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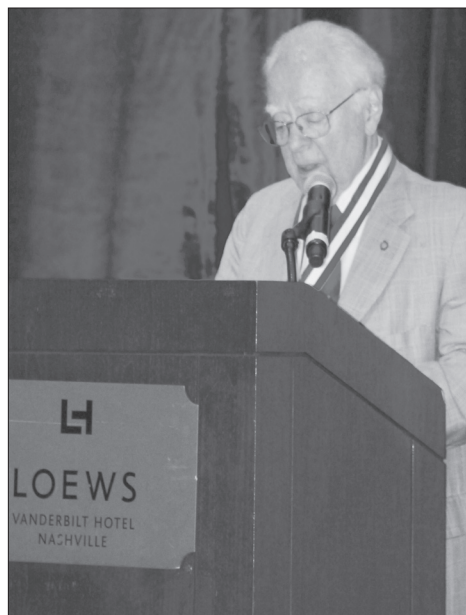
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October 1, 2012

Next Newsletter

November 2012

Section I – IACT Conference



Kurt Dubowski, Ph.D. is honored with IACT's first Lifetime Achievement Award.

International Association for Chemical Testing Lifetime Achievement Award

**Presented to Kurt M. Dubowski, Ph.D., DABFT,
George Lynn Cross Distinguished Professor
Emeritus of Medicine
April 18, 2012, Nashville, Tennessee**

Introduction by Patrick Harding

As we mark the 25th Anniversary of the International Association for Chemical Testing in Nashville this week, it is fitting that we be-

stow our first Lifetime Achievement Award on Kurt M. Dubowski. This

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evening we celebrate his career, and honor the man who has done so much to define the science and shape the practice of forensic alcohol testing.

The goals and mission of IACT are to:

- advance professionalism in alcohol and drug testing.
- develop and promote training programs for persons and organizations.
- facilitate the discussion and exchange of information.
- promote cooperation between agencies.
- plan, organize, and administer meetings and conferences, reports and other projects to promote and advance these purposes.

Kurt Dubowski embodies all that IACT stands for, and was practicing what IACT has preached long before this organization was formed. No one has done more to develop, improve and promote the practice of blood and breath alcohol testing than Kurt Dubowski has during his long (62 years and counting), highly productive and distinguished professional career. He has been a member of IACT since 1993, presented at numerous annual conferences, served on the Board of Directors since 2002 and created IACT's Kurt M. Dubowski Award in 2002. His participation has raised the professional standards and stature of IACT, just like it has for so many other organizations in which Dr. Dubowski has been involved. The following brief summary of Dr. Dubowski's career only scratches the surface of his many professional contributions and accomplishments.

Dr. Dubowski was educated at New York University and The Ohio State University. His Ph.D. dissertation, a 720 page evaluation of ethyl alcohol methods for biological fluids, remains the longest in OSU history. His solid educational background enabled him to embark on a unique two-pronged career encompassing both clinical chemistry and forensic toxicology.

Dr. Dubowski's professional career began in Connecticut in 1950 and started his pattern of holding multiple positions in both clinical chemistry and forensic science. He was Biochemist and Assistant Laboratory Director of Norwalk Hospital, Norwalk Police Department Chemist, Connecticut State Police consultant and Fairfield County Coroner's office scientific investigator, as well as a lecturer at Yale University. His next stop was in Des Moines, Iowa in 1953 where he held positions as Director of Chemistry at Iowa Methodist Hospital and Raymond Blank Memorial Hospital for Children, State Criminalist for the Iowa Department of Public Safety, Toxicologist and Chief Deputy Coroner for the Polk County Coroner's Office, and as Director of the Iowa Poison Information Center. Then followed a period starting in 1958 at the University of Florida where Dr. Dubowski was Associate Professor of Clinical Chemistry, Director of Clinical Laboratories for UF Teaching Hospital & Clinics, Toxicologist and Scientific Director for the Florida Poison Information Center, Consultant in Clinical Chemistry and Toxicology for the Veterans Administration Hospital, and Criminalist for the Gainesville Police Department. Many of the positions held by Dr. Dubowski were the first, or among the first, of their kind. He has truly been a pioneer in both clinical chemistry and forensic science.

