

Can I Challenge Field Sobriety Tests?



If you are pulled over by an officer who suspects you of driving under the influence (DUI) of alcohol or drugs, you will most likely be asked to perform certain tests that are designed to help the officer determine if there is probable cause to arrest you. These tests are known as field sobriety tests or FST's for short.

It is not a good idea to refuse the Field Sobriety Test.

If you are arrested for a DUI it is important to contact Fusco & Macaluso's Attorneys, (New Jersey DUI Attorneys) as soon as possible. Certain testing methods like the Field Sobriety Tests are highly inaccurate and can be aggressively and successfully challenged by experienced New Jersey DUI Lawyers.



Many field sobriety tests have been shown to be highly inaccurate by the National Highway Transportation and Safety Administration (NHTSA). In cases where field sobriety tests were used to convict people 20% - 30% would be wrongly convicted of DUI. Don't let this happen to you. If you have been arrested for a DUI, contact Fusco & Macaluso, Passaic, New Jersey, for a DUI Lawyer right away.

Some of the most common types of Field Sobriety tests performed in New Jersey are: following a pen light with your eyes while the officer checks for unusual eye movement.

Walk and Turn - taking steps, heel to toe forward, turning and taking steps back. The person must multitask to perform the test.

One Leg Stand - standing feet together and arms at sides and raising one leg six inches from the ground. The officer will look for using of arms for balance hopping and or swaying.

Finger to Nose Test - With feet together and eyes closed the subject must bring an arm to their nose alternating between arms.

Finger Count Test - Using thumb subject must count fingers forward and backward.

Hand Pat Test - alternate clapping from front to back of hands while counting.

Stand and Balance Test—Stand in one place with arms and hands at your sides and feet together and head tilted back. Finger to Nose Test often combined with this test.



It is often that police officers perform the tests to the required specifications, making the standardized tests easily challenged in a court of law.

Another common favorite field sobriety test is the use of the Preliminary Alcohol Screening device or otherwise known as the PAS test. Tests change often within states redefining testing standards. It is important to contact a specialist attorney in this field. Your license is at risk as well as your freedom in our tough DUI enforcements.

**If you have been charged with a DUI,
it is important to contact experienced DUI attorney
Anthony Fusco, Jr. to prepare a winning defense strategy for you, today!**