JAY INSLEE
Governor

JOHN R. BATISTE
Chief

STATE OF WASHINGTON
WASHINGTON STATE PATROL
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March 28, 2019

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

Dear Mr. Brown:

This letter is to inform you on March 19, 2019, it was discovered that an incorrect Vapor Equivalent (VEQU) value was calculated for eight batches of reference solutions used during the Quality Assurance Procedure (QAP) for 13 evidential breath test instruments throughout the state. The calculations were for the following batches: 201703D, 201705D, 201802G, 201805A, 201806C, 201807B, 201807C, 201808D. We immediately suspended use of the eight solution batches and removed from service any instruments that had an adjustment done using the 0.08 listed (201807C).

The solution concentrations for these batches, provided by our external vendor, are accurate. We corrected the VEQU calculations and are using the reference solutions again. The solution batch certifications, with corrected VEQU forms, are posted on our public web Site (WebDMS).

Our technicians are working to perform new QAPs on all BAC instruments that used 201807C for the adjustment procedure during the QAP. All documentation will be uploaded onto WebDMS. **The possibility exists that reported evidentiary breath test results from these instruments may have been affected.**

We are working to identify all BAC instruments that used one or more of the affected batches during the linearity check portion of the QAP procedure. We are in the process of amending those QAP certificates and uploading them onto WebDMS. As long as results on the amended QAP certificates fall within the acceptable ranges for accuracy and precision, **we are confident reported evidential breath test results from these instruments were not affected.**

The Impaired Driving Section, Breath Test Program (BTP), will send letters to all prosecutorial jurisdictions with affected instruments detailing all evidential breath tests performed on those instruments during this time frame.

Sincerely,

Sergeant Bruce A. Maier, Acting Lieutenant
Impaired Driving Section

BAM:srb