

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 15

November 10, 2025

SUBJECT: ADMINISTRATIVE INVESTIGATIONS – REVISED; SCOPE OF THE INVESTIGATION – REVISED; DRUNK ARREST PROCEDURE – RENAMED AND REVISED; BREATH TEST – REVISED; SOBERING CELL – REVISED; CHEMICAL TEST REQUESTED BY OUTSIDE POLICE AGENCY OFFICER – REVISED; 01.28.00 COMPLAINT FORM, FORM 01.28.00 – REVISED, AND, LOS ANGELES POLICE DEPARTMENT, EC/IR OPERATOR CHECKLIST, FORM 05.20.07 – RENAMED AND REVISED

PURPOSE: The purpose of this Order is to revise various Department Manual Sections and the Los Angeles Police Department EC/IR Operator Checklist, Form 05.20.07, with respect to the terminology used for the breath testing device known as the Gas Chromatograph Intoximeter (GCI). The device will now be referred to as an *Electro-Chemical Infra-Red (EC/IR)*.

PROCEDURE:

- I. **ADMINISTRATIVE INVESTIGATIONS – REVISED.** Department Manual Section 3/836.10, *Administrative Investigations*, has been revised. Attached is the manual section with the revisions in italics.
- II. **SCOPE OF THE INVESTIGATION – REVISED.** Department Manual Section 3/837.30, *Scope of the Investigation*, has been revised. Attached is the manual section with the revisions in italics.
- III. **DRUNK ARREST PROCEDURE – RENAMED AND REVISED.** Department Manual Section 4/240.10, *Drunk Arrest Procedure*, has been renamed, *Public Intoxication Arrest*, and revised. Attached is the manual section with the revisions in italics.
- IV. **BREATH TEST – REVISED.** Department Manual Section 4/343.38, *Breath Test*, has been revised. Attached is the manual section with the revisions in italics.
- V. **SOBERING CELL – REVISED.** Department Manual Section 4/654, *Sobering Cell*, has been revised. Attached is the manual section with the revisions in italics.
- VI. **CHEMICAL TEST REQUESTED BY OUTSIDE POLICE AGENCY OFFICER – REVISED.** Department Manual Section 4/830, *Chemical Test*

Requested by Outside Police Agency Officer, has been revised. Attached is the manual section with the revisions in italics.

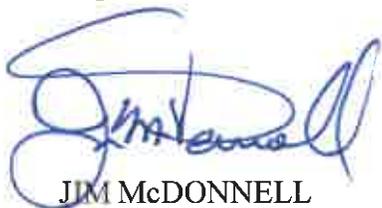
VII. 01.28.00 COMPLAINT FORM, FORM 01.28.00. – REVISED. The *01.28.00 Complaint Form, 01.28.00*, has been revised. Attached is the form with the revisions in italics.

VIII. LOS ANGELES POLICE DEPARTMENT, EC/IR OPERATOR CHECKLIST, FORM 05.20.07 – RENAMED AND REVISED. The Los Angeles Police Department, EC/IR Operator Checklist, Form 05.20.07, has been renamed, Los Angeles Police Department, Electro-Chemical Infra-Red (EC/IR) Operator Checklist, and revised. Attached is the form with the revisions in italics.

FORM AVAILIBILITY: The revised Form 05.20.07, is attached for immediate use and duplication. Additionally, the form is available on the Department's Local Area Network (LAN) in E-Forms. All other versions of this form are now obsolete and shall be disposed of in the Area/divisional recycling bin.

AMENDMENT: This Order amends Sections 3/836.10, 3/837.30, 4/240.10, 4/343.38, 4/654, and 4/830, of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



JIM McDONNELL
Chief of Police

Attachments

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME III

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836.10 ADMINISTRATIVE INVESTIGATIONS. *The results of a chemical test, obtained for an administrative investigation, can be used against an officer in criminal proceedings by order of the court (Department Manual Section 4/836.05). The results of the criminal investigation test, if any, shall be used as the test required for the administrative investigation.*

Note: When the *Electro-Chemical Infra-Red (EC/IR) instrument* is used, a test shall consist of at least two breath samples (*Department Manual Section 4/343.38*).

