

Bolduc, Amanda

From: Richardson, Darcy
Sent: Thursday, January 28, 2010 4:30 PM
To: Bolduc, Amanda

Attachments: Memo-Harnois.doc



Memo-Harnois.doc
(31 KB)

*Darcy Richardson
Chemist
Vermont Department of Health Laboratory
195 Colchester Ave
Burlington, VT 05402-1125
(802) 863-7412
fax (802) 863-7632*

January 28, 2010

Dear Bob,

Over the last several years I have brought up many issues in regards to the work being performed by Steven Harnois. We have had numerous meetings as a group and privately, we have held new trainings, we have added new policies and for some time in 2008 Amanda Bolduc was assigned to review his paperwork for completeness prior to it being distributed for discovery and filing. For that time the paperwork was kept up to date. As he bristled under her review, the reviewing stopped and the paperwork has again fallen to the point where it can not be relied upon as an accurate indication of the status or history of the instruments in the field or in-house.

We have discussed the importance of keeping the paperwork complete and up-to-date in numerous meetings over the years and nothing we have done has remedied the problem. TSI's are not being filled out. When they are filled out, they are often incomplete. Paperwork has been lost including calibration and certifications of the instrumentation as well as Routine Performance Check's from the DataMaster Supervisors. This is despite adding new folders (which are not used) and adding timeframes to paperwork completion and filing. Emails have gone out repeatedly as a reminder when we find the lacking paperwork while putting together discovery information. The problem remains.

Beyond the lack of paperwork and organization Steven Harnois has a lack of understanding in regards to how the instruments, both BAC and DMT, operate. Mr. Harnois has been trained by the manufacturer on both instruments as well as taking an additional course by the manufacturer at their facility. I had told you previously where Mr. Harnois advised me that the ethanol molecules change their absorbance based on how old the calibration is. This statement reflects a complete lack of understanding in the basic principle of the operation of the instruments. In a meeting a month ago we had to explain how calibration worked again to Mr. Harnois. He has been in this position for 7 years and should be extremely familiar with this concept but he is not.

This is a very concerning problem considering that part of his job is to troubleshoot and repair the instruments. That is simply not possible without understanding how the instrument works. At one point during one of our discussions between the two of us you had suggested that perhaps we needed someone else to troubleshoot and simply advise Mr. Harnois as to the action to take. In the year that has passed since then though we have not implemented that. His standard response to an instrument that is not working properly over the years has been to blame the simulator solution and run it repeatedly until it passes or to simply keep replacing parts until the instrument works again. This is inefficient at best and ineffective at worse. Further concerning is that in order to get instruments to pass he has changed methodology such as adding acetone to an interference solution, raising the temperature of a simulator when it is not out of range, or neglecting to perform suck back tests on instruments with broken one way valves. Myself and Amanda Bolduc have raised these issues repeatedly but nothing has changed nor does Mr. Harnois seem to understand that changing methodology is inappropriate just to get an instrument to pass. He has taken the laboratory ethics training that we have been required to attend in the past.

I understand that personnel issues are private and I am not asking to know what has been said to Mr. Harnois but I feel the need to put this all in one place. This situation can not remain if we want a program that is solid and focused on quality. At this point I have very little faith in the work and documentation of Mr. Harnois's that I am asked to defend in court. Being surprised by paperwork on the stand or having to learn the history of an instrument from an attorney is inappropriate and quite honestly, embarrassing. It undermines our credibility and the credibility of the program.

In order for Mr. Harnois to be successful in this program there needs to be someone else in that laboratory who interacts with the police agencies, who troubleshoots the instruments and decides the correct course of action as well as reviewing all paperwork generated for completeness and accuracy. Mr. Harnois is simply in over his head and cannot successfully work independently in that position. Perhaps with additional oversight and guidance he can be more effective in what he does.

I do not enjoy writing this but at this point I am at a loss of what to do.

