



AGENCY INSPECTION AND OTHER ELECTRONIC DATA REVIEW

Agency: FDLE, loaned to CCA Citrus

Instrument Serial Number: 80-000206

AGENCY INSPECTION DATA REVIEW
Agency Inspector: Mary Bowermaster
Date of Inspection: See Comments
Time of Inspection: See Comments
Agency Inspection Discrepancy: [] Incomplete [] Untimely/Not Received [x] Erroneous Information [x] Procedural [] Other
[x] Agency Inspection Not Conducted or Records regarding Agency Inspection have not been uploaded.
[] Lot Number [] Expiration Date for ___g/ 210L [] Alcohol Reference Solution [] Dry Gas Standard is [] Incorrect [] Expired.
[] FDLE/ATP Form 39 states in part, "If a test must be repeated, the REASON must be entered when prompted and recorded in the Remarks section of FDLE/ATP Form 40 Agency Inspection Report - Intoxilyzer 8000. The [] REASON for repeating the following test(s); OR the [] Possible Cause and Corrective Action Taken on the following test(s) was not recorded:
[] Alcohol Free Subject Test [] Mouth Alcohol Test [] Alcohol Free Test [] Interferent Detect Test
[] 0.05 g/210L Test [] 0.08 g/210L Test [] 0.20 g/210L Test [] 0.08 g/210L Dry Gas Standard Test
[] FDLE/ATP Form 39 states in part, "If the instrument does not comply with the requirements of Chapter 11D-8, FAC, remove the instrument from service and notify the Department Inspector."
[] The Department Inspector was not notified. However, the issue was satisfactorily corrected and the repeated Agency Inspection complies with the requirements of Chapter 11D-8, FAC.
[] The Department Inspector was not notified. However, the repeated Agency Inspection does not comply with the requirements of Chapter 11D-8, FAC and the instrument was correctly removed from evidentiary use.
[] The Department Inspector was not notified. The repeated Agency Inspection does not comply with the requirements of Chapter 11D-8, FAC and the instrument was not removed from evidentiary use.
[] The Agency Inspection is noted as "Complies" when it does not comply with the requirements of Chapter 11D-8, FAC.
[] Other: _____

OTHER ELECTRONIC DATA REVIEW
[] Login Records Date: _____
[] Cylinder Change Records Date: _____
[] Control Test Records Date: _____
[] Diagnostic Check Records Date: _____
Comments:
Per Chapter 11D-8, FAC, evidentiary breath test instruments shall be inspected by an Agency Inspector at least once each calendar month. Two breath tests were conducted in August 2020, but no Agency Inspections were conducted that month.
Agency Inspections were conducted in February and July 2020 that were not completed and were erroneously marked as compliant. Please see the Corrective Action portion of this report. The dates and times of these incomplete Agency Inspections are below:
02/08/2020 at 18:31:17
02/14/2020 at 01:09:04
07/05/2020 at 16:24:38
07/09/2020 at 17:57:14
07/14/2020 at 10:22:26
07/17/2020 at 17:17:28
07/22/2020 at 17:28:34
07/24/2020 at 16:47:31
07/30/2020 at 14:57:51
Additionally, the annual Department Inspection has not been completed. Please send the instrument to the Florida Department of Law Enforcement immediately to ensure compliance with Chapter 11D-8, FAC.



AGENCY INSPECTION AND OTHER ELECTRONIC DATA REVIEW

CORRECTIVE ACTION

- Record hand-written amendments on the FDLE/ATP Form 40, Agency Inspection Report, initial and date the amendments, mark the report "AMENDED", and forward a copy to the Department Inspector by 1/2/2021 (Date).
- Provide a written explanation regarding the referenced item(s) to the Department Inspector by ____ (Date).
- Upload the Agency Inspection(s).
- Remove the instrument from evidentiary use until otherwise directed by the Department.
- No action required
- Other: _____

