



316 E. 9th St.
Owensboro, KY 42303
1-888-835-0890
Fax: 270-685-6678
www.alcoholtest.com

FAX TRANSMISSION

TO: Ms. Laura Barfield **(Company)** Florida Dept. Law Enforcement
(Fax Number) (850) 921-3787

FROM: CMI, Inc.
316 E. 9th Street
Owensboro, KY 42303

SUBJECT: Schofield Affidavit **COPIES TO:** None
Micron Filter Wavelengths

DATE: July 27, 2009 **Number of Pages:** 4

Laura:

An original signed copy of my letter and a copy of my affidavit regarding the center wavelengths of filters will follow by regular mail.

Bill

INTOXILYZER® ...so you can breathe easier





316 E. 9th St.
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July 27, 2009

-SENT VIA FACSIMILE AND REGULAR MAIL-

Ms. Laura D. Barfield, Manager
FDLE – Alcohol Testing Program
P.O. Box 1489
Tallahassee, FL 32302

Subject: William S. Schofield Affidavit
Re: Center Wavelengths of Filters

Dear Laura:

It has come to my attention that some defense attorneys are seeking to challenge the approval of the Intoxilyzer 8000 units claiming that the micron bands in use are different than those approved. To that end, enclosed please find an affidavit previously executed by me on this subject. I hope this affidavit is helpful.

Sincerely,

A handwritten signature in cursive script that reads "William S. Schofield".

William S. Schofield
Manager – Engineering
CMI, Inc.

WSS/lsc

Enclosure



AFFIDAVIT

Comes the Affiant William Schofield, and being first duly sworn states as follows:

1) My name is William Schofield. I am the Manager of Engineering for CMI, Inc., located at 316 East 9th Street, Owensboro, Kentucky.

2) I have held this position with CMI for over 20 years.

3) CMI manufactures, among other things, the Intoxilyzer 8000. CMI sells this product throughout the United States. It has sold the Intoxilyzer 8000 to the Florida Department of Law Enforcement for use by law enforcement agencies and offices throughout Florida.

4) As part of my duties as Manager of Engineering, I have custody of certain documents, including documentation for the Intoxilyzer 8000.

5) Part of this documentation consists of Infrared Filter specifications. These specifications define the center wavelength of the Infrared filters with three decimal place accuracy.

6) The Intoxilyzer 8000 uses two narrowband Infrared filters. These filters have center wavelengths at 3.476 microns and 9.376 microns.

7) Filters with these center wavelengths have been used in all Intoxilyzer 8000 instruments, including all Intoxilyzer 8000 instruments evaluated and approved by the US Department of Transportation and all Intoxilyzer 8000 instruments used in the State of Florida.

8) I have personal knowledge of the matters set forth in this Affidavit.

9) I swear or affirm that all of the above statements are true and correct to the best of my knowledge and belief.

This 6 day of July, 2009.

William Schofield
William Schofield
Title: Manager of Engineering,
for CMI, Inc.

COMMONWEALTH OF KENTUCKY)
COUNTY OF DAVIESS)

Subscribed and sworn to before me by William Schofield, Manger of Engineering for CMI, Inc., on this 6th day of July, 2009.

Richard H. Phelps
Notary Public, State at Large
My commission expires: 10-22-2011



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RECEIVED

AUG 4 2009

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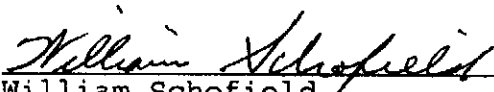
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