



Sheridan Police Department
Policies and Procedures
20.11
Chapter 20 – Investigations
Section 11 – Breath Testing

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Signature:

The Intoximeter EC/IR, Alco-Sensor III and Alco-Sensor FST are the breath testing devices used by the Sheridan Police Department.

20.11.1 Breath Testing

- A. A suspect's impairment from alcohol is established through sensory evidence (what the officer sees, hears, and smells). Breath testing instruments provide the evidence that alcohol is the chemical basis of that impairment, by providing an on the spot indication of the suspect's blood alcohol concentration (BAC).
- B. The EC/IR shall be used when a quantitative analysis is needed for legal proceedings.
- C. Preliminary breath-testing (PBT) devices can be used to confirm the presence of alcohol when specific readings acceptable to the court are not required.
- D. The EC/IR and PBTs can be used in any situation to screen for alcohol usage. Examples include: determining if alcohol is involved in a crime and determining a subject's level of intoxication prior to him or her making a statement.

20.11.2 Intoximeter EC/IR

- A. The EC/IR is an evidential breath alcohol analyzer maintained at the Sheridan County Detention Center.
- B. Operation of the EC/IR requires certification by the Wyoming Chemical Testing Program.
- C. Certified officers shall maintain their certification by conducting at least one (1) test every two (2) months. Only one (1) make up test will be allowed in a 12 month period. Failure to complete a test on two separate occasions, in a 12 month period, will result in de-certification.
- D. Operation of the EC/IR shall be according to the Wyoming Chemical Testing protocol as described on the EC/IR checklist.

20.11.3 Preliminary Breath Testing Devices

- A. Preliminary breath testing, like the psychophysical maneuvers, is a stage in the pre-arrest screening and investigation of a driving while under the influence or minor consuming suspect.
- B. The PBT should be used as the final stage of the driving while under the influence field sobriety tests to corroborate evidence already gathered by the investigating officer. The PBT will demonstrate that the suspicion of alcohol influence is consistent with the officer's observations of the suspect's mental and physical impairment.
- C. PBTs have a three (3) digit reading that will register small quantities of alcohol consumed by the suspect. The PBT is accurate to $\pm .005$.

- D. The subject must be kept under observation for fifteen (15) minutes prior to administering the test to ensure the elimination of residual mouth alcohol. The subject must not be allowed to smoke as cigarette smoke will permanently damage the fuel cell.
- E. To administer a test officers shall:
 - 1. Check to see the PBT temperature is within operational limits.
 - 2. Attach a mouthpiece.
 - 3. Have the subject take a deep breath and hold it.
 - 4. Have the subject blow into the mouthpiece.
 - 5. Activate the reading and monitor for the highest reading.
- F. PBTs can be used for multiple tests. There must be at least two (2) minutes between subject tests. If these precautions are not followed cumulative readings will result.
- G. The Alco-Sensor III will lose sensitivity if five (5) or more tests with a reading of 0.10% or higher blood alcohol content are run in a one (1) hour period. If five (5) tests are run in one (1) hour with a reading of 0.10% or higher, then the Alco-Sensor III must be taken out of service for ten (10) hours.
- H. Each officer will be issued a PBT and will be responsible for its care and maintenance.
- I. In the event an officer observes false or inaccurate PBT test results, he/she is to take the PBT out of service and bring it to the attention of the senior operator.
- J. Calibration will be completed by a senior operator.

20.11.4 Inspection, Maintenance and Calibration Requirements of PBTs

- A. The instrument must be calibrated when the displayed result of an accuracy check differs by more than $\pm .005$ from the expected result of the standard gas sample.
- B. The instrument must be taken out of service if:
 - 1. The instrument repeatedly fails to maintain its calibration (i.e. - if after two (2) successive attempts to calibrate the device a successful accuracy check was not obtained);
 - 2. The instrument fails to maintain its calibration on three (3) consecutive accuracy checks; or
 - 3. The instrument consistently takes more than two (2) minutes to perform a breath analysis on a sample with a concentration less than .100 grams per two hundred ten (210) liters of breath.
- C. Routine maintenance procedures are specified in the manuals of each instrument and must be followed in order to insure accurate test results.

20.11.5 Alco-Sensor III and FST Quality Assurance

- A. The Sheridan Police Department will perform an inventory and accuracy check on each breath testing device annually.
- B. The result of an accuracy test should not differ by more than $\pm .005$ grams per two hundred ten (210) liters of breath of the expected value of the standard gas sample.
- C. For compressed dry gas standards, the requirement is met by using an approved compressed dry gas standard labeled with a gas value of .100 grams of alcohol per two hundred ten (210) liters of breath at seven hundred sixty (760) mm of Hg. Although expected dry gas values change with changes in atmospheric pressure, the value of a sample gas delivered should not differ by more than $\pm .005$ grams per two hundred ten (210) liters of breath of the expected value of the standard gas sample.

- D. Both weather conditions and operating at elevations other than sea level will change the absolute pressure from seven hundred sixty (760) mm of Hg and cause the expected value for the dry gas standard to change. The senior operator will utilize a TRU CAL device while conducting an accuracy check on a PBT.