~Darcy Richardson

Vincent, Margaret

From: Bolduc, Amanda
Sent: Wednesday, February 17, 2010 12:12 PM
To: Celotti, Stella
Cc: Lefebvre, Theresa; Richardson, Darcy
Subject: Emailing: feb 17 2010

Attachments: feb 17 2010.doc



feb 17 2010.doc
(27 KB)

Mary,

Darcy and I would like to meet with you as soon as possible regarding this and other issues. Due to court schedules, I believe the first day we both have available might not be until Monday. However, I am available Thursday morning or Friday if you would like to talk to me. I would appreciate if you would not mention this to my supervisor as I fear repercussions.

Thank you,

Amanda

The message is ready to be sent with the following file or link attachments:

feb 17 2010

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

For the last five years, it has been my pleasure to work for the Department of Health Toxicology program. I have seen many advances in the breath alcohol program and have been honored to have had a lead role in implementing the new instruments and technology. Working with the law enforcement and judicial communities has been a very rewarding endeavor.

However, there is one looming aspect to my position that has become intolerable. There is a serious lack of leadership that as of late has become so blatant, it threatens the integrity of the program as a whole.

The alcohol program has four members. Our technician is responsible for the maintenance of the instruments and generating appropriate documentation to demonstrate the reliability of the instruments. Our two chemists testify in court to the accuracy and reliability of the instruments, and our program chief who is responsible for over seeing the program as a whole. The ability of each member to appropriately, effectively and efficiently complete their duties relies largely on the quality and reliability of the work completed by other members of the team.

For the last two years, the ability of the team to function as a group has faltered. The quality of work performed by the technician has been lacking. The record keeping and documentation required of this program has not been met or maintained by the technician. These records are crucial for the chemists to give the effective and accurate testimony. There have even been documented cases of inappropriate and unethical behavior being performed by the technician on instruments in service in police agencies.

These problems have been documented by the chemists in the alcohol program and brought to the attention of the program chief on a frequent basis. However, most of these problems remain unresolved. Further, it has become the attitude of the program chief that when problems are brought to his attention, the person relaying the concern becomes the target of retribution. The program chief will target and excessively critique the work anyone who brings concerns to him. I feel like not only am I being purposely set up for failure, but so is the entire alcohol program.

I am completely at a loss as to what to do. I love my job. In this position I have the ability to directly effect the safety of our communities by working with the law enforcement professionals in the prosecution of suspected impaired drivers. However, when the integrity of the program is in jeopardy, and the program chief gives the impression that not only does he not care, but that he seems to be blatantly covering up potential problems, I find myself deeply conflicted. I no longer have faith in our technician to appropriately maintain the evidentiary instruments. I have concerns in his level of integrity and ethics. These concerns have been brought to the attention of the program chief on numerous occasions, and still the problem persists. And now, I feel I can no longer bring concerns to my supervisor because not only does he not respond to my concerns, I feel actively targeted by him in retribution for my complaints.

If confronted with direct questions regarding the work performed by the technician or the supervision of the program chief, it is my duty and legal obligation to answer honestly. I cannot testify to the purported work performed by our technician because I know he fails to document his actions, both intentionally and unintentionally and the quality of his work is lacking. Our technician repeatedly falters in his work duties and behaves unethically, management knows this, and the situation has yet to be addressed. I fear that this may have severe and long lasting negative implications on our program. It is my hope that steps can be taken to rectify the situation, improve the program, and prevent major impacts and detrimental consequences.

Vincent, Margaret

From: Celotti, Stella
Sent: Wednesday, February 17, 2010 12:25 PM
To: Bolduc, Amanda
Cc: Lefebvre, Theresa; Richardson, Darcy
Subject: RE: Emailing: feb 17 2010

Amanda, I have time available on Monday, 2/22 @ 11 a.m. to meet with both you and Darcy. If both of your court schedules change, I have Friday, 2/19 available, after 11 a.m.. Please let me know what time would work best. Thanks, Stella (Mary).

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Vincent, Margaret

From: Richardson, Darcy
Sent: Wednesday, February 17, 2010 6:50 PM
To: Celotti, Stella; Bolduc, Amanda
Cc: Lefebvre, Theresa
Subject: RE: Emailing: feb 17 2010

Attachments: Issues.doc



Issues.doc (31 KB)

Stella,

My trial has cancelled on Friday so I am available either day. I have attached the letter I sent to Bob on January 28th regarding several on going issues.

