

SUBJECT: Alcotest 7110 Use During COVID-19 Pandemic

In response to questions regarding use of the Alcotest 7110 during the COVID-19 outbreak, these are some current recommendations.

- Operators should continue to conduct breath tests according to their training.
 - Operators MUST maintain control of the breath hose at all times. Do not allow a subject to touch the breath hose or any other part of the instrument other than the mouthpiece while providing a breath sample.
 - Each subject uses a new disposable mouthpiece for each breath sample. Be sure to handle the mouthpiece utilizing the sealed bag and not touching it directly with your hands.
 - When administering a breath test, operators should follow the law enforcement guidance for wearing Personal Protective Equipment (PPE) issued by the Centers for Disease Control and Prevention (CDC). This information can be found on the CDC's website, under "Information for Law Enforcement Personnel" (see <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-law-enforcement.html>).
- Alcotest Procedures for COVID-19 positive subjects
 - If a subject is COVID-19 positive or is currently showing COVID-19 symptoms, no breath test should be administered. The agency should either charge the subject with DWI on observation alone, or may obtain a warrant and/or consent to obtain a blood test to also obtain the subject's blood alcohol content ("BAC"). If the subject is charged with DWI based on observations only and no BAC is obtained, be sure to complete a thorough and detailed report as this will be the evidence used in your case.
 - If a subject is COVID-19 positive or is currently showing COVID-19 symptoms, and is involved in a motor vehicle crash involving death or serious bodily injury and in which there is probable cause to believe the subject is impaired by alcohol and/or drugs, the agency should obtain a warrant or consent from the subject to obtain a blood sample, as per Attorney General Law Enforcement Directive No. 2004-2.
 - Information regarding a blood sample collected from a COVID-19 positive subject must be clearly delineated on the evidential blood tubes and on the case history of the Evidence Receipt before it can be submitted to the NJSP Office of Forensic Sciences laboratory system.
 - If a COVID-19 positive subject, or a subject currently showing COVID-19 symptoms, delivers breath samples into the Alcotest, the manufacturer recommends the Alcotest be quarantined and not used for **28 days**. This will allow any live virus to die before the Alcotest is used again.
 - Notification must be made to the Alcohol/Drug Test Unit of the New Jersey State Police and to the Prosecutors Supervision & Training Bureau of the Division of Criminal Justice if a COVID-19 subject provides breath samples on the Alcotest. Specifically, notification via email must be given to **Sergeant. Kevin Alcott of the ADTU** (Kevin.Alcott@njsp.org) and to **Deputy Attorney General Robyn Mitchell** (mitchellr@njdcj.org) of the Division of Criminal Justice.
- Alcotest Processing Room Cleaning
 - Avoid wiping or cleaning any portion of the Alcotest that is contrary to the guidance in the Alcotest Operator's Manual, as this can result in damage to the instrument.
 - If an agency should want to clean and/or disinfect their Alcotest, any cleaning and/or disinfecting of the Alcotest must strictly follow the manufacturer's instructions found at https://www.draeger.com/en_corp/Corporate/Coronavirus-COVID-19#alcohol-drug-testing. ***Failure to strictly follow the manufacturer's instructions could irreparably damage the instrument.***
 - Only a Certified Operator should perform any cleaning and/or disinfecting of the Alcotest.
 - Common disinfectant fumes increase the likelihood of an ambient air fail or interferent detected.
 - Permit all cleansers used in the room to dry thoroughly and all fumes to dissipate before utilizing the Alcotest.
 - Refrain from using hand sanitizer at least 20 minutes prior to operating the instrument.