

Recently, the Vermont Department of Health Laboratory (VDHL) Toxicology Program deployed the new DataMaster DMT evidential breath testing instrument. Six instruments were deployed in Franklin and Grand Isle Counties on July 1<sup>st</sup>, 2008, and 11 in Chittenden County on November 12<sup>th</sup>, 2008. These instruments contain modern, sophisticated data storage and processing software which provides a valuable tool for the effective prosecution of DUI subjects. This new software also helps to ensure fair and accurate testing of DUI suspects. The process of providing instrument performance data has been simplified and streamlined for the benefit of all parties. The discovery response process on the part of both the DM agency and the VDHL has been made significantly easier.

The following information is being provided to explain the documents generated by and for the DMT, the types of information available, and who is responsible for generating and maintaining the various records.

**VDHL Documents** Each month the VDHL sends an update out to the State's Attorney's Offices for each of the DMT counties containing any newly generated laboratory DMT-related documents. These updates are sorted by instrument. All documents are also available for review at the VDHL by appointment during regular business hours. The following is a list of the DMT documents generated and/or maintained by VDHL.

- **Calibration Report-** A report of the calibration factors generated by the instrument. Calibrations are performed at the laboratory by a trained technician prior to Certification.
- **Certification Report-** A report demonstrating the instrument's initial performance characteristics. Certifications are performed at the laboratory by a trained technician after every Calibration prior to instrument Installation.
- **Installation Report-** A report demonstrating the instrument's performance at the time of installation. Instruments are installed by a technician from VDHL.
- **Annual Preventative Maintenance Report (APM)-** A report generated by the instrument during the yearly service. A technician services each instrument, checks the simulator temperature, and ensures the instrument is performing properly.
- **Technical Service Inquiry (TSI)-** Whenever VDHL is notified of a problem with an instrument, a TSI is generated by a technician. The TSI may include notes, troubleshooting and repair comments. Reports generated during the troubleshooting process or those demonstrating the instrument's field readiness may be attached as necessary.
- **Copy of Routine Performance Check Report (RPC)-** Three times a year (Feb, June, Oct.) each agency's trained DMT Supervisor completes an RPC on their instrument. These checks demonstrate the instrument's continuing performance. Once complete, the agency will remit a copy of the report to VDHL for review and filing.
- **VDHL Communication-** Any relevant DMT-related memos or communication within the lab, lab to manufacturer, or lab to agency. These memos may be instrument specific or refer to the entire fleet of instruments.

**DMT Agency Documents** All agencies do have at least one trained DataMaster DMT Supervisor and may also have a Records Administrator (RA). The Supervisors and RAs have been instructed on how to generate discoverable materials regarding the DMT. There is no 'certification' of this training; however VDHL and VCJTC do keep record of trained Supervisors and RAs. VDHL recommends that each agency provide the State's Attorney's Office with monthly updates of all discoverable materials regarding the DMT. The following is a list of all DMT documents generated and/or maintained by the DMT agency.

- **Copy of Calibration Report-** VDHL provided each agency with a copy of the report generated on their instrument by the lab during calibration.
- **Copy of Certification Report-** VDHL provided each agency with a copy of the report generated on their instrument during certification.
- **Copy of Installation Report-** VDHL provided each agency with a copy of the report generated on their instrument during on-site installation.
- **Copy of Annual Preventative Maintenance Report-** VDHL provides each agency with a copy of the report generated during their annual instrument inspection.
- **Routine Performance Check (RPC) Report-** Generated on-site by a trained DMT Supervisor, the RPC is a tri-annual check of the instrument's ongoing performance. Once complete, a copy of the RPC report is sent to the VDHL for review. The instrument will not remain in service if a passing RPC is not completed by the end of the months of February, June and October. Subsequent successful RPC will return unit to service.
- **Simulator Solution Change Report-** A trained DMT Supervisor will change the solution as necessary and perform a simulator solution change protocol. The new lot # and concentration of simulator solution are assigned to the instrument. The protocol ensures the solution is within acceptable accuracy and precision requirements.
- **DataMaster Operators Logbook (Alc 603)-** Each time a DMT operator completes a subject test, the VDHL does not require, but does recommend that the operator, document their name, the subjects name and the simulator solution result in this logbook.
- **DataMaster Maintenance Logbook (Alc 803)-** Each time a DMT Supervisor performs any maintenance on an instrument, the VDHL does not require, but does recommend that the supervisor document their actions in this maintenance logbook. VDHL also recommends that any reports that may have been generated during troubleshooting also be retained by the DMT agency and accompany this logbook.
- **Instrument Status Summary Report-** A spreadsheet generated by the DMT which is retrieved by the Supervisor or RA documenting any errors that the instrument reported over a selected timeframe.
- **Breath Record Summary Report-** A spreadsheet generated by the DMT which is retrieved by the Supervisor or RA documenting the results of all breath tests analyzed by the instrument over a selected timeframe.

**Other VDHL Documents** These documents include in-house procedures and training materials. Student manuals have been provided to each State's Attorney's Office. VDHL procedure documents are available for review by appointment during regular business hours.

- Infrared Breath Testing Device DataMaster Student Manual 12/07
- Infrared Breath Testing Device DataMaster Student Manual: DataMaster DMT Addendum 5/08
- DataMaster DMT Instrument Supervisor and Record Administrator Manual (D-Alc-011) 8/08
- VDHL DataMaster DMT in-house technical reference notebook compilation
- **P-Alc-116** DataMaster DMT Power-up procedure
- **P-Alc-120** DataMaster DMT Annual Preventative Maintenance procedure
- **P-Alc-204** Simulator Solution Preparation procedure
- **Pre-Deployment Lab Testing-** A binder of all of the testing data generated on each instrument. Also available in electronic format (interpretation required). A spiral bound book has been provided to the State's Attorney's Office for each instrument located in that county.