Over the last week there has been a definite shift where Bob has drawn a line with Steve and himself on one side and Amanda and myself on the other. After witnessing two conversations last week and this week I am no longer confident in Bob's desire to deal with these issues or in fact have a quality program at all. One of these was in regards to lying about serial numbers to get parts covered under warranty for instruments that are no longer under warranty and regarding taking parts from a demo model that we do not own. When I objected I was told that he felt NPAS "owed us" and that it wasn't an issue. I am not the biggest fan of NPAS but the time for objections was when we ordered new instruments not now when we have entered into a new agreement with them. We should not be trying to cheat warrantees. We are not allowed to discuss quality issues and when they come up were are told to ignore them. Additionally if we complain we are met with hostility which I had complained about before in 2008.

I look forward to speaking with you and Amanda. We are both truly at a loss.

Thanks,
Darcy

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~Darcy Richardson

Vincent, Margaret

From: Celotti, Stella
Sent: Wednesday, February 24, 2010 9:53 AM
To: Bolduc, Amanda; Richardson, Darcy
Subject: Follow-up to Friday's Meeting - Can you stop by this morning?

Mary Celotti
Laboratory Director
Vermont Department of Health Laboratory
195 Colchester Avenue
Burlington, Vermont 05401
Office: 802-863-7570
Fax: 802-863-7632
scelott@vdh.state.vt.us

Subject: Alcohol Program
Location: Stella's Office

Start: Thu 2/25/2010 2:00 PM
End: Thu 2/25/2010 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Required Attendees: Drawbaugh, Bob; Luce, Edmond

Vincent, Margaret

Subject: Meeting Follow-up
Location: Stella's Office

Start: Wed 3/3/2010 3:00 PM
End: Wed 3/3/2010 3:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Richardson, Darcy; Bolduc, Amanda

Vincent, Margaret

From: Harnois, Steven
Sent: Monday, August 02, 2010 3:05 PM
To: Celotti, Stella
Subject: Accepted: Alcohol Program - Updates

Vincent, Margaret

From: Bolduc, Amanda
Sent: Thursday, March 31, 2011 12:44 PM
To: Celotti, Stella; Kimball, Kirk; Harnois, Steven
Subject: Search 7D: | Seven Days

<http://www.7dvt.com/searchindex?filter1=38617>

This is the journalist whose writing the article

Vincent, Margaret

From: Harnois, Steven
Sent: Friday, April 01, 2011 5:12 PM
To: Celotti, Stella; Kimball, Kirk
Subject: FW: Datamaster

From: Andy Bromage [mailto:andy@sevendaysvt.com]
Sent: Fri 4/1/2011 10:25 AM
To: Harnois, Steven
Subject: Datamaster

Hi Steven,
I'm a writer for Seven Days newspaper. I've come across a DUI case in which Darcy Richardson and Amanda Bolduc make some pretty serious allegations about your work performance in the Dept. of Health alcohol testing program and I wanted to give you a chance to respond. I assume you're familiar with the case and the allegations made, but if not, I can send you the documents. I'm writing the story for next week's paper, which means I'm on deadline. You can reach me by phone at 865-1020 x39. I also left you a voicemail this morning.
Best,
Andy

// SEVEN DAYS //
:: Andy Bromage
:: Staff Writer
:: andy@sevendaysvt.com
:: <http://www.sevendaysvt.com>
:: 802.864.5684

Vincent, Margaret

From: Bolduc, Amanda
Sent: Monday, April 04, 2011 11:34 AM
To: Kimball, Kirk; Celotti, Stella
Subject: 7days responce.doc

Attachments: 7days responce.doc



7days
esponce.doc (24 KB)

