

1 field sobriety testing. I also attended an
2 update for field sobriety test. And this is the
3 refusal form.

4 MR. MADSEN: Thank you.

5 THE COURT: You can just leave
6 those on the bench there.

7 OFFICER MANFREDO: Based on my
8 years of experience, Judge, having to do with
9 dealing with people that are under the influence
10 or impaired, it was in my opinion that he was
11 under the influence, that he was incapable of
12 safe driving. That's all I have.

13 THE COURT: Cross?

14 CROSS-EXMINATION

15 BY MR. MADSEN:

16 Q. Officer, how many DUI arrests have you
17 made?

18 A. Total or?

19 Q. Total.

20 A. I would say close to probably 500.

21 Q. How many of them have you taken in for
22 blood and then they were under the legal limit?

23 A. That, I don't know right off the top of
24 my head.

25 Q. Rough estimate?

1 A. Maybe two.

2 Q. And where were you parked that you saw
3 my client first?

4 A. I was parked in the middle of the road
5 in the safety zone.

6 Q. And which way were you facing?

7 A. I was facing eastbound.

8 Q. So was there any shrubbery, anything
9 that could have blocked your view?

10 A. No.

11 Q. And were there any vehicles in [REDACTED] of
12 him when he drove by?

13 A. There may have been. It was a Friday
14 morning.

15 Q. But you're not sure?

16 A. No.

17 Q. Any vehicles following him?

18 A. I would suppose so because it was a
19 Friday morning, but I'm not sure.

20 Q. And you stopped him for an invalid
21 inspection sticker?

22 A. That's correct.

23 Q. So you pulled out immediately to follow
24 him?

25 A. Yes.

1 Q. How long did you follow him before
2 stopping?

3 A. About the time I got turned around and
4 caught up to him, three blocks I think it was.

5 Q. And you never saw him weaving?

6 A. No.

7 Q. Never saw him weave over a line?

8 A. No.

9 Q. Never straddled a line?

10 A. No.

11 Q. Didn't swerve?

12 A. No.

13 Q. Make any turns?

14 A. No.

15 Q. He wasn't drifting at all?

16 A. Not that I recall.

17 Q. He didn't hit anything?

18 A. No.

19 Q. Did it look like he was in danger of
20 hitting anything?

21 A. I don't believe so.

22 Q. And he didn't display any problems
23 stopping when you pulled him over?

24 A. No.

25 Q. And he wasn't stopping for no reason as

1 you were following him?

2 A. No.

3 Q. And he didn't speed up for any unknown
4 reason?

5 A. I don't believe so.

6 Q. He didn't slow down for any unknown
7 reason?

8 A. No.

9 Q. And he wasn't driving in the [REDACTED]
10 lane?

11 A. No.

12 Q. Wasn't following anybody too closely?

13 A. No.

14 Q. Didn't change lanes at all?

15 A. No.

16 Q. Were his headlights on?

17 A. I don't know.

18 Q. How long did it take for him to stop
19 once you turned your lights on?

20 A. I threw my lights on at Broad and
21 Linden, and he stopped within half a block.

22 Q. So there's nothing about his driving
23 itself which led you to believe he was
24 intoxicated?

25 A. No.