

BREATH ANALYSIS TESTING

1. **PURPOSE:** To establish procedures for conducting breath analysis testing in driving under the influence (DUI) cases utilizing a device approved and installed by the Alabama Department of Forensic Sciences.
2. **POLICY:** It shall be the policy of the Huntsville Police Department to administer breath analysis tests to DUI suspects in accordance with Alabama Motor Vehicle Laws, Chapter 5A, Section 194.
3. **SCOPE:** This Written Directive is applicable to all sworn personnel who are authorized to utilize the breath testing instrument for testing DUI arrestees.
4. **RESPONSIBILITY:** It shall be the responsibility of all affected personnel to comply with the directives established in this Written Directive.
5. **PROCEDURES:** It shall be the responsibility of all breath testing operators to comply with these procedures.
 - A. Breath testing operators are responsible for the following:
 1. Understanding the rules and regulations covering the chemical test for intoxication program, including relevant state statutes.
 2. Ensuring the required 20-minute deprivation period is observed.
 3. Checking the dry gas cylinder gauges are in the operating range and that the printer is stocked with paper.
 4. Completely collecting and entering all demographic and other required information.
 5. Recognizing error codes given by the instrument and to know the proper response.
 6. Testifying to the testing procedure in court.
 7. Maintaining instrument operator certification.
 8. Breath testing operators shall routinely inspect the breath testing instrument prior to administering a test. Routine inspections of the instrument are intended to identify:
 - a. Instrument malfunctions;
 - b. Misuse or mistreatment of the instrument;
 - c. Ordinary wear and tear of the instrument which will require maintenance; and

- d. Supplies which need to be replenished.
- 9. Breath testing instrument operators shall report deficiencies noted during routine inspections of the instrument to the Deputy Chief of Operations, via chain of command.

NOTE: Any mechanical malfunctions should be reported to the Alabama Department of Forensic Sciences by calling 205-620-0399 during regular business hours or leaving a voicemail at 205-260-8722 after hours.

- B. The Deputy Chief of Operations or designee shall ensure that all breath testing instruments used by the Huntsville Police Department are operational.
- 6. CERTIFICATION: Sworn personnel who administer breath tests to DUI suspects must be certified through the Department of Forensic Sciences. Re-certification shall be required for sworn operators on a yearly basis, to be scheduled by the Department of Forensic Sciences. Certification records are maintained by the Department of Forensic Science.