From: James Daniels <JDaniels@cityofpensacola.com>

Sent: Wednesday, August 14, 2019 11:44 PM

To: Roxanne Hilton - State Attorney's Office (rhilton@osa1.org); DL Hearing Office (Primary

Email)

Cc: James Daniels; Joshua Hudson; Murphy, Patrick

Subject: Agency Intoxilyzer Inspection Reports (August 2019) | Pensacola Police Dept.

Attachments: Inspection 08-14-2019 (80-007159)_Failed.pdf; Inspection 08-14-2019 (80-007159).pdf

Please see the attached Agency Intoxilyzer Inspection Reports for August 2019. The first inspection failed. The second inspection passed with ease. We suspect the room was too cold which was preventing the simulators from staying consistently warm. Before the second inspection, we warmed up the room (it was at 64 degrees) to see if it would help. Currently, the A/C in our building is working too well. As rare it that is during the summertime, it is too cold throughout the entire building.

If you have any questions, please let us know. Thank you.

James A. Daniels #A788/142

D.U.I. Officer & Traffic Homicide Investigator Traffic Section, D.U.I. Unit

Visit us at https://www.pensacolapolice.com

Office: 850.435.1905 Cell: 850.454.6018

idaniels@cityofpensacola.com



From: Murphy, Patrick

Sent: Thursday, July 11, 2019 5:39 AM

To: Joshua Hudson

Subject: Re: Instrument 80-007159

Sounds good. See you then.

Pat

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Joshua Hudson < JHudson@cityofpensacola.com>

Date: 7/11/19 5:37 AM (GMT-05:00)

To: "Murphy, Patrick" < PatrickMurphy@fdle.state.fl.us>

Subject: Re: Instrument 80-007159

Ok, James and I will be bring the instrument over on 7/18/19. We plan to be at FDLE by 0730 hours. We figured it would be a all day event and we made plans to stick around.

Joshua K. Hudson #A862/141

Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.com/https://www.pensacolapolice.com/>

Office: 850.435.1946

Cell: 850.221.8050

jhudson@cityofpensacola.com

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From: Murphy, Patrick < <u>PatrickMurphy@fdle.state.fl.us</u>>

Sent: Wednesday, July 10, 2019 6:19 AM

To: Joshua Hudson

Subject: RE: Instrument 80-007159

This will be fine. Adjusting an instrument isn't, however, twiddling a few knobs and handing it back. It's pretty much an all-day thing. If you get here early and nothing goes wrong, you should be able to get it back around 3:00 or so. Or you could ship it to us and we could ship it back. Your choice.

Patrick Murphy, Ph.D.

Department Inspector, Alcohol Testing Program Florida Department of Law Enforcement 2331 Phillips Rd. Tallahassee, FL 32308 (850) 617-1280 (work) (850) 274-1338 (cell) (850) 921-3787 (fax)

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From: Joshua Hudson [mailto:JHudson@cityofpensacola.com]

Sent: Wednesday, July 10, 2019 12:47 AM

To: Murphy, Patrick Cc: James Daniels

Subject: Instrument 80-007159

Pat,

The second inspection test worked out. However, the .050 solution was still very low. We would like to come over on 7/18/19 to have FDLE look at the instrument. We would drive over there and could be there bright and early. Let me know if this works for you.

Joshua K. Hudson #A862/141 Traffic / DUI Officer, Traffic Section

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Office: 850.435.1946 Cell: 850.221.8050

jhudson@cityofpensacola.com<mailto:jhudson@cityofpensacola.com>

[cid:image002.png@01D4EBAA.CADDD3D0]

From: Joshua Hudson < JHudson@cityofpensacola.com>

Sent: Thursday, July 11, 2019 5:38 AM

To: Murphy, Patrick

Subject: Re: Instrument 80-007159

Attachments: image001.png

Ok, James and I will be bring the instrument over on 7/18/19. We plan to be at FDLE by 0730 hours. We figured it would be a all day event and we made plans to stick around.

Joshua K. Hudson #A862/141

Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.comhttps://www.pensacolapolice.com

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Cell: 850.221.8050

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Subject: Instrument 80-007159

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Joshua K. Hudson #A862/141 Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.com/>

Office: 850.435.1946 Cell: 850.221.8050

jhudson@cityofpensacola.com<mailto:jhudson@cityofpensacola.com>

[cid:image002.png@01D4EBAA.CADDD3D0]

From: James Daniels <JDaniels@cityofpensacola.com>

Sent: Wednesday, July 10, 2019 4:20 PM

To: Powell, Susan

Cc: Raughton, Gregg; Joshua Hudson; Murphy, Patrick

Subject: Re: Intoxilyzer Inspection Reports | June & July 2019 | Pensacola Police Dept.

