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MEMORANDUM

TO: DATAMASTER DMT SUPERVISORS; GREG NAGURNEY

FROM: PEG SCHWARTZ, DIRECTOR

SUBJECT: DUI SUBJECT TESTS

DATE: 3/14/2012

It has been observed that restart times and reasons for restarts do not appear on DUI subject test print outs. This is due to a glitch in the software that is currently being used by all DataMaster DMTs in the State. We are aware of this situation and are working with the instrument manufacturer to rectify the problem. As soon as possible we will be upgrading the software in the field.

A new feature for this current version of software is the generation of an electronic PDF, intended to be a copy of every report generated by the instrument. The electronic PDFs of DUI subject tests do display the restart information that is absent on the print outs. Since September of 2011, all electronic data generated by the DataMaster DMT instruments has been uploaded to the State's Attorney website for use as discovery materials in court proceedings. Therefore, it is plausible that differing DUI subject test reports for the same processing incident may appear in court depending on how the information was obtained (i.e. print out generated for officer after processing vs. electronic PDF stored by DMT instrument and uploaded to the State's Attorney website). However, it must be noted that the **subject test results are the same** on both the print out and the electronic PDF.