1. There are currently 67 DataMaster DMT evidential instruments in use throughout the state.
2. Deployment schedule
 - a. Franklin and Grand Isle counties were deployed in July 2008
 - b. Chittenden county was deployed in November 2008
 - c. Washington County December 2009
 - d. Windham County February 2010
 - e. Addison County April 2010
 - f. Windsor County May/June 2010
 - g. Orleans County May/June 2010
 - h. Lamoille and Bennington County August 2010
 - i. Rutland County September 2010
 - j. Essex and Caledonia, Orange Counties November 2010
3. The BAC DataMaster's were vintage 1988. Many of the components were obsolete and replacement parts were no longer available.
4. Cost?
5. Source of funds?
6. Various DataMasters were returned to the manufacturer for service or replacement.
7. Exact numbers of repaired and or replaced units would take time to research
8. In 2005 when the VDHL Evidential Breath Testing Program reviewed the available instruments for replacing the BAC DataMaster, the DataMaster DMT was the best unit available and was selected for purchase.
9. While the manufacturer of the DataMaster DMT continues to make hardware modifications and improvements to their product, all instruments in service for evidential use have met and continue to meet the performance standards promulgated by the Department of Health Rules and Regulations regarding breath testing instruments. The user-interface software designed by the VDHL Breath Testing Program has been upgraded and continues to be a work in progress; however this software in no way affects the analysis of a subjects breath sample.
10. The DOH breath testing program is not accredited.
11. Accreditation is not required of breath testing programs.
12. When VDHL switched from the BAC DataMaster to the DMT, there was a massive amount of new information and documentation available, yet the framework for handling this was not in place. This led to a breakdown in communication within the program where Chemists responsible for testimony had a lack of information regarding the instrument fleet. In February 2010, I raised a number of issues to my supervisor at the time regarding the work that was being performed on the DataMaster DMT instruments. Specifically I was concerned that what was being documented was not consistent with the work being performed. Also I was concerned that effective troubleshooting techniques were not being employed to appropriately diagnose performance issues. The level of oversight regarding the work being performed and the corresponding documentation was not sufficient for me to have confidence in my ability to testify to the maintenance of the DataMasters. Subsequent to the retirement of the previous Program Chief and the hiring of the new Program Chief, a number of new policies and practices have been implemented. The documentation requirements have increased significantly. The oversight regarding all maintenance aspects of the breath testing instruments has increased significantly. All of the concerns I had raised have been addressed. I now have clear and consistent documentation regarding the status of all of the breath testing instruments maintained by VDHL. I have full

confidence that when a subject is tested on a DataMaster DMT instrument, that their breath is being fairly and accurately analyzed. I have full confidence that these instruments are maintained appropriately. A DataMaster result obtained by an officer certified to operate the instrument and when taken in accordance with their Department of Health training, is accurate and reliable and is in compliance with the provisions of the Department of Health rules.

13.

Vincent, Margaret

From: Bolduc, Amanda
Sent: Monday, April 04, 2011 11:41 AM
To: Celotti, Stella; Kimball, Kirk
Subject: Integrity

I have serious concerns that this article is going to paint me in a bad light. The last question basically lumps me in with Darcy. I want to make it clear that while I agreed with her in February 2010, that the program wasn't running well, I no longer have that opinion of the program. Can we make that clear to Stirewalt and in turn to the reporter?

A Bolduc

Amanda Bolduc, MFS
PH Chemist III
Vermont Department of Health Laboratory
Alcohol and Toxicology Program
195 Colchester Ave
Burlington, VT 05402
(802) 585-6707 (mobile)
(802) 863-7412 (ph)
(802) 863-7632 (fax)
amanda.bolduc@ahs.state.vt.us
PLEASE NOTE new phone and email as of 10/13/10

Vincent, Margaret

From: Celotti, Stella
Sent: Wednesday, April 06, 2011 10:52 AM
To: AHS - VDH - Lab Users
Subject: FW: Health Department answers

Importance: High

Hello, everyone, in reference to the Seven Days article, this is what was sent from the VDH Communications office to the reporter, Stella.