Taylor Gussow

Signature of Alcohol Testing Program Staff Member

12/2/2020
Date



Florida Department of
Law Enforcement


Richard L. Swearingen
Commissioner

Criminal Justice Professionalism
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www.fdle.state.fl.us

Ron DeSantis, *Governor*
Ashley Moody, *Attorney General*
Jimmy Patronis, *Chief Financial Officer*
Nikki Fried, *Commissioner of Agriculture*

During a routine data audit, I noticed instrument 80-000206 (outside my assigned region) had multiple incomplete Agency Inspections that were erroneously marked as compliant. I tried reaching out to the Agency Inspector, Mary Bowermaster, multiple times over four months (October 2020 to February 2021). None of my calls or emails were returned. Her voicemail indicated that email was the best method of communication, and she used that email address to contact me on 12/17/2020 about coordinating last-minute Department Inspections on another instrument, so I knew it was an active/valid email. After discussing with Quality Manager Shayla Platt on 2/23/2021, it was decided that one last attempt at contact would be made before ceasing communication efforts.

Taylor
Gutschow

 Digitally signed by Taylor
Gutschow
Date: 2021.02.23 11:24:00
-05'00'

From: [Gutschow, Taylor](#)
To: ["Bowermaster, Mary"](#)
Subject: REQUIRED AMENDMENTS- FINAL REMINDER
Date: Tuesday, February 23, 2021 11:04:00 AM
Attachments: [80-000206 Form 42.pdf](#)

Hi, Mary,

I still have not received the amended documents I've been requesting since October 2020. The attached form contains the dates/times of the agency inspections that need to be corrected, as well as what amendments are necessary.

This will be my final time reaching out, since phone calls and emails do not seem to be effective. If you prefer another form of communication that you more regularly monitor, please advise. Thank you.

Taylor Gutschow

Department Inspector for the Alcohol Testing Program
Florida Department of Law Enforcement
Fort Myers Regional Operations Center
4700 Terminal Drive, Suite 3
Fort Myers, FL 33907

Desk #239-335-7500
Cell #850-728-7022

Internal x467500

PLEASE NOTE : Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Your e-mail messages may, therefore, be subject to public disclosure.

From: Gutschow, Taylor
Sent: Friday, January 8, 2021 12:20 PM
To: 'Bowermaster, Mary' <Mary.Bowermaster@corecivic.com>
Subject: AMENDMENTS

Hi, Mary,

Just wanted to follow up and see if I could get those amended Form 40s. The date and time of each inspection that needs an amendment is included in Comments section of the attachment. Let me know if you have any questions. Thank you!

Taylor Gutschow

Department Inspector Trainee for the Alcohol Testing Program
Florida Department of Law Enforcement
Fort Myers Regional Operations Center
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From: Gutschow, Taylor
Sent: Wednesday, December 2, 2020 10:09 AM
To: 'mary.bowermaster@corecivic.com' <mary.bowermaster@corecivic.com>
Subject: 80-000206

Hi, Mary,

Amendments need to be made to some of your records. Please see the attached document for the Agency Inspection records that need corrective action, make the corrections, and email the updated records back to me. If you have any questions, feel free to reach out. Thanks!

Taylor Gutschow

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From: Gutschow, Taylor
Sent: Thursday, November 12, 2020 10:36 AM

To: 'mary.bowermaster@corecivic.com' <mary.bowermaster@corecivic.com>
Subject: 80-000206

Hi, Mary,

Just wanted to follow up and see if I could have you call me about this instrument for a few minutes. Please and thanks!

Taylor Gutschow

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From: Gutschow, Taylor
Sent: Tuesday, October 27, 2020 11:34 AM
To: 'mary.bowermaster@corecivic.com' <mary.bowermaster@corecivic.com>
Subject: 80-000206

Hi, Mary,

I have a few questions about one of the loaner Intoxilyzers you have (#80-000206). Could you please call me when you have a few minutes? Thank you!

Taylor Gutschow

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Florida Department of Law Enforcement
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