



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: JUNE 01, 2008	REVISED DATE: February 16, 2010	NO. PAGES: 1 of 2	NUMBER: 8.2.09
SUBJECT: OVI BAC BREATH TESTING PROCEDURES AT THE CENTRAL PRISON UNIT			
ASSOCIATED MANUAL:		RELATED ORDERS: 3.4.14, 8.2.05	
CHIEF OF POLICE: <p style="text-align: center;"><i>Michael McGrath, Chief</i></p>			

PURPOSE: To establish Cleveland Division of Police guidelines for conducting breath testing at the Division of Correction Central Prison Unit (CPU) for individuals arrested for Operating a Vehicle while Intoxicated (OVI).

POLICY: It is the policy of the Division of Police to have individuals who are arrested for OVI to submit to a Blood Alcohol Content (BAC) test. The primary method of BAC testing is the breath test.

PROCEDURES:

- I. When officers have an individual arrested for OVI that they want tested at CPU they shall inform the Communications Control Section (CCS) of the arrest.
 - A. The CCS shall notify the Cleveland Division of Correction supervisor at CPU that a subject has been arrested for OVI and will be enroute for booking and testing.
 - B. Upon arrival of the officers with the OVI offender, the Division of Correction supervisor shall turn on the OVI video recording equipment and set it to record prior to the officers and OVI offender entering the BAC testing area. A Division of Correction supervisor shall ensure that the video recording equipment is recording whenever an officer or the offender is in the BAC testing area, even if this requires that the equipment be turned on and the recording started again if the officer or offender re-enters the area for any reason.
 - C. Officers shall ensure that the door to the testing area is closed while testing and recording are in progress.
 - D. Upon completion of the OVI test the Division of Correction supervisor shall stop the recording and turn off the OVI video recording equipment.

PAGE: 2 of 2	SUBJECT: OVI BAC BREATH TESTING VIDEO PROCEDURES	GPO NUMBER: 8.2.09
-----------------	---	-----------------------

- II. OVI Breath Testing
 - A. The BAC testing instrument operator shall complete the BAC DataMaster subject test form and BAC DataMaster evidence ticket. Refer to GPO 8.2.05 for the appropriate procedures.
 - B. If the subject refuses the breath test, a BAC DataMaster subject test form and BAC DataMaster evidence ticket shall be completed.
 - C. The BAC testing instrument operator shall place a copy of each OVI citation in the designated basket for the Jail Liaison Officer. The Jail Liaison Officer is a supervisory position directly in the chain of command of the Commander of the Bureau of Administrative Services.
 - D. The arresting officer shall enter information into the BAC testing logbook as indicated in the logbook.
- III. The Jail Liaison Officer shall check the video recording equipment on every business day and copy each video recording of an OVI testing incident from the hard drive of the DVR to a separate compact disk (DVD+R). When the Jail Liaison Officer is not available to perform this function, the Commander of the Bureau of Administrative Services shall assign another supervisor to perform this function.
 - A. This DVD+R shall be marked as evidence and entered into the property book kept on location in the testing area.
 - B. The Jail Liaison Officer shall write the CAD number and defendant's first and last name on the DVD+R. A copy of the citation shall be attached to property envelope. Refer to GPO 10.1.3 for the proper completion of the property envelope.
- IV. The Jail Liaison Officer shall convey the evidence to the Property Unit.
- V. The Jail Liaison Officer shall ensure that the BAC testing area is supplied with all the necessary testing supplies, including but not limited to BAC DataMaster subject test forms, BAC DataMaster evidence ticket, hard bound sequentially number logbooks for recording of BAC tests and evidence information, property/evidence envelopes, DVD+R's and any other supplies as needed.
- VI. The Jail Liaison Officer or Bureau of Administrative Services Commander's designee shall be the only persons permitted to remove evidentiary DVD+R's from the BAC testing area.