From: Andy Bromage [mailto:andy@sevendaysvt.com]
Sent: Monday, April 04, 2011 2:21 PM
To: Stirewalt, Robert
Subject: Re: Health Department answers
Importance: High

Got it.
Thanks,

On Apr 4, 2011, at 2:09 PM, Stirewalt, Robert wrote:

April 4, 2011

To: Andy Bromage
Seven Days

The Vermont Department of Health takes very seriously its responsibility to process and provide results for Driving Under the Influence (DUI) cases. After two state employees raised concerns to laboratory management in February 2010, we promptly initiated an investigation of the alleged issues and concerns. The report of that investigation has been provided to you.

Our investigation concluded that the employees' allegations of unethical behavior were not substantiated. Also, as further assurance of the accuracy and reliability of the test results, the datamaster instrument has internal controls so that it will not issue a subject test result if there was a problem with the instrument or test process.

The Health Department continues to encourage state employees to report any complaints to their supervisor and we will investigate allegations thoroughly, as part of our responsibility to serve the State of Vermont in serious matters such as DUI cases statewide.

Sincerely,

Mary Celotti
Public Health Laboratory Director
Vermont Department of Health

Answers to the questions you sent on Friday afternoon.

- How many Datamasters are currently deployed in Vermont?

There are currently 67 DataMaster DMT evidential instruments in use throughout the state

- What was the schedule for deploying them?

Deployment schedule

- a. Franklin and Grand Isle counties were deployed in July 2008*
- b. Chittenden county was deployed in November 2008*
- c. Washington County December 2009*
- d. Windham County February 2010*
- e. Addison County April 2010*
- f. Windsor County May/June 2010*
- g. Orleans County May/June 2010*
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- Why was it necessary to replace the old breath testing devices?

The BAC DataMaster's were vintage 1988. Many of the components were obsolete and replacement parts were no longer available.

- How much did the state spent on the new Datamaster DMT machines?

The Vermont Department of Health spent more than \$400,000 for the purchase of the DataMaster DMT machines.

- What was the source of those funds?

State of Vermont Department of Public Safety Governor's Highway Safety Program federal grant, through the National Highway Traffic Safety Administration

- Did the state return any Datamasters to the manufacturer because they weren't working properly?

Various DataMasters over a period of years were returned to the manufacturer for service or replacement.

- If so, how many were returned, and on approximately what dates?

Exact numbers of repaired and or replaced units would take additional time to research.

- Why were Datamaster machines selected over other breath test instruments, such as Drager?

In 2005, when the VDHL Evidential Breath Testing Program reviewed the available instruments for replacing the BAC DataMaster, the DataMaster DMT was the instrument that met our specifications and was selected for purchase.

- Were the Datamasters deployed before all the bugs were worked out? There are allegations that they were.

While the manufacturer of the DataMaster DMT continues to make hardware modifications and improvements to their product, all instruments in service for evidential use have met and continue to meet the performance standards promulgated by the Department of Health Rules and Regulations regarding breath testing instruments. The user-interface software designed by the VDHL Breath Testing Program has been upgraded and continues to be refined; however the user interface software does not affect the accuracy of a subject's breath sample test.

- Is DOH's alcohol testing program accredited?
The DOH breath testing program is not accredited.

- If not, why not?
Accreditation is not required in the state of Vermont for breath alcohol testing programs.

- Can anyone from DOH say anything about the integrity of the alcohol testing program in light of the allegations made by Darcy and Amanda?

See statement above.

// SEVEN DAYS //
:: Andy Bromage
:: Staff Writer
:: andy@sevendaysvt.com
:: <http://www.sevendaysvt.com>
:: 802.864.5684

(802) 585-6707 (mobile)

(802) 863-7412 (ph)

(802) 863-7632 (fax)

amanda.bolduc@ahs.state.vt.us

PLEASE NOTE new phone and email as of 10/13/10

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- What was the schedule for deploying them?

Deployment schedule

- a. *Franklin and Grand Isle counties were deployed in July 2008*
- b. *Chittenden county was deployed in November 2008*
- c. *Washington County December 2009*
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- j. *Essex and Caledonia, Orange Counties November 2010*

- Why was it necessary to replace the old breath testing devices?

The BAC DataMaster's were vintage 1988. Many of the components were obsolete and replacement parts were no longer available.

- How much did the state spent on the new Datamaster DMT machines?