If an employee refuses to submit to a chemical test, an order to submit ***for purposes of the administrative investigation only*** shall be given (*per Article 3.5 of MOU 24*) by the first available officer of appropriate rank in the following sequence:

- Officer in charge or watch commander;
- The concerned employee's commanding officer;
- The concerned Internal Affairs Division investigating officer, regardless of rank; *or*,
- Another officer of appropriate rank.

Note: The officer giving the order for the chemical test shall complete an Administrative Chemical Test Administrative Advisement, Form 01.28.08, and have the employee sign the form prior to administering the test.

----- THE REMAINDER OF THIS SECTION IS UNCHANGED -----

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837.30 SCOPE OF THE INVESTIGATION. The scope of the investigation involving a criminal allegation against a Department employee shall be the same as that of a private person detained or charged under similar circumstances.

The following procedures shall also apply to the investigation of a Department employee:

- The investigating officer shall determine when *an* employee should be advised of their Miranda rights and shall have the responsibility of either giving the Miranda Admonition or ensuring that it is given;
- When chemical testing of sobriety is necessary, one test shall be administered. If the test is an *Electro-Chemical Infra-Red (EC/IR)*, one test shall consist of at least two samples (*Department Manual Section 4/343.38*); and,
- The investigation shall be reported to the employee's commanding officer *via* a Complaint Form, Form 01.28.00, *available within the Complaint Management System (CMS) of the Training Evaluation and Management System (TEAMS) II on the Local Area Network (LAN)*.

Note: When a Preventable Traffic Crash is involved and no other allegations of misconduct are contained therein, refer to Department Manual Section 3/207, Employee-Involved Traffic Crashes – Administrative Review Process.

Department entities completing complaint investigations, which establish prima facie evidence of the commission of a criminal offense within the City by a Department employee, shall submit the completed investigation to Internal Affairs Division for presentation to a prosecuting agency.

----- **THE REMAINDER OF THIS SECTION IS UNCHANGED** -----

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240. PUBLIC INTOXICATION ARRESTS.

240.10 PUBLIC INTOXICATION ARREST PROCEDURE.

Pre-Booking. Officers who arrest an individual for 647(f) P.C. (*Public Intoxication*) shall:

- Ensure the arrestee receives a screening by medically trained personnel to determine whether the arrestee should be booked or hospitalized;

Note: If the arrestee is to be released to an evaluation and treatment facility (detoxification center), medical treatment shall be obtained if the arrestee *has* displayed symptoms of unconsciousness, as described in *Department Manual* Section 4/210.23.

- An arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment shall be evaluated at a Department jail dispensary by medical staff.

Note: An arrestee with a *Electro-Chemical Infra-Red (EC/IR)* breath test result of .30 or higher shall be examined at a Custody Services Division dispensary or contract hospital, as delineated in *Department Manual* Sections 4/343.25 and 4/648.17.

- Secure a copy of the Medical Treatment (MT) *record* (~~M.T.~~) for submission with the Arrest Report at the time the arrestee is booked; and,
- Present the arrestee to the Area watch commander, *Division of arrest*. The *Area/Division watch commander* shall determine whether the arrestee should be prosecuted or released under 849(b)(2) P.C.

----- **THE REMAINDER OF THIS SECTION IS UNCHANGED** -----

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343.38 BREATH TEST.

Use of Equipment. Operation of the breath-testing equipment shall be restricted to personnel who have been trained in its use. When the arresting officer has not been trained in the use of the breath-testing equipment, the test shall be administered by an officer qualified to do so.

The Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist*, Form 05.20.07, shall be completed by the qualified officer each time the EC/IR is set up for a test.

Note: Breath-testing equipment may be used as an investigative aid in DUI arrests involving alcohol, drugs, or for other purposes at the discretion of the concerned watch commander.

Forensic Science Division shall ensure that EC/IR breath-testing equipment receives timely calibration by qualified personnel.

Administering Test. Prior to administering the breath test, the testing officer shall observe the arrestee for a 15-minute period. During this period, the arrestee shall not eat, drink, *chew gum/candy*, smoke, *vape*, regurgitate, or vomit.

Note: If the arrestee regurgitates, vomits, eats, drinks, *chews gum/candy*, smokes, or *vapes* during that time period or between samplings, the pre-testing observation shall be repeated. If “Mouth Alcohol” is indicated by the instrument during the breath test, a new 15-minute observation period **shall** be conducted prior to retesting the subject.

