June 27, 2022

Washington Association of Prosecuting Attorneys
206 10th Ave SE
Olympia, WA 98501

Subject: UPDATE: Potential Impeachment Disclosure Concerning Evidential Breath Test Results

This is an update to the previous notification(s) provided on June 16, 2021 and July 8, 2021.

On June 23, 2022, the Impaired Driving Section (IDS) identified three (3) additional breath tests which appear to have met the acceptance criteria outlined in WAC 448-16-060 but were not accepted by the Draeger Alcotest 9510. No breath test tickets were produced in these three cases as a result.

To date, no accepted breath tests have been identified as incorrectly meeting the acceptance criteria.

Below are the additional (three) identified breath tests which appear to have met the acceptance criteria in the WAC but were not accepted by the instrument:

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Date</th>
<th>Time</th>
<th>Client</th>
<th>Operator</th>
<th>BAC 1 IR</th>
<th>BAC 1 EC</th>
<th>BT Time</th>
<th>BAC 2 IR</th>
<th>BAC 2 EC</th>
<th>BT Time</th>
<th>Do</th>
<th>Transcribed MEAN</th>
<th>Rounded MEAN</th>
<th>Rounded Error MEAN</th>
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<tbody>
<tr>
<td>AH107-2000</td>
<td>11/10/2021</td>
<td>19:59</td>
<td>FLORES, ROBERTO DAVIN D</td>
<td>0.013</td>
<td>0.014</td>
<td>14:29</td>
<td>0.011</td>
<td>0.013</td>
<td>11:29</td>
<td>11</td>
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<td>AH108-2000</td>
<td>11/10/2021</td>
<td>02:34</td>
<td>MICHIGAN, CHERAPING M</td>
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<td>0.014</td>
<td>03:56</td>
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<td>0.015</td>
<td>03:59</td>
<td>11</td>
<td>0.015</td>
<td>0.015</td>
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<td>AH109-2000</td>
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</tr>
</tbody>
</table>

If you need additional information, please contact Lieutenant Jeffrey Leonard at Jeffrey.Leonard@wsp.wa.gov

Sincerely,

Lieutenant Jeffrey N. Leonard
Impaired Driving Section

JNL.jnl
cc: Dr. Fiona J. Couper, Forensic Laboratory Services Bureau
    Ms. Amanda Black, Toxicology Laboratory Division