The Vermont Department of Health spent more than \$400,000 for the purchase of the DataMaster DMT machines.

- What was the source of those funds?

State of Vermont Department of Public Safety Governor's Highway Safety Program federal grant, through the National Highway Traffic Safety Administration

- Did the state return any Datamasters to the manufacturer because they weren't working properly?

Various DataMasters over a period of years were returned to the manufacturer for service or replacement.

- If so, how many were returned, and on approximately what dates?

Exact numbers of repaired and or replaced units would take additional time to research.

- Why were Datamaster machines selected over other breath test instruments, such as Drager?

In 2005, when the VDHL Evidential Breath Testing Program reviewed the available instruments for replacing the BAC DataMaster, the DataMaster DMT was the instrument that met our specifications and was selected for purchase.

- Were the Datamasters deployed before all the bugs were worked out? There are allegations that they were.

While the manufacturer of the DataMaster DMT continues to make hardware modifications and improvements to their product, all instruments in service for evidential use have met and continue to meet the performance standards promulgated by the Department of Health Rules and Regulations regarding breath testing instruments. The user-interface software designed by the VDHL Breath Testing Program has been upgraded and continues to be refined; however the user interface software does not affect the accuracy of a subject's breath sample test.

- Is DOH's alcohol testing program accredited?

The DOH breath testing program is not accredited.

- If not, why not?

Accreditation is not required in the state of Vermont for breath alcohol testing programs.

- Can anyone from DOH say anything about the integrity of the alcohol testing program in light of the allegations made by Darcy and Amanda?

See statement above.

// SEVEN DAYS //

:: Andy Bromage

:: Staff Writer

:: andy@sevendaysvt.com

:: <http://www.sevendaysvt.com>

:: 802.864.5684

Kimball, Kirk

From: Celotti, Stella
Sent: Wednesday, April 06, 2011 10:39 AM
To: AHS - VDH - Lab Users
Subject: Seven Days Article

Hello, everyone, there is an article about the laboratory's alcohol test area in today's edition of Seven Days newspaper. We were aware that the article was being published and provided information to the reporter. I am available if anyone has any questions. Thanks, Stella-Mary.

Mary (Stella) Celotti
Laboratory Director
Vermont Department of Health Laboratory
195 Colchester Avenue
Burlington, Vermont 05401
802-863-7570
(Fax) 802-863-7632
Stella.Celotti@ahs.state.vt.us

Vincent, Margaret

From: Celotti, Stella
Sent: Wednesday, April 06, 2011 12:14 PM
To: Celotti, Stella
Subject: FW: Seven Days Article

-----Original Message-----

From: Celotti, Stella
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Mary (Stella) Celotti
Laboratory Director
Vermont Department of Health Laboratory
195 Colchester Avenue
Burlington, Vermont 05401
802-863-7570
(Fax) 802-863-7632
Stella.Celotti@ahs.state.vt.us

Vincent, Margaret

From: Harnois, Steven
Sent: Wednesday, April 06, 2011 1:30 PM
To: Celotti, Stella
Subject: RE: Health Department answers
Oh Boy.....

From: Celotti, Stella
Sent: Wed 4/6/2011 10:52 AM
To: AHS - VDH - Lab Users
Subject: FW: Health Department answers

Hello, everyone, in reference to the Seven Days article, this is what was sent from the VDH Communications office to the reporter, Stella.

From: Andy Bromage [mailto:andy@sevendaysvt.com]
Sent: Monday, April 04, 2011 2:21 PM
To: Stirewalt, Robert
Subject: Re: Health Department answers
Importance: High

Got it.
Thanks,

On Apr 4, 2011, at 2:09 PM, Stirewalt, Robert wrote:

April 4, 2011

To: Andy Bromage
Seven Days

The Vermont Department of Health takes very seriously its responsibility to process and provide results for Driving Under the Influence (DUI) cases. After two state employees raised concerns to laboratory management in February 2010, we promptly initiated an investigation of the alleged issues and concerns. The report of that investigation has been provided to you.