Arguably the most significant contributions to forensic alcohol testing made by Dr. Dubowski came during his long tenure at Oklahoma University, starting in 1961. He was Director of Clinical Chemistry Laboratories at the University of Oklahoma Hospitals, Professor of Biochemistry and Molecular Biology, Professor of Pathology, Professor of Surgery, and for the State of Oklahoma he served as State Director of Tests for Alcohol and Drug Influence and Chairman of the State Board of Tests for Alcohol and Drug Influence. In 1981 Dr. Dubowski became the George Lynn Cross Distinguished Professor of Medicine and became Emeritus in that appointment in 1998, one of the highest honors he has achieved and one of which he is most justifiably proud.

In 2003 Dr. Dubowski retired from his various positions at the University and State. But "retirement" for Kurt Dubowski meant accepting a position as Principal Research Scientist for the Bioaeronautical Sciences Research Laboratory at the FAA Civil Aerospace Medical Institute, in Oklahoma City, a position that he continues to hold to this day.

Dr. Dubowski's forensic science career has focused on five major areas: academia, fundamental and applied research, education and training, professional practice and public service, and the advancement of the profession. He has succeeded at the highest levels in all of these endeavors.

There are a number of milestones and firsts in Dr. Dubowski's career, including:

- conceiving and publishing the State of Alcohol Influence Chart in 1953, most recently updated

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in 2012, and still the most widely used BAC interpretation table.

- promoting the direct reporting of breath alcohol concentrations, first suggested by Morton Mason and Kurt Dubowski in 1966, published in 1976, adopted by the National Safety Council/Committee on Alcohol and Other Drugs (NSC/CAOD), incorporated into the Uniform Vehicle Code, adopted by NHTSA, and incorporated into legislation in 48 states and the District of Columbia.
- testimony in several significant trials where his opinions helped set precedent for the introduction and use of forensic science at the state and national levels.
- establishing the traffic law enforcement alcohol test program in Oklahoma in 1969, using NHTSA grant funding to develop training, program policies and practices that served as a model for many other states.
- establishing the practice of duplicate breath testing, first introduced by Dr. Dubowski in 1961 and adopted by Canada and the NSC in 1986.
- identifying the need for the National Bureau of Standards to produce an ethanol standard, and then evaluating that standard prior to it being marketed in 1985.
- refinement of the breath alcohol control test through the evaluation and improvement of breath alcohol simulators.
- documentation of dry gas performance, which NHTSA adopted as a standard in 1994.

- recommendations for Federal workplace alcohol testing.
- drafting federally regulated standards for blood alcohol analysis in 1977.
- creation of board certification programs for clinical chemistry and forensic toxicology. The American Board of Forensic Toxicology is the prototype certifying body in forensic science and the promulgation of professional practice standards.
- fifty-four years as an instructor at the Indiana University Robert F. Borkenstein Course on Alcohol, with over 5000 course graduates.
- a career-long involvement in quality assurance.
- involvement at the highest levels in the professional organizations related to clinical chemistry and forensic science.
- establishing peer recognition by professional organizations, including the creation and endowment of IACT's Kurt M. Dubowski Award.

These are but a few of Kurt Dubowski's accomplishments. His contributions continue today through his active participation in SWGTOX, the Scientific Working Group for Forensic Toxicology.

What about the man behind these accomplishments? Kurt Dubowski was born in Germany and immigrated with his parents to the US in 1935 at the age of 13. Speaking no English and being immersed in a foreign culture, he has credited some of his favorite teachers with encouraging him and helping him through this difficult phase. He enlisted in the US Army in 1942 and served as both an enlisted man and officer in both the active and reserve army

until 1955. Dr. Dubowski is proud of his military service and credits his time as a military policeman and intelligence officer for his career long interest and association with law enforcement. During his undergraduate and graduate studies he had the opportunity to come in contact with forensic toxicologists (Alexander Gettler and Dr. Rolla Harger) and police chemists (especially Lloyd Shupe) that helped to guide him toward his forensic toxicology career path. During that period he also corresponded with and eventually met Robert Borkenstein, thus beginning a long and fruitful personal relationship and professional collaboration. That collaboration included assisting Professor Borkenstein with the development of the Breathalyzer. He is quick to credit the contributions of his collaborators, especially those of Dr. Morton Mason and his long time assistant, friend, and now wife, Natalie Essary.

