### **Detainee Breath Testing**

#### When to use this procedure

Use this procedure when:

- centre routines require random breath testing of detainees
- a detainee is suspected of consuming alcohol
- a detainee has been directed to undergo a breath test.

Note: Any registered reading above 0.000 will be deemed a positive result

#### Before using this procedure

Is this your first time using this procedure? See and understand:

- Duty of care
- Detainee Leave Procedure
- Detainee Leave Policy

# Start using this procedure Your responsibilities

Find your role. Find what you need to do.

| Role                                      | When required                                    | Responsibilities                   |
|---|--|------------------------------------|
| All Employees                             | Always   | All Employees steps                |
| Assistant Unit Manager / Shift Supervisor | As directed by or in the absence of Unit Manager | Unit Manager steps                 |
| Unit Manager                              | Always   | Unit Manager steps                 |
| Duty Manager                              | Always   | Duty Manager steps                 |
|   | In the absence of Assistant Manager (G)          | Assistant Manager (G) steps        |
| Assistant Manager<br>(Generalist)         | Always   | Assistant Manager (G) steps        |
| Assistant Manager (Client Services)       | Always   | Assistant Manager (CS) steps       |
| Centre Manager                            | Always   | Centre Manager steps               |
| Intelligence Support Officer              | Always   | Intelligence Support Officer steps |

### Procedural steps

| Role          | Responsibilities   |
|---------------|--|
| All Employees | People you need;  • Duty Manager  • Unit Supervisor  • Assistant Manager  • Testing Officer  • Centre Manager  • Secondary Officer |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |
|               |  |

- 7. **Check** the screen for the BAC calculation which is displayed with the measurement (e.g. G/100MI) and retained until the recovering period has ended
- 8. Show detainee the (BAC) reading
- 9. Obtain detainee signature on Breath Test Request

#### If detainee refuses to supply breath test sample:

- Inform detainee that he/she will be deemed to have returned a
  positive result
- 2.
- 3. Follow directions of Assistant Manager (G) / Centre Manager

#### If the detainee returns a positive result

 Inform Duty Manager / Assistant Manager of positive result and follow directions

#### **Duty Manager**

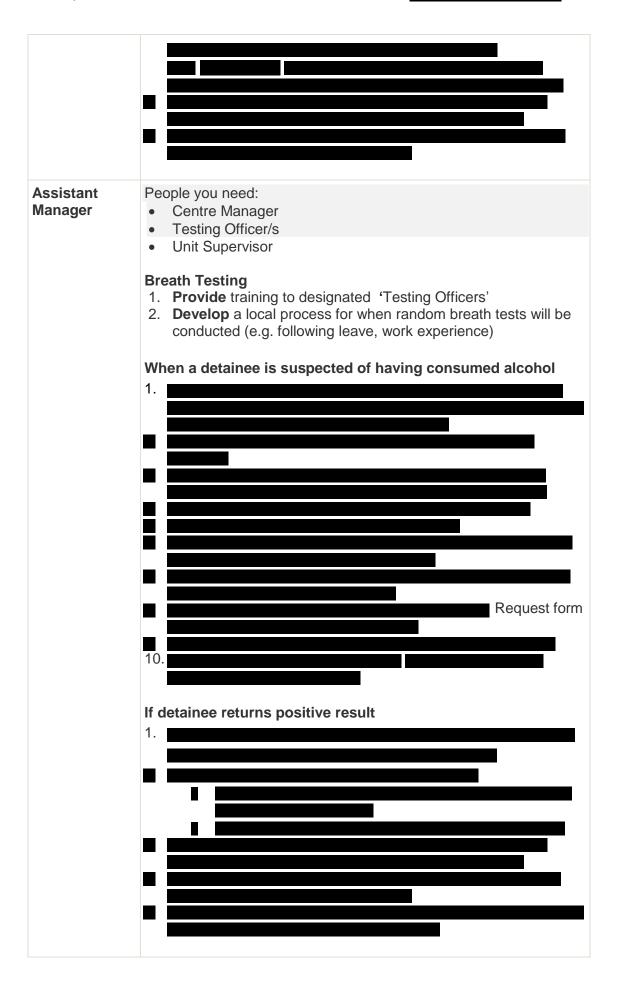
#### People you need:

- Unit Employees
- Assistant Manager
- Centre Manager
- Designated Testing Officer
- Intelligence Support Officer

#### When a detainee is suspected of having consumed alcohol

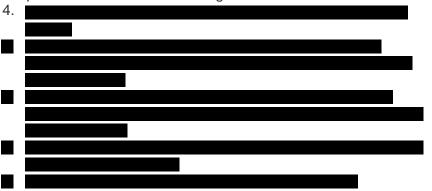
#### Following a positive breath test result

1.



