

47.5 Impaired and Intoxicated Driving Cases

OPERATIONS

STANDARD 47.5 The agency has a written directive for handling persons suspected of or charged with driving while under the influence of alcohol or drugs that includes, but is not limited to, the following:

- A. The proper administration of standard field sobriety tests;
- B. The proper administration of chemical test to determine intoxication pursuant to NYS Department of Health rules and regulations;
- C. The use of a Drug Recognition Expert (when available) if drug impairment is suspected;
- D. The incarceration or release to a responsible third party;
- E. Disposition of the arrestee's vehicle; and
- F. Other practices consistent with applicable statutes.

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive is available for review.
2. Interview(s) with agency personnel to verify their understanding of and compliance with the directive.
3. Interview(s) with court personnel (e.g. district attorneys, judges) to verify that agency personnel are following the directive.
4. Agency records involving DWI arrests are available for review.