Our investigation concluded that the employees' allegations of unethical behavior were not substantiated. Also, as further assurance of the accuracy and reliability of the test results, the datamaster instrument has internal controls so that it will not issue a subject test result if there was a problem with the instrument or test process.

The Health Department continues to encourage state employees to report

any complaints to their supervisor and we will investigate allegations thoroughly, as part of our responsibility to serve the State of Vermont in serious matters such as DUI cases statewide.

Sincerely,

Mary Celotti
Public Health Laboratory Director
Vermont Department of Health

Answers to the questions you sent on Friday afternoon.

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- Can anyone from DOH say anything about the integrity of the alcohol testing program in light of the allegations made by Darcy and Amanda?

See statement above.

// SEVEN DAYS //

:: Andy Bromage

:: Staff Writer

:: andy@sevendaysvt.com

:: <http://www.sevendaysvt.com>

:: 802.864.5684

Kimball, Kirk

From: Celotti, Stella
Sent: Wednesday, April 06, 2011 5:10 PM
To: Kimball, Kirk
Subject: FW: Health Department statement

FYI, Stella.

-----Original Message-----

From: Erickson, Nancy
Sent: Wednesday, April 06, 2011 5:02 PM
To: Susan Allen; Celotti, Stella; Stirewalt, Robert; Truman, Bennett; Horton, Kathleen
Subject: FW: Health Department statement

I called Molly, and sent her this statement.

----- Forwarded Message

From: Nancy Erickson <Nancy.Erickson@ahs.state.vt.us>
Date: Wed, 06 Apr 2011 16:56:55 -0400
To: <news@wcax.com>
Conversation: Health Department statement
Subject: Health Department statement

The Vermont Department of Health takes its responsibility to process and provide results for DUI cases very seriously – and we have full confidence in the Datamaster instruments that have been deployed, in the technical support we provide to law enforcement, and in the analysis and expert witness testimony that we provide in individual DUI cases.

Nancy Erickson / Communication Director / Vermont Department of Health
108 Cherry Street / Box 70 / Burlington, VT 05402

New e-mail: Nancy.Erickson@ahs.state.vt.us
TEL 802.863.7281 (Office)
TEL 802.316.2121 (Mobile)

----- End of Forwarded Message

Vincent, Margaret

From: Bolduc, Amanda
Sent: Thursday, April 07, 2011 11:57 AM
To: Kimball, Kirk; Celotti, Stella
Subject: Allegations may put some Vt. DUI convictions in doubt - WCAX.COM Local Vermont News, Weather and Sports-

<http://www.wcax.com/global/story.asp?s=14397223>

Kimball, Kirk

From: Bryce-Parrott, Cara
Sent: Thursday, April 07, 2011 2:46 PM
To: Kimball, Kirk; Harnois, Steven; Merrill, Steven; Bolduc, Amanda; Giammanco, Marcella
Subject: DataMaster Updates

DataMaster updates for March went out in the mail today.

Chittenden County is on my desk, ready for delivery.

Cara

Cara Bryce-Parrott
VT Dept of Health Laboratory
(802) 863-7551
Cara.Bryce-Parrott@ahs.state.vt.us

Kimball, Kirk

From: Bolduc, Amanda
Sent: Thursday, April 07, 2011 11:57 AM
To: Kimball, Kirk; Celotti, Stella
Subject: Allegations may put some Vt. DUI convictions in doubt - WCAX.COM Local Vermont News, Weather and Sports-

<http://www.wcax.com/global/story.asp?s=14397223>

Kimball, Kirk

From: Harnois, Steven
Sent: Thursday, April 07, 2011 9:58 AM
To: Kimball, Kirk; Bolduc, Amanda; Merrill, Steven
Subject: Motor pool cars

http://bgs.vermont.gov/business_services/fleet/motorpool

I called fleet, they actually said 0630 am but the website states 0645.