#### If detainee refuses or is unable to supply breath test sample:

- 1. **Interview** the detainee and **determine** if there is a legitimate reason that precludes them from giving the breath test sample, or if the detainee is simply being non-compliant
- 2. **Check** with the JHFMHN nurse if the detainee has stated a medical reason for not supplying a test sample
- 3. **Inform** detainee that he/she will be deemed to have returned a positive result if there is no legitimate reason

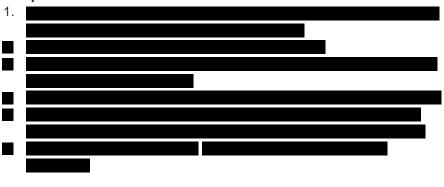


## Assistant Manager (CS)

#### People you need:

- Assistant Manager (G)
- Centre Manager
- Unit Manager

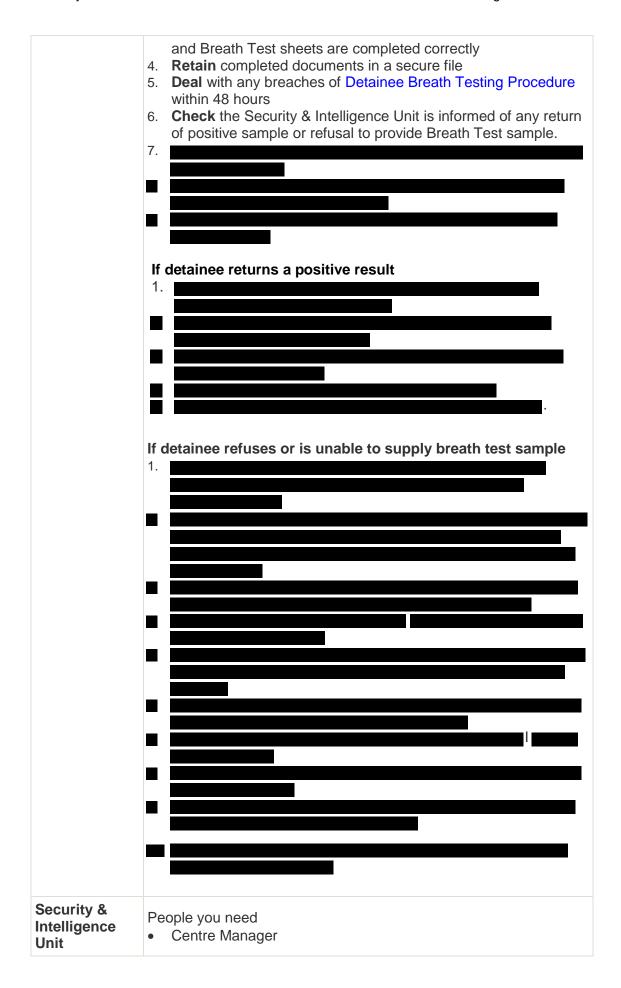
## If detainee returns positive result or refuses to provide a sample



#### Centre Manager

#### People you need:

- Assistant Manager (G)
- Testing Officer
- Unit Manager
- Intelligence Support Officer (S&I)
- Operations Assistant (S&I)
- 1. **Designate** an area for detainee breath testing
- Identify and provide training in breath testing process to Testing Officers
- 3. Check all Breath Testing Requests, Breath Testing Register



Assistant Manager (G)

#### **Breath testing process**

- 1. **Monitor** all reports and data received from Juvenile Justice Centres regarding Breath Testing.
- 2. **Maintain** records and data relating to Breath Testing
- 3. **Place** an alert in CIMS for a period of three (3) months, following a positive result for alcohol, or a refusal to provide a sample,
- 4. **Notify** Centre Manager/s of any issues that arise from Breath Testing of Detainees
- 5. **Notify** Centre Managers at 6 monthly intervals that recalibration of breath testing equipment is required

#### Legislation

Children (Detention) Centres Act 1987: No 57 Current Version for 20 May 2014
The Children (Detention Centres) Regulation 2015: Part 7 - Division 2 - CL67 Breath Testing

#### **Related Policy & Procedures**

- Detainee Leave Procedure
- Detainee Leave Policy
- Risk Assessment Procedure
- Case Management Procedure
- Case Management Policy

#### **Change log**

| Date            | Reason for change                       | Details of change   |
|-----------------|---|---|
| 29 July<br>2011 | Review of legislation                   | Reformatted Form JJ-A046 and Updated Legislation links to Act and Regulations   |
| October<br>2015 | Review of Legislation                   | Amendment to Children Detention Centre Regs 2015- addition of random detainee breath testing  |
| January<br>2016 | Legislation changes regarding suspicion | Procedure updated to inform that detainee Breath Testing can now be conducted randomly without suspicion.  Related forms have been updated to reflect correct position titles and legislation |