Attachments: image004.png; image001.jpg

Yes, there are at least two monthly inspections which were done just before midnight. Unfortunately, the instrument will register the date the inspection was started, but will print the date the inspection was completed on the Intoxilyzer Inspection Report. Likewise, the inspection start date is what will log internally into the instrument. So when doing a Breath Test the instrument will auto populate the date the inspection was started. The inspection start date cannot be changed or manipulated by any Agency Inspector and/or any Breath Test Operator.

Thus, this is the reason you'll see two monthly inspection report dates being one day after the instrument inspection date.

There is nothing wrong with the inspections, but to prevent the confusion we will have began doing the inspections well before midnight.

James A. Daniels
Traffic / DUI Officer, Traffic Section
Pensacola Police Department
Visit us at https://www.pensacolapolice.com

Office: 850.435.1905 Cell: 850.454.6018

jdaniels@cityofpensacola.com

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On Wed, Jul 10, 2019 at 2:52 PM -0500, "Powell, Susan" <SusanPowell@flhsmv.gov<mailto:SusanPowell@flhsmv.gov>> wrote:

Officer Daniels:

Please see attached concerning Intox 7159. We have a DUI case from 7-03-19, on which the breath test affidavits show the last inspection was done on 6-25-19. However, the June inspection we have was dated 6-26-19. Obviously, nothing can be done to change the information on the printed affidavits.

We just want you to be aware of it. Not sure how many other cases might show the same information. I believe the inspection began prior to midnight on the evening of 6-25-19 and finished at 12:17 a.m. on 6-26-19.

Thank you,

[Image result for Happy Emoticon]

Susan E. Powell, HSMV Field Hearing Officer Bureau of Administrative Reviews

100 Stumpfield Road

Pensacola, FL 32503-7450

Phone: (850) 494-5728; Fax: (850) 494-5837 SusanPowell@flhsmv.gov<mailto:SusanPowell@flhsmv.gov> or

PensacolaBAR@flhsmv.gov<mailto:PensacolaBAR@flhsmv.gov>

Our Mission: Providing Highway Safety and Security through Excellence in Service, Education, and Enforcement.

From: James Daniels [mailto:JDaniels@cityofpensacola.com]

Sent: Tuesday, July 09, 2019 11:52 PM

To: Roxanne Hilton - State Attorney's Office (rhilton@osa1.org) < rhilton@osa1.org>; PensacolaBAR

<PensacolaBAR@flhsmv.gov>

Cc: Joshua Hudson < JHudson@cityofpensacola.com >; James Daniels < JDaniels@cityofpensacola.com >

Subject: [EXT] Intoxilyzer Inspection Reports | June & July 2019 | Pensacola Police Dept.

Importance: High

Attached are the Intoxilyzer Inspection Reports for the month of June and July 2019. The instrument, which is brand new, has been running lower on tolerance. Thus, the inspection had to be re-tried for July 2019. We are speaking with F.D.L.E. and plan on having the instrument looked at again. The instrument is in compliance, but we want to make sure all continues to go smooth in the upcoming months.

Please let us know if you have any questions. Thank you.

James A. Daniels #A788/142

Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.com

Office: 850.435.1905 Cell: 850.454.6018

jdaniels@cityofpensacola.com<mailto:youremail@cityofpensacola.com>

[cid:image002.png@01D4EBAA.CADDD3D0]

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Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email has been scanned by the Symantec Email Security.cloud service.

This email originated from a Florida Department of Highway Safety and Motor Vehicles email address.

Always use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

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This email has been scanned by the Symantec Email Security.cloud service.

From: Murphy, Patrick

Sent: Wednesday, July 10, 2019 7:20 AM

To: Joshua Hudson

Subject: RE: Instrument 80-007159

This will be fine. Adjusting an instrument isn't, however, twiddling a few knobs and handing it back. It's pretty much an all-day thing. If you get here early and nothing goes wrong, you should be able to get it back around 3:00 or so. Or you could ship it to us and we could ship it back. Your choice.

Patrick Murphy, Ph.D.