What is the secret to Dr. Dubowski's success? There is no secret. Hard work and perseverance is the Dubowski Way. Even though he is possessed of an obvious intellect and prodigious capacity to recall facts, figures, people and events, Dr. Dubowski, above all, works hard at his craft. Nothing is left to chance. He has said that he doesn't know how much is enough, so he subscribes to the concept of overkill in everything he does — from experiments, to publications, to trial preparation, to classroom presentations, and everything in between. He also doesn't like to be on the losing side of anything, which especially comes into play in court. Dr. Dubowski has said that there may be people smarter than him in the courtroom, but nobody will be more prepared.

Dr. Dubowski's list of publica-

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tions numbers over 185. He has co-authored two articles that are designated as citation classics, one in clinical chemistry and one in forensic toxicology. A Dubowski article is invariably well-written, well-crafted and easy to read. His publications are among the most innovative, insightful and influential in clinical chemistry and forensic alcohol toxicology, encompassing the development of methodology, human studies and the clinical and forensic application of chemistry and toxicology. In the field of forensic alcohol testing, his articles co-authored with Dr. Mason and Natalie Essary remain among the most frequently cited in our field.

During his career Dr. Dubowski has been recognized for his contributions and accomplishments many times and by many organizations. His awards are typically the highest honor that can be bestowed by that organization. Among these awards are:

- Widmark Laureate, International Council on Alcohol, Drugs and Traffic Safety, 1980.
- Rolla Harger Award, 1983. The first recipient of this award, conferred by the American Academy of Forensic Sciences.
- Distinguished Service Award, (inaugural), American Board of Forensic Toxicology, 1986.
- Robert F. Borkenstein Award, National Safety Council, 1992.
- Distinguished Service to Safety Award, National Safety Council, 1995.
- George Lynn Cross Distinguished Professor Emeritus of Medicine, 1998.
- Honorary Texas Ranger, as proclaimed by the Texas



Kurt M. Dubowski, Ph.D., DABFT, George Lynn Cross Distinguished Professor Emeritus of Medicine

Department of Public Safety, April 2007.

- 12th R.B.H. Gradwohl Laureate and R.B.H. Gradwohl Medalion Honoree, presented in February 2011 by the American Academy of Forensic Sciences, the most prestigious honor in forensic sciences.

During his introduction for the Widmark Award in 1980, Professor Borkenstein commented that Dr. Dubowski was being recognized not only for his research, which was noted for its quality and quantity, but also for his involvement in jurisprudence in impaired driving through court decisions that helped to shape the practice in the field. That is an apt description of Dr. Dubowski's contributions to the field of forensic alcohol testing. He possesses a unique ability to integrate his experience, training, knowledge and skills across multiple disciplines and to apply them to problems in forensic science. Dr. Dubowski has the ability to conduct research, publish it, incorporate those findings into written policies and procedures, promul-

gate those policies and procedures through teaching, professional organizations and governmental bodies, and to provide expert testimony regarding those findings that establishes precedent and case law. Throughout his career Dr. Dubowski has been a tireless advocate for forensically and scientifically sound testing protocols, underlain by a comprehensive QA/QC program, conducted by properly credentialed analysts, implemented within a carefully structured regulatory environment that places scientists in a position to make scientific decisions, and all of this in the context of effective legislation. No one has done it better- for it is the Dubowski Way.

Dr. Dubowski has stated that one of his goals was to associate the name Dubowski with alcohol testing in the same way that Sterling is associated with silver. To that I think it's safe to say, "Mission accomplished."

Dr. Dubowski, thank you for all that you have done for IACT and for our profession. You are one of a kind and truly deserve this one of a kind IACT Lifetime Achievement Award. Congratulations!



IACT's Silver Anniversary Conference

By Samera Zavaro

The 25th Annual Conference of the International Association for Chemical Testing was held April 15–19, 2012 in the heart of Music City — Nashville, Tenn. The host hotel was the beautiful Loews Vanderbilt Plaza. As you entered the lobby, it was quite obvious that we were all welcomed there by the IACT banjo logo shining on the floor.