At least two breath samples shall be collected. No waiting period is required between samples). If the readings of the two samples vary by more than .02 percent, a third sample is required. If five samples have been collected and the test is not completed (*i.e.*, no two samples, within .02 percent), the officer shall direct the arrestee to submit to a blood test. Failure to successfully complete one of the available tests shall be deemed a refusal.

Note: Arrestees who obtain an EC/IR reading of .30 percent or higher **shall** be examined by medical personnel pursuant to Department Manual Section 4/648.17.

Recording Results. The EC/IR test tape shall be separated from the machine only when:

- The test is completed (two samples, within .02 percent); or,
- Five samples have been collected and the test is not completed.

If the breath test ends without obtaining two successful breath test results on the same breath test printout, and a second or third breath test is required, tape each additional breath test printout(s) to a separate Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist*.

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The EC/IR test printout shall be taped to the Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist* on the space provided. The tape shall be positioned in a manner that will not interfere with reading the test results. When the test printout is longer than the Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist*, the printout shall be folded in a manner that will not interfere with reading the test results.

The Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist* shall be completed by the administering officer and:

- Attached to the Arrest Report or Complaint Application, Form 05.15.00; or,
- Submitted with the officer's Daily Field Activities Report (DFAR), Form 15.52.00, and a Driving Under the Influence Arrest Report Supplemental, Form 05.02.05, when no Arrest Report is completed; or,

Note: When no DFAR *is in use* (e.g., CAD summary or Premier One), the Driving Under the Influence Arrest Report Supplemental *shall* be submitted to the officer's supervisor and attached to the Sergeant's Daily Report, Form 15.48.00. Attach the Los Angeles Police Department *Electro-Chemical Infra-Red (EC/IR) Operator Checklist*, when applicable.

- Attached to a Traffic Crash Report, CHP 555, when completed as a result of a traffic crash investigation.

~~**Note:** When no such DFAR available (i.e., CAD summary), the Driving Under the Influence Arrest Report Supplemental shall be submitted to the officer's supervisor and attached to the Sergeant's Daily Report, Form 15.48.00. Attach the Los Angeles Police Department EC/IR Operator Checklist, when applicable.~~

----- **THE REMAINDER OF THIS SECTION IS UNCHANGED** -----

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654. SOBERING CELL. ~~The sobering cell is used to temporarily confine any arrestee whose safety is at risk or who may be a threat to others, because of their state of intoxication or substance impairment.~~ To determine whether the arrestee should be booked or transported to a contract hospital, arresting officers shall ensure the arrestee is evaluated by jail dispensary medical staff prior to booking. If it is established by the jail dispensary that the arrestee's health is not at risk due to injuries or other medical conditions, dispensary personnel may approve the arrestee for booking with a handling requirement of temporary housing in a sobering cell. The sobering cell is used to temporarily confine any arrestee whose safety is at risk or who may be a threat to others, because of their state of intoxication or substance impairment.

OFFICER'S RESPONSIBILITIES. An officer booking an ~~647(f)PC~~ arrestee for *California Penal Code Section 647(f)*, or any arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment, shall:

- Have the arrestee evaluated at a Department jail dispensary by medical staff; and,

Note: Those arrestees with a *Electro-Chemical Infra-Red (EC/IR)* breath test results of .30 or higher shall be examined at a Custody Services Division dispensary or contract hospital, as delineated in Department Manual Sections 4/343.25 and 4/648.17.

- Present the arrestee to Custody Services Division staff along with the Sobering Cell Inmate Welfare Form, *Form 06.52.00*, and the Inmate Classification Questionnaire and Record of Medical Screening, *Form 05.36.00*.

Note: The availability of a sobering cell does not change the arresting officer's responsibility to ensure that the arrestee receives proper medical treatment as delineated in Department Manual Sections 4/210.23 and 4/648 (e.g., arrestees who have apparent injuries, arrestees who are unconscious, arrestees who have ingested narcotics or arrestees under the influence of phencyclidine, also known as PCP).

----- **THE REMAINDER OF THIS SECTION IS UNCHANGED** -----

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830. CHEMICAL TEST REQUESTED BY OUTSIDE POLICE AGENCY OFFICER.

