

DMT Data Collection Options

OPTION	Positive Impact	Negative Impact
<p>1. Collect/ save no data</p> <p>[basic function to generate a test report requires data to be saved for a short period of time but can be erased shortly after a report is printed.]</p>	<p>By not collecting any data we will probably maintain the level of discovery requests that we have now, maybe a slight increase in the beginning. We will not need resources to sort or maintain individual breath test and instrument error data. Agencies will not have extra responsibilities in terms of discovery requests</p>	<p><i>Disadvantages</i> are obviously a lack of information on how the instruments are performing in the field re: individual breath tests.. We will be asked in testimony regarding the field performance of the instruments and will have no direct knowledge. Paper copies of certification, installation, Annual Preventive Maintenance and Routine Performance Checks will need to be maintained. Statistical evaluation of these data will have to be performed on the data following data entry into an appropriate software package requiring data entry resources.</p>
<p>2. Collect/save only certification parameters and test data</p>	<p>Certification test information will be available for DM agencies to provide as discovery if needed.(We currently provide these documents) Saving these processes will allow us to use the certification protocol already outlined by this program which would automate our testing processes assuring consistency in the manner in which the process is performed, generate performance criteria pass/fail information and generate a report. Would allow certification information to be printed on the ticket reducing the number of issues requested in discovery requests.</p>	<p>The time savings on having DM agency provide this type of discovery is minimal. Still no information regarding field performance of the instruments creating need for more extensive testimony to support the validity of a test result.</p>
<p>3. Collect/save certification, installation test data</p>	<p>Certification and installation test information will be available for DM agencies to provide as discovery if needed.(We currently provide these documents) This information can be immediately available to the DM supervisor in cases of trouble shooting. Saving these processes will allow us to use the protocols already outlined by this program which would automate our testing processes, generate pass/fail information and generate a report.</p>	<p>The time savings on having DM agency provide this type of discovery is minimal. Still no information regarding field performance of the instruments creating need for more extensive testimony to support the validity of a test result.</p>

	Would allow certification and installation information to be printed on the ticket reducing the number of issues requested in discovery requests.	
4. #3 + Routine Performance Check [RPC] test data	Certification, installation and RPC test information will all be available for DM agencies to provide as discovery if needed.(We currently provide these documents) This information can be immediately available to the DM supervisor in cases of trouble shooting. Saving these processes will allow us to use the protocols already outlined by this program which would automate our testing processes, generate pass/fail information and generate a report. Mandatory criteria will be setup for RPC as to when they need to be performed including reminders and an automatic "Out of Service" if not performed. This itself will reduce the amount of follow-up reminders to law enforcement agencies and make the process more consistent. It would also reduce the defense challenge re: untimely performance checks as related to validity of test results.	The time savings on having DM agency provide this type of discovery is minimal. Still no information regarding field performance of the instruments
5. #4 + status/error codes or descriptions	As for above. Information regarding error messages and maintenance will be available at DM agency as well as at VDHL. DM agency could provide more complete response to discovery requests. We will have some information as to how the instruments are performing in the field.	The discovery request volume will be the same for these two scenarios as if we were saving all of the data but the information available for us to review will be limited. We will be unable to generate lost tickets.
6. #5 + any other maintenance test data	: Information regarding error messages and maintenance will be available at DM agency as well as at VDHL. DM agency could provide discovery. We will have some information as to <i>how the instruments are performing in the field</i>	The discovery request volume will be the same for these two scenarios as if we were saving all of the data but the information available for us to review will be limited. We will be unable to <i>generate lost tickets</i> .
* #6 + selected breath test data – not identifying subject	Field performance of the instruments will be available for review. Information regarding	Discovery request will be the same as if we were collecting all of the information but

	breath volume and test graphs will be available. We may be able to compile data regarding DUI statistics in Vermont that was previously unavailable. We will be able to support testimony which is currently somewhat speculative with hard data. Discovery requests can be pushed to the DM agency. DMT can provide cumulative test record reports directly or by exporting to another software package.	finding the correct tests may become difficult without case information. Lost tickets will not be able to be regenerated. All tests generated over past 6months or more may be requested. Would not be able to sort test records by case
8. #6 + all breath test data	Field performance of the instruments will be available for review. We may be able to compile data regarding DUI statistics in Vermont that was previously unavailable. We will be able to support theories that we currently testify about with hard data. Discovery requests can be pushed to the DM agency. Lost tickets will be able to be generated.	Discovery load will return to the days prior to turning off the memory function of the current DataMaster although this may be offset with the DM agencies providing the discovery responses.
DMT Data Handling Options		
1. store all collected data on each instrument only	The advantage would be that the health department would not have to generate discovery requests at all. Reprint info directly from DMT.	The information is of no real use to the DM agencies (with the exception of reprinting tickets) and so would only be provided to attorneys at which point we would be asked to interpret. We would be unable to maintain any information regarding field performance of the instrument without having the agencies print reports from the DMT and mail them to us. That makes organization very difficult. Copious amounts of data to be stored on DMT computer.

<p>2. upload data to on-site computer</p>	<p>Allows the DM agency to organize and sort data including sending electronic copies to us. Discovery can be provided by the DM agency. This also allows the DM agency to maintain a separate database pertaining to their own statistics regarding DUI. This could be combined with other agencies in collaboration, for example the Burlington Metro Area. Allows for archiving, saving space on DM.</p>	<p>Requires an additional duty for the DM supervisors or others at DM sites.</p>
<p>3. upload data to storage device, e.g. external hard disk; CD/data DVD; memory stick</p>	<p>DM agency can provide discovery requests. Allows for archiving, saving space on DM.</p>	<p>Sending information to the health department will take more effort on both the agency and the health department parts. Information cannot be easily sorted by the agency.</p>
<p>4. manually upload data to central computer data base located within VDoH</p>	<p>The health lab will have all of the information from the field which can be sorted and analyzed.</p>	<p>The health department will have to provide all discovery requests. DM agencies will not have immediate access to data once uploaded. VDHL will be responsible for regenerating missing tickets. Requires backup/ archive of data.</p>
<p>5. automatically upload data to a central computer and publish to a web site.</p>	<p>All information regarding DMT performance and individual test data are available to all parties; minimizes paper files; minimizes request for discovery reports/documents.</p>	<p>Requires website development and ongoing maintenance</p>

Contributor 1.

In my opinion, not turning on the memory would be a mistake. The DMT can collect much more information than the current DataMaster. This additional information not previously available to us would be beneficial to have as well as the visual representation of breath alcohol content and breath flow. It would enable us to support theories that we already testify about currently with hard data.

Once memory is used to the point of scenario #5, discovery frequency will be the same as if we were collecting all of the information. If we are willing to go as far as scenario #5 then we will only be hurting ourselves by not collecting all of the available information.

Contributor 2. My recommendation for the DMT is to collect all information available and to handle it via Data Handling Option #2.