

Hypothetical

- You are on patrol and observe a vehicle drive with its left side tires over the center line and the vehicle fails to signal a right hand turn. When you make contact with the driver you observe flushed face, blood-shot eyes, slurred speech and a moderate odor of an alcoholic beverage. The subject stumbles when exiting his vehicle. On SFST you observe: 6/6, 5/8, 3/4. The subject refuses the PBT and your request for breath after you have read the standard Implied Consent notice.

It will take you approximately 2 hours to draft the warrant and submit it electronically to the judge and the hospital is approximately 45 minutes from the station. You have to prepare the warrant at the station because you must submit it electronically and also produce paper copies. So the best case scenario is that you should be able to execute the warrant in 2 hours and 45 minutes if there is NO wait at the hospital. Do you pursue the warrant? Your shift is short one officer who is on light duty. Same facts as above but now you have to drive to the judge's house which is 45 minutes from the station in the opposite direction of the hospital. So now it will take you 90 minutes to prepare and proof the warrant, 45 minutes to drive to the judge's house and 90 minutes to get to the hospital for a total of 3 hours and 45 minutes to execution of the warrant.