angles. However, when a person is impaired by alcohol, nystagmus is exaggerated (the greater the impairment, the greater the exaggeration). An alcohol-impaired person will also have difficulty tracking a moving object. In the HGN test, an officer observes the eyes of a suspect following a moving object such as a pen or small flashlight.

To ensure accurate definitions, the following information is presented courtesy of the NHTSA:

“Divided Attention Testing”

The Walk-and-Turn (WAT) and One-Leg Stand (OLS) Tests

The Walk-and-Turn (WAT) Test

The walk-and-turn test is a “divided attention” test that can be easily performed by most sober people. They require a suspect to listen to and follow instructions while performing simple physical movements. Impaired persons have difficulty with tasks requiring their attention to be divided between simple mental and physical exercises.

In the walk-and-turn test, the subject is directed to take nine steps, heel-to-toe, along a straight line. After taking the steps, the suspect must turn on one foot and return in the same manner in the opposite direction. The examiner looks for seven indicators of impairment: if the suspect cannot keep balance while listening to the instructions, begins before the instructions are finished, stops while walking to regain balance, does not touch heel-to-toe, uses arms to balance, loses balance while turning, or takes an incorrect number of steps. NHTSA research indicates that 68% of individuals who exhibit two or more indicators in the performance of the test will have a BAL of 0.10 or greater.

The One-Leg Stand (OLS) Test

In the one-leg stand test, a person is instructed to stand with one foot about six inches off the ground and count by thousands (One thousand-one, one thousand-two, etc.) until they are told to put their foot down. An officer keeps time for 30 seconds. The officer is looking for four indicators of impairment: swaying while balancing, using arms to balance, hopping to maintain balance, and putting the foot down.

Field Sobriety Test Issues

The field sobriety test does not produce quantifiable data; therefore, the results cannot be used as proof of an illegal blood alcohol level. Still, courts accept this subjective data because it has been thoroughly researched by the NHTSA. That said, someone arrested based on the results of a field sobriety test should find a DUI attorney to ensure their rights are protected.