

Gutschow, Taylor

From: Gutschow, Taylor
Sent: Thursday, May 11, 2023 3:52 PM
To: 'Jason T. Keith'
Cc: Greg Korzen
Subject: RE: Corrected Breath Test Results Affidavits - Monroe County SO

Hello,

Thank you for the email. Please make sure to forward the amended breath tests to your local State Attorney's Office if you have not already done so. Your testing of the internal battery by depowering and unplugging the instrument is exactly what I would have recommended. The instrument's ability to hold the date and time does not affect its accuracy and reliability when it comes to measuring breath alcohol.

It doesn't look like 80-006471 has been inspected yet this year. Out of an abundance of caution, I would suggest sending the instrument to me at your earliest convenience.

If you have any further questions, feel free to reach out. Thanks!

Taylor Gutschow

Department Inspector for the Alcohol Testing Program
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From: Jason T. Keith <jkeith@keysso.net>
Sent: Monday, May 1, 2023 10:17 AM
To: Gutschow, Taylor <TaylorGutschow@fdle.state.fl.us>
Cc: Greg Korzen <GKorzen@keysso.net>
Subject: Corrected Breath Test Results Affidavits - Monroe County SO

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Good morning Taylor,

Attached are corrected Breath Test Affidavits from one of our Instruments (80-006471) from a breath test on 04/25/2023 into 04/26/2023 (after midnight). The BTO failed to verify the date/time were correct prior to administering the breath tests; this has already been addressed with the BTO. During the first breath test sequence, the BTO stated she entered the incorrect 20 minute observation time, so she aborted the breath test by pressing the start test button. During the second breath test sequence the BTO stated she still had time left in her 20 minute observation, but the Instrument began to perform its diagnostic checks and prepare for the subject to provide a breath sample. The BTO aborted the breath testing sequence again by pressing the start test button. As I normally do, I reviewed the DUI room video in this matter to ensure the integrity of the instrument was not compromised.

When I arrived at the DUI room on 04/26/2023 at 0630, the date was off by 5 days and the time was behind by just over 1 hour. I corrected the date/time and it has not needed to be changed again. I also unplugged the Instrument for about 1 hour to see if the date/time became incorrect and it was OK and did not need to be corrected. I will continue to monitor the Instrument to see if the date/time become incorrect. To my knowledge this was an isolated incident with this Instrument and BTO. Take care sir and have a great week.

Deputy Jason T Keith

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MONROE COUNTY SHERIFF'S OFFICE

RICHARD A. RAMSAY, SHERIFF

MEMORANDUM

TO: Intoxilyzer file

FROM: Agency Inspector Deputy Jason T Keith # T12/s9013 *JT Keith*

DATE: 04/27/2023

SUBJECT: Incorrect date and time on Intoxilyzer 80-006471

I was notified by MCSO Deputy Ashley Monaco on 04/26/2023 at approximately 0500 the date and time of the above listed PK Intoxilyzer was incorrect, and she did not notice it until later in her shift when she completed her paperwork.

I arrived at the PK DUI room on 04/26/2023 at approximately 0630. The date displayed on the Intoxilyzer was 5 days prior (04/21/2023) and the time was behind by 1 hour and 3 minutes. I corrected the date/time and ran 3 Agency Inspector level Diagnostic Tests to make sure there were no issues with the internal components or microprocessor of the Intoxilyzer; all Diagnostic Tests were OK. At this time I am confident the Intoxilyzer can continue to be used for evidentiary purposes.

JT Keith T12/s9013