Department Inspector, Alcohol Testing Program Florida Department of Law Enforcement 2331 Phillips Rd.
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Sent: Wednesday, July 10, 2019 12:47 AM

To: Murphy, Patrick **Cc:** James Daniels

Subject: Instrument 80-007159

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Joshua K. Hudson #A862/141

Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.com

Office: 850.435.1946 Cell: 850.221.8050

jhudson@cityofpensacola.com



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Sent: Wednesday, July 10, 2019 12:47 AM

To: Murphy, Patrick
Cc: James Daniels

Subject: Instrument 80-007159

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Traffic / DUI Officer, Traffic Section

Visit us at https://www.pensacolapolice.com

Office: 850.435.1946 Cell: 850.221.8050

jhudson@cityofpensacola.com



From: Joshua Hudson < JHudson@cityofpensacola.com>

Sent: Tuesday, July 9, 2019 11:23 PM

To: Murphy, Patrick James Daniels Cc:

Subject: Inspection 80-07159

Pat,

Our instrument is testing very low every month. It just failed the monthly inspection at .044. Back to back. Since we purchased the instrument, it's tested low every month. We have tried warming the water longer, changed solutions, and had the simulators evaluated. Everything seems fine but the instrument is testing low on .05, .08 and .20. We are going to test again but if it fails, we want to drive it over to see if it can be adjusted.

Sent from my iPhone

From: Murphy, Patrick

Sent: Monday, May 6, 2019 12:22 PM

To: Kirkland, Brett

Subject: FW: Intoxilyzer Inspection Reports | May 2019 | Pensacola PD

Attachments: FDLE Yearly Inspection 04-02-2019 (80-007159).pdf; Inspection 04-30-2019

(80-007159)_Failed.pdf; Inspection 05-01-2019 (80-007159).pdf

Importance: High

Don't know if it's the same 0.05 lot, but I thought you should know.

Patrick Murphy, Ph.D.

Department Inspector, Alcohol Testing Program Florida Department of Law Enforcement

2331 Phillips Rd.

Tallahassee, FL 32308

(850) 617-1280 (work)

(850) 274-1338 (cell)

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----Original Message----

From: James Daniels [mailto:JDaniels@cityofpensacola.com]

Sent: Friday, May 03, 2019 9:02 PM

To: Roxanne Hilton - State Attorney's Office (rhilton@osa1.org); DL Hearing Office (rhilton@osa1.org); DL Hearing Office (rhilton@osa1.org); DL Hearing Office (rhilton@osa1.org); DL Hearing Office (rhilton); DL Hearing Office (<a href="mailt

Cc: Joshua Hudson; James Daniels; Murphy, Patrick

Subject: Intoxilyzer Inspection Reports | May 2019 | Pensacola PD

Importance: High

We finally have our brand new Intoxilyzer 8000 instrument and breath testing room operational at Pensacola Police Department. The new instrument, serial # 80-007159, was inspected and approved by FDLE on 04/02/2019 and shipped to us in mid-April.

I conducted the Agency Inspection on the new instrument on 04/30/2019 at approximately 2305 hours. The first inspection did not passed due to the .05 solution being too low. I was utilizing .05 Alcohol Solution, Lot # 201802B, for the first inspection. We have had similar issues with this specific lot number being too low on other instruments. Thus, before starting a second inspection, I utilized a brand new lot of .05 Alcohol Solution, Lot # 201811C, that we just purchased with the new instrument. This lot passed with no problems and quickly rose to the appropriate levels during the inspection.

We have notified FDLE regarding the failed lot number and expressed the concerns about it. We no longer have that lot number (it was some ECSO purchased) and will not be using it again.

I wanted to explain all of that so you are aware of the reasoning for two inspection reports. The yearly Department Inspection Report and the monthly Agency Inspection Reports are attached to this email. Please let me know if you have any questions. Thank you.

James A. Daniels #A788 / 142
Field Training Officer &
Agency Intoxilyzer Inspector
Uniform Patrol Division - "D" Shift
Pensacola Police Department
(850) 435-1845 | Dispatch
(850) 435-1900 | Office
(850) 454-6018 | Cell

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For Non-Emergency Citizen Requests, Dial 311<<u>tel:311</u>> or visit http://www.Pensacola311.com

From: James Daniels < JDaniels@cityofpensacola.com>

Sent: Friday, May 3, 2019 9:02 PM

To: Roxanne Hilton - State Attorney's Office (rhilton@osa1.org); DL Hearing Office (Primary

Email)

Cc: Joshua Hudson; James Daniels; Murphy, Patrick

Subject: Intoxilyzer Inspection Reports | May 2019 | Pensacola PD

Attachments: FDLE Yearly Inspection 04-02-2019 (80-007159).pdf; Inspection 04-30-2019

(80-007159)_Failed.pdf; Inspection 05-01-2019 (80-007159).pdf

Importance: High

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From: Murphy, Patrick

Sent: Saturday, May 4, 2019 5:41 AM

To: James Daniels

Subject: Re: Intoxilyzer Inspection Reports | May 2019 | Pensacola PD

Got it, thanks. Pat Murphy FDLE ATP

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: James Daniels < JDaniels@cityofpensacola.com>

