

[CAPTION]

**FOIA LETTER REQUESTING BREATH TEST MACHINE
INFORMATION**

Date

State Department of Toxicology
[ADDRESS]

VIA CERTIFIED MAIL

Dear Department of Toxicology:

I am making a request pursuant to I.C. § 5-14-3-1 et seq. (Freedom of Information Act) for the following information concerning BAC DataMaster, Instrument Number **(Machine Number)**, thermometers, including NIST thermometers, and any simulators and simulator solutions used to calibrate and maintain this BAC DataMaster.

- 1) A copy of all data ever collected as to this BAC DataMaster, from **(Beginning Date)** to present, including, but not limited to, all data to establish that this breath alcohol test device meets, or did not meet, the requirements of precision and accuracy established by the Breath Test Division of the State Department of Toxicology.
- 2) All of the data from all of the records for all of the files that are downloaded from this breath alcohol test device for the time period from **(Beginning Date)** to present. This request includes, but is not limited to:
 - a. **Subject files;**
 - b. **Maintenance files;**
 - c. **Diagnostic files;**
 - d. **Calibration Factors;**
 - e. **Calibration files;**
 - f. **Operational error files; and**
 - g. **Instrument files.**

NOTE: File names may not be exactly as requested but the intent of this item is to receive any transferred files. Any data fields, records or files that are not provided must be clearly identified.

- 3) A copy of any procedures from **(Beginning Date)** to present used by the Breath Test Division, including but not limited to its inspectors, for the breath alcohol-testing program. This request includes, but is not limited to:
 - a. **Standard operating procedures for Calibration and Inspection of this BAC DataMaster (SOP's);**
 - b. Policy and procedure manuals;
 - c. Notes; memorandums or any other documents that describe the requirements and/or guidelines for the breath testing program and equipment maintenance.

Included in this request is documentation explaining:

- a. **What is to be tested and when?;**
 - b. **How testing is to be conducted?; and**
 - c. **Documentation detailing any and all data manipulations, calculations and/or reporting formats that are used by the Breath Test Division. (e.g.: What is the procedure for checking equipment prior to initial placement in the field; what testing and/or maintenance is required on a regular basis, how are the various data fields measured or calculated on the instrument, preparation of maintenance reports and the reporting of errors found.)**
- 4) All internal memorandum issued to inspectors of this BAC DataMaster, from [beginning date] to present concerning the retention or destruction of any and all data, notes, memoranda, notes to inspectors, print outs, or other documentation of any kind, including computer data, which would or could show that this DataMaster was not working properly whenever it was inspected.
 - 5) All laboratory data reflecting the analysis or verification of the concentration of the alcohol-water and acetone solutions used with this BAC DataMaster during the time period from [beginning date] to present.
 - 6) The complete maintenance and calibration history for all thermometers used to calibrate simulators that are then used to calibrate the BAC DataMaster from [beginning date] to present.
 - 7) The complete maintenance and calibration history for all simulators that are used to calibrate the BAC DataMaster from [beginning date] to present.
 - 8) All training records, certifications, and re-certifications for the breath alcohol device operator, [name of the officer performing the test] of the [name of police department]. Indiana Law allows you to charge up to \$0.10 per page for such requests. Please send such information according to statute with appropriate billing to the address below:

[INSERT ADDRESS]

According to Statute you have seven (7) days to respond since this letter was sent via mail.

Thank you for your assistance on this matter.

[Signature]