

TRAINING TASK: OVI

TASK # 31

Purpose

The officer will learn recognition of the OVI offender
Procedures/discretion for OVI law

Preceding Task:

Traffic Enforcement and Stops
Tow Policy
Prisoner Handling

I. Statute and City Ordinances

- A. ORC 4511.19 OVI
- B. ORC 4511.191 Implied Consent
- C. ORC 4511.192 Advice to OVI Arrestee (BMV form)
- D. ORC 4511.193 or 4510.41 Vehicles Seizures/Forfeitures

II. Policy and Procedure

- A. G.O. 61.1.10 Alcohol Enforcement Countermeasures
- B. G.O. 61.1.11 Procedures for Handling Persons Charged with OVI
- C. Training Bulletin: The Law #13 Changes in Ohio's OVI Laws and Procedures
- D. Training Bulletin: Police Procedure #10 Obtaining Alcohol/Drug Tests by Written Request
- E. Training Bulletin: The Law #19 OVI/DUS Standard Charges and Penalties

III. Operational Procedure

- A. Detection
 - 1. Operating a Vehicle
 - a. Driver's actions observed
 - b. Citizen Complaint (obtain information for possible witness)
 - c. Suspicious Vehicle
 - d. Accidents
 - 2. Vehicle stop

- a. Decision to stop
 - b. Observation of stop
- B. Driver contact
 - 1. Visual signs/clues
 - a. Personal contact
 - b. Interview
 - 2. Field screening of driver in car/objective observation (HGN)
 - 3. Exit from Vehicle
- C. Field testing (NHTSA standards, substantial compliance, Homan decision, SB 163)
 - 1. Boczar decision: Substantial Compliance vs Strict Compliance
 - 2. Standardized Field Sobriety Tests (SFST)
 - a. HGN
 - b. Walk and Turn
 - c. One Leg stand
 - 3. Additional Required Tests.
 - a. Finger to nose
 - b. Number count, Alphabet
 - 4. Preliminary Breath Test (PBT) (Not Admissible in Court)
- D. Decision
 - 1. Arrest
 - 2. Warning if not intoxicated
 - 3. If driver has been drinking but not enough for arrest
 - a. Get a sober subject to drive car (verify Operator's license)
 - b. Call a cab
- E. Jail Procedures
 - 1. ALS Form (BMV 2255)
 - a. Timeframe to read BMV 2255: 2 hours from stop
 - b. Timeframe to administer test: 3 hours from stop
 - 2. Chemical testing
 - a. Breath testing procedure
 - b. Urine or blood testing procedure for drugs
 - c. Blood test/Serum test procedure
 - 3. Alcohol Influence Report (S:/Drive)
 - a. Miranda Rights
 - b. OVI Report Form Questions
- F. Special considerations
 - 1. Offenders under 21
 - a. BAC legal limit .02/.08 (TL #19)
 - b. Juvenile offenders
 - 2. Commercial vehicle operators
 - 3. Repeat Offenders

- a. Confiscate License plates and immobilize vehicle if previous OMVI conviction within 6 years
 - b. Forfeiture provisions of OVI Law
 - 4. Testing accident victims at hospital
 - 5. See if subject's vehicle is subject to forfeiture
- G. Reports
 - 1. Citations
 - 2. Arrest Report
 - 3. Alcohol Influence Report (S:/Drive)
 - 4. Administrative License Suspension Form (ALS)
 - 5. Testing documentation
 - 6. Probable Cause Form
 - 7. Tow Ticket
 - 8. CCH
- H. Physical Control Arrests (4511.194)
- I. OVI offender tables in misc. section of manual
- J. OVI Refusal Citation- completed when suspect refuses chemical tests **and** has a prior OVI conviction within past 20 years.

I acknowledge that I received training in the skills and knowledge necessary to perform in the above Training/Task Topics, and I am able to perform at an acceptable level.

Probationary Officer Date

Supervisor Date

FTO Date