Date: 5/3/19 9:02 PM (GMT-05:00)

To: "Roxanne Hilton - State Attorney's Office (rhilton@osa1.org, "DL Hearing Office

(Primary Email)" <pensacolabar@flhsmv.gov>

Cc: Joshua Hudson James Daniels JDaniels@cityofpensacola.com,

"Murphy, Patrick" < PatrickMurphy@fdle.state.fl.us>

Subject: Intoxilyzer Inspection Reports | May 2019 | Pensacola PD

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James A. Daniels #A788 / 142 Field Training Officer & Agency Intoxilyzer Inspector Uniform Patrol Division - "D" Shift Pensacola Police Department (850) 435-1845 | Dispatch (850) 435-1900 | Office (850) 454-6018 | Cell

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From: Murphy, Patrick

Sent: Monday, April 1, 2019 2:14 PM

To: James Daniels

Subject: Re: Pensacola PD (FL)

It's 80-007159. I'll set it up with the 9.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: James Daniels < JDaniels@cityofpensacola.com>

Date: 4/1/19 2:06 PM (GMT-05:00)

To: "Murphy, Patrick" <PatrickMurphy@fdle.state.fl.us>

Subject: Re: Pensacola PD (FL)

Great news.

You have to dial 9, then the number to call out on our phone lines or fax lines.

Can you let me know what the Serial Number is to our instrument? I'm going to go ahead and get our property tag, etc. printed for it.

James A. Daniels #A788 / 142 Field Training Officer & Agency Intoxilyzer Inspector Uniform Patrol Division - "D" Shift Pensacola Police Department (850) 435-1845 | Dispatch (850) 435-1900 | Office (850) 454-6018 | Cell

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From: Murphy, Patrick <PatrickMurphy@fdle.state.fl.us>

Sent: Monday, April 1, 2019 1:03 PM

To: James Daniels

Subject: RE: Pensacola PD (FL)

Hi,

Your new instrument is in the lab. In order to complete the setup, I need to get the number you would call to upload the data. The

basic number I know. It's the prefixes I need. In other words, what do you have to dial first in order to get an outside line. Here, we dial 61 and then the number. A lot of folks dial 9, and then the number. Some military bases have to dial 9,9 and then the number. Let me know what you'd like as the default (and if it's wrong, you can always just type the right number at the time you're trying to upload).

Pat

Patrick Murphy, Ph.D.
Department Inspector, Alcohol Testing Program Florida Department of Law Enforcement 2331 Phillips Rd.
Tallahassee, FL 32308 (850) 617-1280 (work) (850) 274-1338 (cell) (850) 921-3787 (fax)

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----Original Message----

From: James Daniels [mailto:JDaniels@cityofpensacola.com]

Sent: Wednesday, March 27, 2019 1:40 AM

To: Murphy, Patrick Cc: Joshua Hudson

Subject: Fw: Pensacola PD (FL)

Pat,

Can you let me know when you ship the instrument back to me. Also, for your records, this instrument is Pensacola Police Department's. We will still be doing inspections on Escambia County's instruments for a few more months, but then go to just doing our instrument.

Thank you!

James A. Daniels #A788 / 142 Field Training Officer & Agency Intoxilyzer Inspector Uniform Patrol Division - "D" Shift Pensacola Police Department (850) 435-1845 | Dispatch (850) 435-1900 | Office (850) 454-6018 | Cell

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From: Hagan, Pam <pjhagan@alcoholtest.com>

Sent: Tuesday, March 26, 2019 3:50 PM

To: James Daniels Cc: Joshua Hudson Subject: RE: Pensacola PD (FL)

Greetings..

The Intoxilyzer 8000 shipped to FDLE on 3/25/19. The tracking number is: 1Z4X04930398301759. The package is schedule to arrive close of business 3/27.

Please let me know if you have further questions.

Pam

----Original Message----

From: James Daniels [mailto:JDaniels@cityofpensacola.com]

Sent: Thursday, March 21, 2019 5:59 AM

To: Hagan, Pam Cc: Joshua Hudson

Subject: Pensacola PD (FL)

Pam,

I received the printer and other Intoxilyzer 8000 supplies this past week. Do you know if the new instrument has been mailed to FDLE yet? I appreciate the update. Thank you.

James A. Daniels #A788 / 142
Field Training Officer &
Agency Intoxilyzer Inspector
Uniform Patrol Division - "D" Shift
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