



Florida Department of  
Law Enforcement

Gerald M. Bailey  
Commissioner

Alcohol Testing Program  
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Charlie Crist, Governor  
Bill McCollum, Attorney General  
Alex Sink, Chief Financial Officer  
Charles H. Bronson, Commissioner of Agriculture

February 28, 2008

Sgt. Urbano Dieppa  
Hialeah Police Department  
Traffic Homicide Unit  
5555 E 8th Avenue  
Hialeah, FL 33013

Dear Sgt. Dieppa:

This letter is a confirmation of our telephone conversation on February 15th, 2008, regarding several breath test done on Intoxilyzer serial number 80-002463 and 80-002464, by your agency.

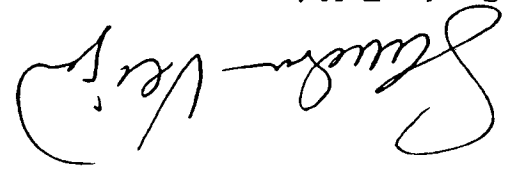
As discussed with you, the operators did not closely follow FDLE/ATP Form 37, Operational Procedures - Intoxilyzer 8000, in that they did not verify the correct cylinder lot number and expiration information. Chapter 11D-8.007, F.A.C. requires breath tests must be conducted using these procedures. Also, we discussed the use and care of the agency's registered Intoxilyzer 8000, is the responsibility of the agency inspector(s) (Amado Alvarez & Manny Montalvo), also outlined in Chapter 11D-8, F.A.C.

The aforementioned breath tests will need to have the affidavits amended to reflect the correct lot number and expiration date of the dry gas cylinder. The information pertaining to each breath tests was provided to you and the correct lot number and date for the dry gas cylinder as well.

Please forward me proof of in-house refresher training you state will occur concerning this issue as soon as the training is complete. This will preclude me from scheduling and conducting such training myself.

*Service - Integrity - Respect - Quality*

Thank you, for your help in this matter. Should I be of any further assistance, please don't hesitate to call upon me.



Sandra F. Veiga

Department Inspector

SV

cc: Amado Alvarez  
Manny Montalvo  
Laura Barfield

Hialeah Police Department  
5555 E 8 Avenue  
Hialeah, Florida 33013

March 4, 2008

Sandra F. Veiga  
Department Inspector  
Alcohol Testing Program  
Florida Department of Law Enforcement  
1030 NW 111 Avenue  
Miami, Florida 33172

Dear Ms. Veiga:

In response to our telephone conversation on February 15, 2008 and your letter on February 28, 2008 regarding several breath test done on Intoxilyzer 8000 on serial number 80-002463 and 80-002464. I am looking into how to properly correct this mistake.

I have met with Officer Amado Alvarez and Manny Montalvo is regards to this issue that we are having with inputting the improper lot number and expiration dates on the breath test. BTO's are required to verify the dry gas lot number and date of expiration every time they conduct a breath test. I have faith that these BTO's have conducted a valid test and that what happened was just a human error.

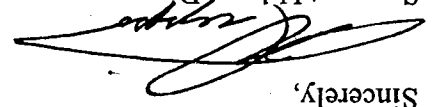
I want to assure you that our instruments are located in the DUI room which are only accessible by BTO's. Our dry gas cylinders and other equipment are properly secured closet in the DUI room which only Officer Amado Alvarez and Manny Montalvo have access to. The errors with the paperwork have been corrected and amended by the officers.

Below are the specific subject test that were affected by this in-house error.

Subject- Luis Cuesta PD# 07-52144  
Subject-Alfredo Rodriguez PD# 07-49803  
Subject-Noel Fernandez PD#07-51748  
Subject-Juan Mayo PD#07-52456  
Subject- Andrew Flores PD# 07-51694

I thank you for bringing this to my attention and we will do everything possible to prevent these mistakes from occurring in the future.

Sincerely,



Sergeant Urbano Dieppa

Traffic Homicide Supervisor

Hiawah Police Department

5555 E 8 Avenue

Hiawah, FL 33013