PORTLAND POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE

	Effective Date **04/01/2012**	Number **62A**
Subject **Drug Recognition Experts**		
Review Date		

I. Purpose

Portland Police Officers are trained as Drug Recognition Experts (DRE) in order to enhance the Department's ability to detect and prosecute drivers who operate motor vehicles while under the influence of drugs other than alcohol.

II. Policy

The Portland Police Department will utilize Drug Recognition Experts to facilitate the arrest and prosecution of individuals who operate vehicles while under the influence of drugs other than alcohol.

III. Procedure

A. Arrests

If a member of this Department arrests an individual for operating under the influence, it is preferred that the arrestee be given a breath test using an intoxilyzer, either at the Portland Police Department, in the BAT van, or at the Cumberland County Sheriff's Department.

B. Blood alcohol content (BAC)

If a person arrested submits to a breath alcohol test and the resulting reported BAC is below .08% and is not consistent with the impairment observed, a DRE should be notified. If the individual has refused a breath alcohol test, a DRE should not be called.

C. Notification of DRE

When it is advisable to notify a DRE, an on-duty Portland Police DRE is preferred. If there are no Portland Police DRE's on duty; then, with supervisory approval, an attempt should be made by Emergency Communications to locate an on-duty DRE from another agency. If an on-duty DRE cannot be located, an off-duty Portland Police DRE can be called in if approved by the Shift Commander.

Prior to calling in an off-duty DRE, the Shift Commander should confirm with the arresting officer that:

1. The reported BAC from an intoxilyzer test is below .08% and there is an articulable reason to believe drugs are involved, if there is a refusal; and
2. The impairment observed during the operation, field sobriety testing etc., is inconsistent with the BAC.

D. Manpower

The arresting officer shall stay with the suspect while waiting for the DRE to arrive as well as throughout the course of the drug influence evaluation. **A minimum of two officers shall be present throughout the evaluation.**

E. Safety

The safety of all involved is of primary concern and therefore it is extremely important that any arrest brought into the intoxilyzer room be searched thoroughly for weapons.

F. Assistance to Other Agencies

The Shift Commander can approve the use of a Portland Police DRE to assist other police agencies when a request is received from that agency.

1.   On-duty DRE

   If there is a Portland Police DRE on duty when the request for assistance is received, the shift commander will decide if the request is granted. The shift commander should usually grant these requests, but (in addition to the requirements in paragraph C.1 and C. 2 above) the shift commander shall consider the following when making that decision:
   a.   a DRE evaluation often takes over an hour;
   b.   the number of pending calls for service (CFS) and the anticipated demand for CFS for the next hour or two;
   c.   the current staffing level; and, when appropriate,
   d.   the circumstances and situation faced by the requesting agency (ie: a vehicular manslaughter versus a non-injury OUI stop).

2.   No DRE on duty

   If there is not a Portland Police DRE on duty when a request for DRE assistance is received, the shift commander will decide if the request is granted and an off-duty DRE is called in. The shift commander should usually **NOT** grant these requests, but (in addition to the requirements in paragraph C.1 and C.2 above) the shift commander shall consider the following when making that decision:
   a.   that the cost of the call-in for the DRE evaluation will be incurred by the Portland Police Department;
   b.   if other avenues are available from the requesting department (ie: calling-in one of their off-duty DRE, calling the State Police or other agencies);
   c.   the circumstances and situation faced by the requesting agency (ie: a vehicular manslaughter verses a non-injury OUI stop).