



Florida Department of Law Enforcement

DEPARTMENT INSPECTOR FIELD NOTES

Agency: Fort Walton Beach PD

Instrument Serial Number: 80-006931

Department Inspection:	Agency Inspection/Agency Contact:	Records Audit:
<input type="checkbox"/> Registration <input type="checkbox"/> Request for Registration Attached <input type="checkbox"/> Annual <input type="checkbox"/> Inspection After Repair <input type="checkbox"/> Other: _____ <input type="checkbox"/> Barometric Pressure: _____ Gauge _____ Instrument <input type="checkbox"/> Instrument Set Up Verified	<input checked="" type="checkbox"/> Agency Inspection Notification <input type="checkbox"/> Agency Contact <input type="checkbox"/> Other _____ Date of Notification/Contact: <u>June 23, 2018</u> Agency Inspector: <u>James Martin</u>	The following records were audited: <input type="checkbox"/> Agency Inspection Reports <input type="checkbox"/> Breath Test Instrument Repair/Maintenance Records <input type="checkbox"/> Instrument Registration <input type="checkbox"/> Dry Gas Standard Certificate(s) of Analysis <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____

Comments:

A.I. reported inspection failures due to Ambient Fails or Purge Fails. Troubleshooting suggestions were given involving the environment and a successful inspection was performed.

Instrument/Area:	Equipment:	Supplies:
<input type="checkbox"/> Clean/Dry <input type="checkbox"/> Secure <input type="checkbox"/> Limited Access <input type="checkbox"/> Other: _____	<input type="checkbox"/> Proper Number of Simulators <input type="checkbox"/> Checked Simulators for Air Leak Resistant Seal and Proper Temperature <input type="checkbox"/> Class A Glassware	<input type="checkbox"/> Distilled/Deionized Water <input type="checkbox"/> Mouth Alcohol Solution <input type="checkbox"/> Acetone Stock Solution <input type="checkbox"/> Alcohol Reference Solution <input type="checkbox"/> Dry Gas Standard <input type="checkbox"/> Mouth Pieces

Comments:

Action:	
<input type="checkbox"/> Instrument Complies with Chapter 11D-8, FAC <input type="checkbox"/> Instrument Does Not Comply with Chapter 11D-8, FAC	Comments: _____ _____ _____ _____
<input type="checkbox"/> Remain in Evidentiary Use <input type="checkbox"/> Return to/Place into Evidentiary Use <input type="checkbox"/> Remove from Evidentiary Use <input type="checkbox"/> Remain Out of Evidentiary Use	
<input type="checkbox"/> Conduct an Agency Inspection Before Evidentiary Use	

Patrick Murphy

Signature of Alcohol Testing Program Staff Member

6/25/2018

Date

Original - FDLE

Copy - Agency

Murphy, Patrick

From: James Martin <jmartin@fwb.org>
Sent: Sunday, June 24, 2018 8:41 AM
To: Murphy, Patrick
Cc: Tracy Hart
Subject: Intoxilyzer 18-006931

Dr. Murphy

Just to recap our conversation from Saturday Morning and provide you with a little history in hopes we can troubleshoot this instrument.

On June 22, 2018 while attempting to complete the June Agency Inspection on instrument 80-006931, the first test was terminated due to an "Ambient Fail" during the 0.08g/210L Testing sequence. I vented the room with a box fan for 10 minutes, then ran a second test. The second test also terminated due to a second Ambient Fail.

I continued to vent the room and ran two stability tests on the .08 Alcohol Solution and had two back to back failures .074/.074, five minutes later a wet control test on the .08 Alcohol Solution resulted in an Ambient Fail. I replaced the simulator, checked the seals on all the hoses, the tightness of the simulators to the glass, and verified the proper temperature. An hour later after successful stability tests on the .08 Alcohol Solution, I conducted a second inspection. Again, when the inspection reached the 0.08g/210L testing sequence, it failed recording .072/.073/.073; checking the hoses, seals, and verified the temperature of the solution the second test was recorded at .074/.074/.074; thus failing the allotted number of inspections without your approval. This was when I contacted you and you suggested moving the instrument to another location and trying again.

On June 24, 2018 after relocating the Intoxilyzer Instrument to another location and conducting numerous stability tests, I initiated another Agency Inspection resulting in failure at the 0.08g/210L testing sequence again. After replacing the hoses, double checking the seals and temperature I initiated the second test which was terminated as a result of an Ambient Fail.

The Intoxilyzer Room and the Shift Briefing Rooms are on separate A/C systems, the Shift Briefing Room is probably 300 square feet whereas the Intoxilyzer Room is maybe 100 square feet.

This is a relatively new instrument but this is the second time we've had to contact you and request extra Agency Inspections due to Ambient Fails.

On Feb 18, 2018 during the monthly Agency Inspection, we had an Ambient Failure during the control testing of 0.05g/210L testing sequence and during the second test, there was an Ambient Failure during the control testing of the 0.08g/210L testing sequence.

Officer Crawford and I again checked for seals and temperature before beginning another Agency Inspection.

Just as before there was an Ambient Failure during the control testing of 0.05g/210L testing sequence and during the second test, there was an Ambient Failure during the control testing of the 0.08g/210L testing sequence. I called you on that date and you suggested moving the instrument into a different location and trying again. We moved the instrument into the Shift Briefing Room as instructed and the instrument recorded an Ambient Fail. I contacted you again and you suggested trying it again another day after it was discovered there had been some maintenance performed on our A/C units.

On February 21, 2018, we initiated another Agency Inspection where the instrument twice had a purge fail after the Mouth Alcohol test. After another stability test finding no failures, we were finally able to complete a successful Agency Inspection. We have not had any issues with Ambient Failures since this date, nor with our old instrument which had been in the same room since 2002.

In looking at the Intoxilyzer 8000 reference guide from FDLE ATP it reports that an Ambient Fail can be the result of the sample chamber not being purged of the previous sample, which is the same definition found for Purge Fail.

When we talked on Saturday morning, you inferred these failures could possibly be a problem with the instrument's purge pump.

At this point I'm afraid an attorney looking into the short history of this instrument (8 months now); could easily make a case for a lack of consistent or substantial compliance.

This is the first time I've had an instrument fail an agency inspection; please advise.

Thanks,
James

cc: Captain Hart

v/r

Sgt. James Martin, #2042/140
Patrol Supervisor "Charlie" Squad
Agency Inspector

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Emergency Dial 911

FDLE Certified High Liability Instructor

M.S., Criminal Justice, University of Cincinnati



"We don't rise to the level of our expectations, we fall to the level of our training." - Archilochus

