



**STATE OF ALASKA  
DEPARTMENT OF CORRECTIONS  
INTERIM POLICY AND PROCEDURES MEMORANDUM**

APPROVED BY:

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DATE:

12/29/17

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Page 1 of 2

MEMO TYPE:

Public

MEMO TITLE:

**Discharge Breath Reaction Alcohol Content (BRAC) Testing And Recording**

MEMO ATTACHMENTS / FORMS:

(None.)

AUTHORITY / REFERENCES:

**22 AAC 05.155                      AS 33.30.021**  
**AS 33.05.010                      AS 44.28.030**  
**AS 33.16.180                      DOC P&P 818.06**  
**AS 33.30.011**  
**DOC Training Bulletin PT2017-01**  
**AK Statewide Bail Schedule, Eff. 12/08/17**

### **EFFECTIVE DATE:**

This IPPM will have a future effective date of 01/01/2018.

### **PURPOSE:**

The purpose of this Interim Policy And Procedures Memorandum (IPPM) is to clarify that a breath reaction alcohol content (BRAC) test must be conducted at the time of release for any intoxicated offender who is released pursuant to the AK Statewide Bail Schedule. Offenders may not be released until their BRAC results are below 0.08, or until 24 hours has passed since the time of arrest. Alternatively, the offender may consent to be released to a willing person who is 18 years of age or older, and possess a valid State photo ID.

### **APPLICATION:**

This IPPM applies to all Division of Institutions employees and offenders being released from DOC custody pursuant to the AK Statewide Bail Schedule, effective 12/08/17, including those being released to Own Recognizance, or without a monetary bail requirement. It **does not** apply to non-criminal holds, or offenders whose charges were dismissed.

### **EXISTING DOC POLICY & PROCEDURES MODIFIED:**

This IPPM modifies language found in DOC P&P 818.06, Release Procedures. Specifically language found in Procedures section VI, C.

### **NEW PROCEDURES:**

Procedures section VI, C., shall have a new paragraph added under 1., as follows:

1. Discharge BRAC:
  - a. After posting bail, Security staff shall administer a discharge BRAC test to any offender who is intoxicated at the time of release. If the result of the BRAC test is 0.08 or higher, or the offender

- refuses to submit to the test, they will be offered additional opportunities to re-test when reasonable until:
- i. They test below 0.08;
  - ii. 24 hours has elapsed since their arrest; or
  - iii. They are released to a responsible adult, 18 years of age or older, with a valid State photo ID.
- b. The Releasing Officer must record the discharge BRAC results and related information in the DOC offender management system. In addition:
- i. If the offender is being released under i. or ii. above, the Releasing Officer must inform the offender of the results and obtain their acknowledgement before getting a discharge signature on the booking sheet.
  - ii. If the offender is being released under iii. above, the Releasing Officer must obtain the offender's consent to be released to the responsible party and must verify and record the responsible party's details on the booking sheet and in the DOC offender management system per established procedures.