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Judicial Partners:

On behalf of all 56 states, U.S. territories and the District of Columbia, the National Association of State Boating Law Administrators (NASBLA) would like to take this opportunity to provide you with information about a new seated battery of field sobriety tests. It is just a matter of time before you start seeing cases involving these tests, and like you, we would prefer that you had a brief exposure to them so there are no surprises in a hearing or during trial.

The seated battery was developed to address several issues faced by marine patrol officers. These issues involve having a suspect perform balance-related tests after being on the water for all or part of the day, as well as transporting suspects on the water and finding a suitable testing location. Additionally, as people in the U.S. have become increasingly overweight and are living longer, there are more times when the weight placed on the walk-and-turn and one-leg-stand tests poses an issue.

Recognizing the benefits of developing a seated battery of field sobriety tests, which have no dependency upon balance or equilibrium, the U.S. Coast Guard and NASBLA partnered to have research performed with a goal of scientifically validating a seated battery of field sobriety tests. This three-year project involved the research team from the Southern California Research Institute, which is the same organization that has researched sobriety testing in the United States for the National Highway Traffic Safety Administration and International Association of Chiefs of Police. This research involved both laboratory and field research, which ultimately proved validity of this battery of tests during actual on-water boating under the influence investigations. In 2009, the research was completed, and the final report was both peer-reviewed and published in at least one scientific journal.

Each of the seated tests has standardized administrative procedures, clues, and evaluation criteria. Training is now being conducted around the nation to implement the seated battery of tests, with the primary focus on marine law enforcement. Many states are beginning to use the new seated battery of tests this year, so the likelihood of encountering a case where they have been used in your jurisdiction is increasing. The states, working through NASBLA, are committed to providing you the necessary resources. We want to provide you access to reports, articles and contact information for researchers and others who can answer questions or provide additional insight. We encourage you to visit the NASBLA website at www.NASBLA.org for access to resource material, or to contact us.

Thank you for your interest and all you do to help us keep our nation's waterways as safe and enjoyable as possible. We appreciate your support.

Sincerely,

Tom Guess
Executive Director & CEO