

# ILLINOIS STATE POLICE DIRECTIVE OPS-038, BREATH ANALYSIS PROGRAM

<b>RESCINDS:</b> OPS-038, 2014-053, revised 06-06-2014.	<b>REVISED:</b> 12-20-2018 <b>2018-044</b>
<b>RELATED DOCUMENTS:</b> ENF-021, SRV-001	<b>RELATED CALEA STANDARDS:</b> 61.1.10

## I. POLICY

The Illinois State Police (ISP) will:

- I.A. Provide at least one evidential breath analysis instrument in each county where detention facilities are available.
- I.B. Allow only licensed Breath Analysis Operators (BAOs) to operate department breath analysis instruments.
- I.C. Allow only Academy Alcohol and Substance Testing (A&ST) Section Breath Analysis Technicians to service and repair department evidentiary instruments.

## II. AUTHORITY

20 Ill. Admin. Code 1286, Testing of Breath, Blood and Urine for Alcohol, Other Drugs, and Intoxicating Compounds.

## III. DEFINITIONS

III.A. Breath Analysis Operator - an individual licensed by the Department to operate approved evidentiary instruments and to create subject test records. BAOs can print local reports from an evidential instrument, including accuracy checks, and perform basic maintenance on the instrument, such as replacing the instrument's paper or keyboard.

III.B. Breath Analysis Technician (BAT) - an individual who is authorized by the Department to:

- III.B.1. Conduct BAO re-licensing classes and administer the BAO re-licensing examination
- III.B.2. Install, examine, certify, repair, maintain, and check the accuracy of approved evidentiary instruments
- III.B.3. Create accuracy check records and service records

## IV. PROCEDURES

IV.A. Instrument locations

- IV.A.1. The Director's designee will determine the location for each breath analysis instrument within a District's geographic area.
- IV.A.2. In the event the location of an instrument is to be changed, the Director's designee will advise the Division of Operations of the effective date and the location to which the instrument is to be moved.

IV.B. Operator requirements

- IV.B.1. To be licensed as a BAO, an officer must successfully complete the course and pass the examinations prescribed by the ISP. The license is valid for three years following the date of issue.
- IV.B.2. To be re-licensed as a BAO, an officer must complete the required classroom review of pertinent material and successfully pass the written examination or complete the computer-based BAO License renewal course.

- IV.B.3. Operators will perform simulated analysis as necessary to ensure continued proficiency in instrument operation. Operators who fail to exhibit a sufficient degree of competence in instrument operation may be required to attend additional training or may be denied a license.
- IV.C. To comply with the instrument and operator requirements, the BAT will:
  - IV.C.1. Check approved evidentiary breath analysis instruments for accuracy at least once every 62 days, perform any necessary maintenance and/or repairs, and record the results in the log assigned to the instrument.
  - IV.C.2. Testify as an expert witness.
  - IV.C.3. Coordinate with the District supervisory officer administering the program.
  - IV.C.4. Conduct necessary training for re-licensing of BAOs.
- IV.D. ISP District, local police, and county sheriff's office assignments of BATs will be made by the A&ST Section supervisor. Court subpoenas that are received by ISP district personnel and require a BAT's availability will be forwarded, faxed or scanned, to the A&ST Section office in Springfield at:

Alcohol and Substance Testing Section  
Illinois State Police Academy  
3700 East Lake Shore Drive  
Springfield, Illinois 62712-8639  
217/786-6925  
217/786-7028 FAX
- IV.E. The District Commander will assign a minimum of one supervisory officer to administer the Breath Analysis Program within the District. The District Breath Analysis Program Administrator will serve as coordinator between the District and the A&ST Section on all district Breath Analysis Program needs.
- IV.F. Information relating to a malfunctioning or broken instrument will be reported to the A&ST Section by fax at 217/786-7028 or telephone at 217/786-6925. The report will include:
  - IV.F.1. Location of the instrument
  - IV.F.2. Instrument serial number
  - IV.F.3. Name and ID number of the operator who is advising of the malfunction
  - IV.F.4. Specific nature of the malfunction

**NOTE:** Date, time, and paper adjustments are operator maintenance items on instruments with keyboards, not malfunctions.

| Indicates new or revised items.

-End of Directive-