We were so excited to have a host of vendors at this year's conference.

The conference was co-hosted by Samera Zavaro and Trey Miles of the Tennessee Bureau of Investigation Crime Laboratory located in Nashville, Tenn. One of their main goals in putting together this meeting was to make sure that all of the attendees would have the chance to experience local speakers, enjoy local flavors and experience what makes Tennessee unique.

Several brave souls arrived early to attend one of the two pre-conference training opportunities. We offered an ISO Measurement Confidence course and the FTCB prep course. Both were well attended.

The highlight of Sunday evening was the Welcome Reception. It gave everyone a chance to reconnect with colleagues, while sampling some delicious Southern appetizers.

Earlier that day our vendors set up in the exhibit hall. We had a fabulous group:

- Airgas
- Airgaz
- Alcohol Countermeasure Systems Corp.
- CMI, Inc.
- Draeger, Inc.

- Forensic Advantage Systems
- Guth Laboratories
- ILMO Specialty Gases
- Intoximeters, Inc.
- Lifeloc Technologies
- Nanopuls AB
- National Patent Analytical Systems, Inc.
- PAS Systems International
- Smart Start

National Patent Analytical Systems, Inc. supported the conference with additional funding. Intoximeters, Inc. and Airgas sponsored our social hour on Tuesday night.

President Alka Lohmann started off the meeting Monday morning welcoming everyone to the conference. TBI Assistant Director, Dan Royse and Governor's Highway Safety Director, Kendall Poole extended their welcomes to the group as well. The Honorable Judge Seth Norman gave our keynote address. Judge Norman started the first drug courts in Tennessee and has a great way of sharing his passion for the program with his audience. Judge Norman was probably one of the best speakers to share local dialect and humor with those of you from out of town. He has a delightful way of getting his message across while interjecting humor. He also accomplishes this with the most melodic of Southern drawls.

Boris Moczula, from the New Jersey Office of the Attorney General, shared with us the latest US Supreme Court decisions regarding Bullcoming and Melendez-Diaz. Mr. Moczula did a commendable job breaking down judicial opinion into facts that we could all digest and comprehend.

The first speaker after lunch

brought something to our conference that we weren't used to — Magic! Stephen Bargatze kept the entire room laughing while he worked his magic throughout the room. Some were picked on more than others, but everyone was a great sport! While Stephen amazed us with his slight of hand, he shared his personal experiences with alcohol. He shares his story with young people all over the US. Some of us were persuaded to even go on stage. It was all worth it!

Monday was rounded out with designer drug information from Tracey Durbin and Bob Welsh and a SWGTOX update by Laurel Farrell. We finished the day with an IACT Business Meeting.

Tuesday was a busy day with conference speakers and a field trip. The Honorable Judge Mark Fishburn, from Nashville, started the day off speaking about the expert witness from a judicial perspective. It was a different approach to what we usually hear about our testimony in court. Paul Williams spoke about blood and breath ratios. Very soon after these presentations, the group picked up boxed lunches and boarded buses heading to Lynchburg for an afternoon/evening at the only location in the world where Jack Daniels Whiskey is produced. When we arrived the agenda included tours of the distillery grounds, a presentation from the quality control scientist at the distillery, a social hour on BBQ Hill, and an authentic BBQ dinner while listening to a bluegrass band. We had a few light sprinkles during this time and hopefully the conference umbrellas helped out.

Wednesday morning we heard presentations from Steven

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Haenchen on expert witness testimony to refute defense claims. This gave all of us valuable information to remember when facing defense experts. The next set of speakers was another local group. A couple of months prior to the conference, there was an article in the local paper about some people who had made up an iPhone app that can read HGN. This seemed to be something unique and timely. The app may have not worked as well as we would like, but their presentation was lively, and gave a bit of insight into what the non-scientific public is thinking about. Maybe it sparked someone to begin building a scientific alcohol app? Who knows!

