



Maine OUI Boot Camp

MISSION STATEMENT

Our mission is to reduce risks and increase safety through affordable training, education, and customized consultation to public safety organizations.

Gone are the days when an OUI arrest consisted of only a stop, field sobriety tests, and a chemical test. The *OUI Boot Camp* training is designed for impaired driving investigating officers (including DREs), prosecutors, BMV Hearings Examiners, and HETL Lab personnel. The course uses a series of lectures, videos, and scenario-based discussions to enhance learning. There are no prerequisites to this training, and participants can attend, at their choice, one, two, or all three days.

Day One: OUI Fundamentals

FROM THE STOP TO THE REPORT: AN OVERVIEW OF A PROPER OUI INVESTIGATION

With the complications of prescription and illicit drug use, the legalization of recreational marijuana, and complicated case law precedents involving chemical testing, there are many, complicated hurdles for law enforcement. This class reviews the entire OUI investigation from the time of initial contact until the time for testimony under oath.

Specifically, attendees will review:

- The Elements of Maine's OUI Law
- Operational Impairment
- Field Sobriety Testing
- Arrest Decision
- Chemical Testing
- OUI Drugs
- Report Writing/ Testifying
- Fundamental Caselaw
- First On-scene Fatal Crash Investigation

Day Two: Advanced OUI Topics

Maine's implied consent laws and the relevant chemical testing procedures are an area of dynamic change in both statutory and case law. Additionally, Maine's "Good Samaritan" law has created new factors that law enforcement will want to consider when responding to OUI calls involving drugs. This class takes a deep dive into chemical testing procedures, the statutory structure surrounding those procedures, and the Fourth Amendment case-law in which those procedures and structures must exist. This class is especially relevant for OUI drug investigations and blood testing.

Course discussion topics include:

- Constitutional Rights and Chemical Testing
- Implied Consent and Chemical Testing
- How Implied Consent and Constitutional Rights Intersect
- DRE Evaluations and Chemical Testing
- Chemical Testing for drug OUI's when a DRE is not available.
- Maine's updated "Good Samaritan" Law

This class includes the following training scenarios to work through:

- No DRE available, no probable cause of drug impairment.
- No DRE available, strong probable cause of drug impairment.
- Breath test and then refusal of urine test after a drug assessment.
- Refusal of any chemical test.
- Breath test and then a refusal of a drug assessment.
- Breath test, drug assessment and then obtaining consent after refusal.

CONTACT US

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Day Three: Making the Case: Case law, report writing, and testimony.

OUI is one of the most heavily litigated crimes in Maine. Additionally, it is one of the most frequent arrests that a patrol officer will make. If an officer is going to court, there is a good chance that it is for OUI case.

The goal of this class is to better prepare the officer and the prosecutor for that court day.

Course discussion topics include:

- The importance of Case law
 - Using The Maine OUI Guide
- The BMV Administrative Hearing
- For Officers: Report Writing, Direct Testimony, and Cross-Examination
- For Prosecutors: Witness Preparation, Common Evidence, Admissibility Issues, and An Officer's perspective of OUI Testimony

This class includes the following testimony-based scenarios to work through:

- Erratic Operation of an Impaired Driver
- Personal Contact with an Impaired Driver
- Field Sobriety Testing with an Impaired Driver
- Toxicological Sample Collection
- Expert testimony

Date: March 20-22, 2023

Time: 0800-1600 Each Day

Location: Eastern Maine Community College
268 Sylan Road, Bangor, ME 04401

Cost: **FREE** This class is sponsored by the *Maine Bureau of Highway Safety*

Register here: <https://dirigosafety.com/training/maine-oui-boot-camp/>

Instructors:

- Scot Mattox: Maine TSRP, Sgt. Portland PD (Ret.), Former DRE Instructor
- Joshua Saucier: Maine TSRP, Former York County Impaired Driving Special Prosecutor
- Seth Allen: Maine State Police Impaired Driving Specialist
- Guest instructors include representatives from the Maine HETL Lab and Maine Bureau of Motor Vehicles



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