

Northampton Township Police Department*

Executive Summary:

A young police officer in the Northampton Police Department, Officer Jones, responded to a one-car accident. At the scene, Officer Jones encounters a veteran officer, Officer Smith, who works for a neighboring police district. Officer Jones immediately recognizes signs of intoxication. The rookie officer must decide if she should arrest Officer Smith for DUI which could put an end to Officer Smith's career.

Background:

On a Friday night, Office Jones, an officer with three years of experience at the Northampton Township Police Department, was dispatched to the scene of an accident at Rt. 332 and Holland Rd. When she arrived at the scene, Office Jones found a male, 30 years of age, outside of his vehicle. Officer Jones noticed damage to a nearby telephone poll and the male's vehicle.

Office Jones approached the male and learned that he was Officer Smith from ABC police department. Officer Smith confirmed that he clipped a telephone pole on his way home from a friend's house. Officer Smith was not injured but there was minor damage to the right front of his white Chevy. Officer Smith apologized and told Officer Jones that he's only a mile from his house and asked if he could be permitted to just drive home.

While talking to Officer Smith, Officer Jones smelled an odor of alcohol. She also noticed that Officer Jones had slightly slurred speech. During her conversation with Officer Smith, Officer Jones recalled alleged family problems involving Officer Smith. On three occasions, officers were dispatched to Officer Smith's house for domestic disturbances reported by neighbors, though no charges were filed.

Officer Jones asked Officer Smith if he had been drinking. Officer Smith confirmed that he had a "couple of beers". Officer Jones asked Officer Smith to complete a series of field sobriety tests. Out of the three tests administered, Officer Jones passed two.

Officer Jones concluded that the Chevy is drivable. Officer Smith kept asking Officer Jones if he could just drive home, stating he "only lives about a mile away". Officer Smith insisted that he is fine and that his wife and two children are waiting for him at home.

Officer Jones has made arrests for DUI before. She knows that if she arrests Officer Smith for suspected DUI, Officer Smith will be taken to Northampton Township police department, blood will be taken to confirm or deny DUI suspicions and Officer Smith will spend the night in custody. Officer Jones also knows that Officer Smith will be placed on leave pending the

outcome of the case. Officer Smith will not get paid and, if convicted of DUI, he will lose his job.

Northampton police officers are required to be sworn in by a judge and take an Oath of Office. Northampton Township Police Departments issues guidance for officers. Officers are expected to refer to the guidance and policies issued. Attached is General Order 1.01 which Officer Jones can rely on.

Case:

Should Officer Jones arrest Officer Smith on suspected DUI?

*** This case is hypothetical only. It is not based on any individual case but is representative of facts and circumstances that police officers encounter. ***