

Gutschow, Taylor

From: Carroll, Michael <Michael.Carroll@MyFWC.com>
Sent: Tuesday, October 25, 2022 6:15 PM
To: Gutschow, Taylor
Subject: RE: 903 and 7502 July AI
Attachments: 80-007502 July Inspection.pdf; 80-000903 July Inspection.pdf

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Good Evening Taylor,

Please see attached Form 40's. Please let me know if you need anything further.

Thank you,

Mike

Investigator Michael Carroll

FWC Division of Law Enforcement
8535 Northlake Blvd.
West Palm Beach, FL 33412
(772) 208-0223

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From: Gutschow, Taylor <TaylorGutschow@fdle.state.fl.us>
Sent: Friday, October 21, 2022 12:32 PM
To: Carroll, Michael <Michael.Carroll@MyFWC.com>
Subject: FW: 903 and 7502 Missed July AI

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Just wanted to follow up on this Form 40 being filled out for the missed July inspections on 903 and 7502. If you have any questions, feel free to give me a call. Thanks!

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

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From: Gutschow, Taylor
Sent: Friday, August 19, 2022 9:01 AM
To: 'Carroll, Michael' <Michael.Carroll@MyFWC.com>
Subject: RE: 903 and 7502 Missed July AI

Oh, I'm very sorry to hear that! My condolences for your loss. And you're correct... I forgot to attach the blank Form 40 to my initial email so I've attached it here; it's the paperwork that prints out at the end of the Agency Inspection but without the results reported. Please fill out the information at the top of the Form 40 for both instruments, put the date as "July 2022", and include a remark about why the Agency Inspection was not completed. Then scan it back to me and also retain it for your records.

In the future, I would suggest performing the Agency Inspections toward the beginning of the month in order to avoid emergency scenarios. Having a backup Agency Inspector or asking another Agency Inspector (even one outside your agency) to cover the inspection for you are also options. In the worst case scenario, you can alert your Department Inspector and they can get involved in the process.

I would still notify the SAO about both instruments. The one with the refusal on it was still used as an evidential instrument during a month when it did not receive an Agency Inspection, which renders it noncompliant for the month.

If you have any further questions, please let me know!

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

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From: Carroll, Michael <Michael.Carroll@MyFWC.com>
Sent: Friday, August 19, 2022 8:35 AM
To: Gutschow, Taylor <TaylorGutschow@fdle.state.fl.us>
Subject: FW: 903 and 7502 Missed July AI

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Good Morning,

I am Investigator Michael Carroll, the FWC South A Agency Inspector. I am contacting you in regards to these instruments that you referenced to Lt. Brock. The inspections were not performed due to a death in my family. I was wondering what the blank 40 form was I do not see it attached to the email. I was also wondering if the other instrument that only had refusal's on it needed to have a form and the SAO notified? I apologize for any inconvenience and thank you for your assistance.

Very Respectfully,

Investigator Michael Carroll
FWC Division of Law Enforcement
South A
Palm Beach County
8535 Northlake Blvd.
West Palm Beach, FL 33412
(772) 631-3213

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From: Brock, Nathan <Nathan.Brock@MyFWC.com>
Sent: Thursday, August 18, 2022 11:41 AM
To: Carroll, Michael <Michael.Carroll@MyFWC.com>
Subject: FW: 903 and 7502 Missed July AI

From: Gutschow, Taylor <TaylorGutschow@fdle.state.fl.us>
Sent: Thursday, August 18, 2022 11:13 AM
To: Brock, Nathan <Nathan.Brock@MyFWC.com>
Cc: Graham, Thomas <ThomasGraham@fdle.state.fl.us>
Subject: 903 and 7502 Missed July AI

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Good morning,

It looks like instruments 903 and 7502 had breath tests run on them during the month of July without a corresponding Agency Inspection. Can you please confirm this?

If the July inspection was missed, I would need you to do the following:

- Fill out the blank Form 40 I've attached (one for each instrument) describing why the inspections did not occur, then return it to me
- Distribute the attached list of affected breath tests to your local State Attorney's Office
- Inform your local State Attorney's Office that these breath tests were run on instruments that weren't compliant with 11D-8 and refer them to me if they have any questions.

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

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