

any police SFST instructor would be fired for doing. We just talk and talk. The following three graphics are made for prosecutors to use in trial. Not only do they help the witness keep on track, they help the jury understand quickly. The prosecutor's goal in direct should always be to simplify, not mystify. Use the following three visual aids during direct examination and closing argument to explain to the jury how the SFST results are relevant to the officer's determination that the defendant was intoxicated.

TABLE 9-1: Visual Aids for SFST Testimony

WALK AND TURN

(Check as many as you observe)

- _____ **Refused/unable to perform**
- _____ **Cannot keep balance during instructions**
- _____ **Starts too soon**
- _____ **Stops while walking**
- _____ **Does not touch heel to toe**
- _____ **Steps off line**
- _____ **Uses arms for balance (raises arms over six inches)**
- _____ **Improper turn (or loses balance on turn)**
- _____ **Wrong number of steps**

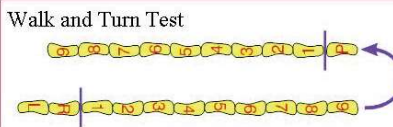
Walk and Turn

Instructions Stage

Cannot Keep Balance Starts Too Soon

Walking Stage

Walk and Turn Test



Cannot keep balance _____
Starts too soon _____

	1st Nine	2nd Nine
Stops walking		
Misses heel-toe		
Steps off line		
Raises arms		
Actual steps taken		

Describe Turn _____ Cannot Do Test (Explain) _____

Improper Turn (Describe) _____
 Cannot Do Test (Explain) _____
 Other: _____

* For scoring purposes, "Wrong number of steps is a validated clue."

VIII-28



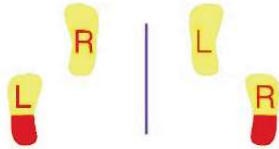
ONE LEG STAND

(Check as many as you observe)

- _____ **Refused/unable to perform**
- _____ **Sways while balancing**
- _____ **Uses arms for balance**
- _____ **Hops**
- _____ **Puts foot down**

One-Leg Stand

One-Leg Stand:



L	R	
<input type="checkbox"/>	<input type="checkbox"/>	Sways while balancing
<input type="checkbox"/>	<input type="checkbox"/>	Uses arms to balance
<input type="checkbox"/>	<input type="checkbox"/>	Hopping
<input type="checkbox"/>	<input type="checkbox"/>	Puts foot down

HORIZONTAL GAZE NYSTAGMUS

(Check as many as you observe)

Refused? Yes _____ No _____

Contact lenses worn? Yes _____ No _____

Left

Right

_____ Eye does not pursue smoothly.

_____ Nystagmus in eye is moderate or distinct when eye is moved as far as possible to the left/right.

_____ Onset of Nystagmus in eye occurs before 45 degrees. Some white is visible.

Vertical Nystagmus? Yes _____ No _____

Horizontal Gaze Nystagmus

- Lack of smooth pursuit
- Distinct nystagmus at max. deviation
- Onset of nystagmus prior to 45 degrees

Other:

Left

Right