~~Tests.~~ **Electro-Chemical Infra-Red Tests.** *Electro-Chemical Infra-Red (EC/IR)* tests required for an officer of an outside police agency investigation shall be provided by a qualified officer of the outside agency or an officer of this Department. When an outside agency officer is not qualified to administer the *EC/IR breath test*, and the test is administered by a Department employee, the test shall be witnessed by the concerned agency officer. Expert testimony in court relative to the *EC/IR instrument* shall be provided by this Department.

Blood and Urine Samples. Blood and urine samples will be booked at the same location as the arrestee or at Evidence and Property Management Division. Only Los Angeles Police Department blood and urine containers shall be accepted.

Note: A CHP officer desiring to administer a chemical test to an arrestee in their custody shall be accommodated in the same manner as an officer of this Department.

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FORM USE
Revised by Administrative Order No. , 2025

01.28.00 COMPLAINT FORM, FORM 01.28.00.

01.28.00-01 **Use of Form.** This form shall:

- Be used to document all complaints;
- Have a Complaint Form (CF) number issued for each form;
- Record all pertinent information available at the initiation of a complaint, including a summary of the complaint and the listing of witnesses and evidence; and,
- Record the details of a complaint against an employee or Police Reserve Corps member.

01.28.00-10 **Completion.** The form shall be completed by a Department supervisor and approved by a commanding officer or chief investigator before the issuance of a CF number by Internal Affairs Division (IAD).

01.28.00-80 Distribution.

The Complaint Form, Form 01.28.00, is only available as a digital form within the Complaint Management System (CMS) of TEAMS II on the Local Area Network (LAN).

Note: When a Preventable Traffic *Crash* is involved and no other allegations of misconduct are contained therein, *refer to Department Manual Section 3/207, Employee-Involved Traffic Crashes – Administrative Review Process.*

LOS ANGELES POLICE DEPARTMENT
ELECTRO-CHEMICAL INFRA-RED (EC/IR)
OPERATOR CHECKLIST

Case No #:

Page # /

Booking #:

Subject's Name (Last, First, Middle Initial):

Violation or Reason for Test

23152 V.C. or

Follow these directions in the order given:

PREPARING FOR THE TEST

1. ~~Continuously observe the subject for at least 15 minutes before administering the test. The subject must not ingest alcoholic beverages or other fluids, regurgitate, vomit, eat or smoke. If the subject vomits or regurgitates, the test must be discontinued, and the observation period restarted, or the subject must choose another chemical test. More than one individual may take part in the observation period, as long as the 15-minute period is uninterrupted.~~

Prior to administering the breath test, the testing officer shall observe the arrestee for a 15-minute period. During this period, the arrestee shall not eat, drink, chew gum/candy, smoke, vape, or regurgitate, or vomit.

Note: *If the arrestee regurgitates, vomits, eat, drinks, chews gum/candy, smokes, or vapes during that time period or between samplings, the pre-testing observation shall be repeated. If "Mouth Alcohol" is indicated by the instrument during the breath test, a new 15-minute observation period shall be conducted prior to retesting the subject.*

2. Record your date and time: Date _____ Time _____
(not from display)

3. Press the [Enter] key.

4. Use the keyboard to enter the information requested by the display. Press [Enter] key after each entry.

- SUBJECT'S NAME: (Last, First, MI)
- OPERATOR SERIAL OR ID #: (e.g., 12345)
- OPERATOR ASSIGNMENT: (e.g., VTD, CHP, DUI, WATCH)
- 15 MIN OBSERVED BY: (Serial/ID #)
- VERIFY DATA (Y/N)?

OBTAINING SAMPLES

5. *When the display shows PLEASE BLOW, affix a new mouthpiece to the breath tube.*

6. *Instruct the subject to take a deep breath and then blow into the instrument in one continuous exhale until the instrument records a sample. REMOVE MOUTHPIECE FROM BREATH TUBE.*

7. *Obtain a second breath sample by repeating steps 5 and 6.*

8. *If the above two results differ by more than 0.02% BrAC, the instrument will request a third sample (repeat steps 5 and 6).*

COMPLETING THE TEST

AFFIX

RECORD

9. Carefully remove the printout from the instrument by tearing it against the serrated edge of the printer.

10. Affix *the* printout to this checklist.

11. Remove and discard the mouthpiece.

* *If Display Screen shows "MOUTH ALCOHOL" restart test from step 1.*

Operator's Name & Serial/ID Number:

Division & Assignment: