

	STANDARD OPERATING PROCEDURE State Form 39870(R/S-06)	Reference Number TRA-006
	Subject Breath Test for Intoxication Operators	
	Special Instructions Replaces TRA-006 dated January 15, 2015	Effective Date July 9, 2018

I. **PURPOSE**

Establish guidelines for certification and recertification of Department breath test operators pursuant to I.C. 9-30-6-5 (PL 2 - 1991, Sec. 18).

II. **POLICY**

Pursuant to specific rules adopted by the State Department of Toxicology only certified operators and equipment shall be used to administer breath tests for intoxicants.

Recruit academy graduates shall attend a Breath Test for Intoxication School as soon as practical after graduation. Capitol Police Section (CPS) officers may attend a Breath Test for Intoxication School upon completion of their initial probationary period.

Certified breath test operators may request exemption from recertifying by showing cause. Personnel who have been granted an exemption may not attend a Breath Test for Intoxication School to regain certification without the approval of the Commander of the Training Division.

III. **PROCEDURE**

A. Certification Process.

1. The Training Division shall maintain a file of eligible candidates and notify their respective Commanders when a candidate will attend an available Breath Test for Intoxication School.
2. Based upon the eligibility list and the needs of the Department, the Commander of the Training Division shall assign eligible police employees to attend a Breath Test for Intoxication School.
3. Only those police employees successfully completing the Breath Test School for Intoxication shall be certified as operators.

B. Recertification Process.

1. Once certified, an operator is authorized to conduct breath tests for two (2) years before recertification is required. Certifications expire on the last day of the month two (2) years from the month of certification.
2. The Training Division shall maintain a file of certified operators and assign them to recertify during the month prior to their certification's expiration in accordance with guidelines and procedures established by the the Indiana State Department of Toxicology.

3. Certified operators shall recertify only when directed to do so by the Training Division.

C. Failure to pass the requirements of the Breath Testing for Intoxication School or recertification training shall be appropriately documented in the employee's performance evaluations.

D. Requests for Exemptions from Recertification.

1. Police employees requesting exemption from recertification shall submit a memorandum, through channels, to the Commander of the Training Division.

a. The memorandum shall include the employee's present duty assignment and the reason exemption has been requested. The requirements for exemption are a minimum of 5 years off of road patrol duties; other special circumstances may be considered on a case-by-case basis.

b. The Commander of the Training Division shall review and approve or deny the request based upon the employee's commander's recommendation.

c. If the exemption is granted, the Commander of the Training Division shall notify the employee of the status of the request, in writing and shall notify the State Department of Toxicology of the employee's exempt status.

2. Only police personnel who have requested an exemption in writing and have been approved by the Commander of the Training Division will be excused from the obligation of retaining certification.

3. Employees granted the exemption shall not violate the provisions of IC 9-30-6-5.

E. This procedure is to be used in conjunction with all relevant department regulations, rules, policies and procedures