Steve

Steven Harnois
State of Vermont
Agency Of Human Services
Department of Health
Public Health Electronics Technician
195 Colchester Avenue
Burlington, Vermont 05401
Phone (802) 863 7641
Fax (802) 863 7632

Kimball, Kirk

From: Kimball, Kirk
Sent: Thursday, April 07, 2011 8:14 AM
To: Celotti, Stella
Subject: FW: Blur: The Seven Days Staff Blog: Former Health Lab Chemist Complaints to DUI Lawyers Disclosed

Stella
This is the letter post I just talked with you about.
Kirk

-----Original Message-----

From: Bolduc, Amanda
Sent: Thursday, April 07, 2011 6:57 AM
To: Kimball, Kirk; Celotti, Stella
Subject: FW: Blur: The Seven Days Staff Blog: Former Health Lab Chemist Complaints to DUI Lawyers Disclosed

<http://7d.blogs.com/blur/2011/04/in-this-weeks-seven-days-two-state-chemists-employed-in-the-breath-testing-program-at-the-state-health-lab-dropped-a-bombshe.html>

Kimball, Kirk

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Vincent, Margaret

From: Bolduc, Amanda
Sent: Friday, April 22, 2011 10:00 AM
To: Vincent, Margaret
Subject: FW: Integrity

A Bolduc

Amanda Bolduc, MFS
PH Chemist III
Vermont Department of Health Laboratory
Alcohol and Toxicology Program
195 Colchester Ave
Burlington, VT 05402
(802) 585-6707 (mobile)
(802) 863-7412 (ph)
(802) 863-7632 (fax)
amanda.bolduc@ahs.state.vt.us
PLEASE NOTE new phone and email as of 10/13/10

From: Bolduc, Amanda
Sent: Monday, April 04, 2011 11:41 AM
To: Celotti, Stella; Kimball, Kirk
Subject: Integrity

I have serious concerns that this article is going to paint me in a bad light. The last question basically lumps me in with Darcy. I want to make it clear that while I agreed with her in February 2010, that the program wasn't running well, I no longer have that opinion of the program. Can we make that clear to Stirewalt and in turn to the reporter?

A Bolduc

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Vincent, Margaret

From: Bolduc, Amanda
Sent: Friday, April 22, 2011 10:00 AM
To: Vincent, Margaret
Subject: FW: My response

A Bolduc

Amanda Bolduc, MFS
PH Chemist III
Vermont Department of Health Laboratory
Alcohol and Toxicology Program
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PLEASE NOTE new phone and email as of 10/13/10

From: Bolduc, Amanda
Sent: Monday, April 04, 2011 11:39 AM
To: Harnois, Steven
Subject: My response

Stella has given me the opportunity to provide a response to Darcy's allegations. I don't know how much will be sent to Seven Days, but I want you to know what I wrote. The question from the reporter says "Can anyone from DOH say anything about the integrity of the alcohol testing program in light of the allegations made by Darcy and Amanda?" This is my response.

1. When VDHL switched from the BAC DataMaster to the DMT, there was a massive amount of new information and documentation available, yet the framework for handling this was not in place. This led to a breakdown in communication within the program where Chemists responsible for testimony had a lack of information regarding the instrument fleet. In February 2010, I raised a number of issues to my supervisor at the time regarding the work that was being performed on the DataMaster DMT instruments. Specifically I was concerned that what was being documented was not consistent with the work being performed. Also I was concerned that effective troubleshooting techniques were not being employed to appropriately diagnose performance issues. The level of oversight regarding the work being performed and the corresponding documentation was not sufficient for me to have confidence in my ability to testify to the maintenance of the DataMasters. Subsequent to the retirement of the previous Program Chief and the hiring of the new Program Chief, a number of new policies and practices have been implemented. The documentation requirements have increased significantly. The oversight regarding all maintenance aspects of the breath testing instruments has increased significantly. All of the concerns I had raised have been addressed. I now have clear and consistent documentation regarding the status of all of the breath testing instruments maintained by VDHL. I have full confidence that when a subject is tested on a DataMaster DMT instrument, that their breath is being fairly and accurately analyzed. I have full confidence that these instruments are maintained appropriately. A DataMaster result obtained by an officer certified to operate the instrument and when taken in accordance with their Department of Health training, is accurate and reliable and is in compliance with the provisions of the Department of Health rules.

A Bolduc

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