



ERIE POLICE DEPARTMENT



Written Directives

Number: **270.001**

Title: Drug Evaluation and Classification		Pages: 3
Effective Date: 01/23/07	Review Date: 05/18/2019	Amended Date: 03/16/18

POLICY:

The purpose of this written directive is to establish guidelines to utilize the training and expertise of a Drug Recognition Expert(s) (DRE). When available, a DRE should be utilized to enhance any felony drug-related investigation (including criminal possession, possession for sales, transporting, etc). Such enhancement may help establish whether a direct link exists between the suspect and the drug(s) seized.

DEFINITIONS:

DRUG EVALUATION AND CLASSIFICATION (DEC) PROGRAM: The nationally recognized and regulated drug influence training program.

DRUG RECOGNITION EXPERT (DRE): An individual who has successfully completed all phases of training requirements for certification established by the International Association of Chiefs of Police and the National Highway Traffic Safety Administration.

STANDARDIZED FIELD SOBRIETY TEST (SFST): The Standardized Field Sobriety Tests include three tests which were developed and validated through a series of controlled experiments supported by research grants from NHTSA. The three tests include Horizontal Gaze Nystagmus (HGN); Walk and Turn (WAT); and One Leg Stand (OLS).

BLOOD/BREATH ALCOHOL CONCENTRATION (BAC or BRAC): The concentration of alcohol in a person as measured by blood or breath.

DRUG (AS DEFINED BY NHTSA IN REGARD TO THE DEC PROGRAM): Any substance which, when taken into the human body, can affect the person's ability to operate a vehicle safely.

RULE-OUT: A determination made by a DRE that an individual's impairment is other than drug related.

AGENCY COORDINATOR: The person designated within each department or agency responsible for maintaining program records, ensuring maintenance of program standards and conducting training and certification sessions within the agency. Responsibility for this function may rest with one individual, or may be decentralized among several people throughout the agency. If there is no designated agency coordinator, the appropriate DRE coordinator shall be the state coordinator.

STATE COORDINATOR: In each state in which the Drug Evaluation and Classification Program has been implemented under the auspices of the National Highway Traffic Safety Administration, an

individual has been designated to act as the statewide coordinator for the DEC Program. The duties of the position generally include, but are not limited to:

1. Acting as an information clearinghouse and central communication point for the program within the state.
2. Assisting in coordinating training and other support activities for all agencies participating in the program within the state.
3. Coordinating the assignment of instructors in response to requests for service from federal and other sources.

PROCEDURES:

I. GENERAL CONSIDERATIONS

- A. In regards to a DUI investigation, the officer should begin the investigation and administer the Standardized Field Sobriety Test (SFST) battery and preliminary breath test (PBT).
- B. If the results of the SFST and the observed impairment are not consistent with the results of the preliminary breath test and the results of the breath test are below .08 BRAC or any signs of ingestion are visible, the investigating officer should request a DRE.
- C. Once a DRE is notified, the DRE will determine whether to have the arresting officer transport the arrestee to a police station or detention facility for the drug evaluation.
- D. When the DRE begins the 12 step drug evaluation, the arresting officer shall remain with the DRE and arrestee. The arresting officer is ultimately responsible for the arrestee.
- E. When the evaluation is complete, the DRE will notify the arresting officer of their findings and complete their portion of the report. The only exception would be if the evaluation resulted in a "rule-out" or "no drug impairment" determination by the DRE and the arrestee is released or remains in custody on charges other than DUI or any drug-related offense. Regardless, the DRE will complete a report on the evaluation.
- F. The watch supervisor may notify or request a DRE for any other purpose or investigation deemed necessary to establish whether drug influence is present.
- G. If necessary, a DRE may be called to interview and/or conduct an evaluation on a driver involved in any serious injury or fatal traffic collision.

II. TRAINING, CERTIFICATION, & RE-CERTIFICATION

- A. Each candidate DRE must adhere to the requirements established by the IACP and set forth in "The International Standards of the Drug Evaluation and Classification Program." These requirements shall include selection, training and certification.
- B. Each DRE shall maintain the requirements set forth in the International Standards of the Drug Evaluation and Classification Program. These requirements include drug evaluations, education, and presentation of updated documentation.

III. AVAILABILITY, NOTIFICATION & CALL-OUT

- A. DRE-trained officers possess extensive training and knowledge which is an asset to an investigation. Every effort should be used to utilize an on-duty DRE on duty at the time of the incident.
- B. If a DUI suspect shows indicators of impairment which do not match the reading on the PBT and the reading is below .08, a DRE should be consulted.

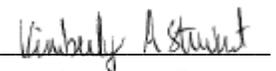
RULES:

NONE

REFERENCES:

City of Missoula Police Department DRE policy

IACP's The International Standards of the Drug Evaluation and Classification Program



Kimberly A. Stewart
Chief of Police