After lunch a series of breakout sessions started. We had a varied group of subjects:

- Stability of Ethanol/Nitrogen Content in Dry Gas Cylinders, by Melissa Kennedy, Virginia Dept of Forensic Science
- Drug Trends in Tennessee, by Jenifer Hall and TJ Jordan, TBI
- Intoxilyzer 5000 Temperature Study, by Ronald Oliver, Texas DPS
- Volatile Analysis Using a Dual Column Headspace – GC/MS, by Kelly Hopkins, TBI
- Validation of Gas Standards for the Intoxilyzer 8000, by Jason Avery, New Mexico Department of Health
- Forced Blood Draws, by James Camp, Tenn. TSRP
- Touching the Mouth, Contamination or Not?, by Nancy Mobile, New Hampshire Department of Health
- Drug Abuse Trends, by Richard

Holt, GHSO TN

- Web Based Discovery/Automated Date Maintenance, by Jim Bleskacek, Iowa Division of Criminal Investigation
- DUI From a Drinker’s Perspective, by Jim Sheradin, Nashville, Tenn.
- Breath Alcohol with Exhalation Profile Data, by Brian Lutmer, Missouri Safety Center
- Selecting and Verifying Experts – Prior Preparation Prevents Poor Performance and Problems, by Gil Sapir, Chicago, IL

The day wasn’t even close to being over. After the breakouts we had another IACT business meeting.

For dinner that evening, we celebrated with the Lifetime Achievement Award Dinner for Dr. Kurt M Dubowski. This was a special occasion to show our appreciation and regard for all that Dr. Dubowski has done for our association and our careers. It was a lovely night. The icing on the cake was a fire alarm just as we were leaving. Luckily it was just a false alarm and gave some of us a chance to take some photos with members of the Nashville Fire Department.

The final day was set up as a time to take a look back. Chester gave all of us a very enjoyable and informative presentation on 25 Years of IACT. Dr. Dubowski followed with 75 Years of the NSC Committee on Alcohol and Other Drugs. Both of these presentations brought back memories for some and educated others. No one left without laughing once and acquiring a greater understanding of where we have come from.

The weather was almost perfect, the hotel was comfortable, friendly and well-staffed; the location was close to several fun hot spots. We hope that you left

our fair city with new knowledge in something regarding the field of chemical testing and a good feel for what Nashville/Middle Tenn. has to offer. Please feel free to come back and visit anytime. There’s plenty more to see!

It’s never too early to begin working on your plans to attend the 2013 IACT Conference in The Twin Cities of Minneapolis-St. Paul, Minnesota. The host hotel is the Hyatt Regency Minneapolis located on Nicollet Mall in the heart of the bustling downtown business district. The Hyatt has all of the amenities you have come to expect of an IACT venue including restaurants, sports bar, and coffee shop, top rate meeting space, and a state of the art athletic club and fitness facility. Fodor’s Editor Jeff Moss writes, “To many Americans, Minnesota is just another state in flyover country, somewhere between the East Coast and the Rockies, up there near Canada. But there’s much more here than moose, mittens, and snow, and Minnesota’s Twin Cities of Minneapolis and St. Paul consistently rank as two of the United States’ top cities to live in. Minneapolis’s thriving art scene, outdoor culture (even in the winter), affordable prices, and friendly atmosphere make this Midwest metropolis a perfect place for a weekend — or longer — escape.” The Site and Program Committee was equally pleased with Minneapolis during a site visit and are certain you will find the city an outstanding venue for another successful IACT meeting. Mark your calendars for April 14-18, 2013 for the general meeting and stay tuned to the website for developing workshop training opportunities on either side of the meeting dates.

Section II

Scientific Section and Presentations

The Dubowski Alcohol Table

By Kurt M. Dubowski, Ph.D., LL.D., DABCC, DABFT
The University of Oklahoma Health Sciences Center
Oklahoma City, OK 73190

and

Civil Aerospace Medical Institute, Federal Aviation Administration
Oklahoma City, OK 73169

Permission is hereby granted to incorporate these materials into a forthcoming issue of the IACT Newsletter.

The publication entitled "Stages of Acute Alcoholic Influence/Intoxication" was originally developed by me in 1954 to supplement my services as the first State Criminalist of the State of Iowa. It was intended to provide useful information concerning the acute effects of alcohol on human behavior, performance, and physiological functions at different blood-alcohol concentrations, and on the interpretation of blood-alcohol concentrations, for use by officials involved in criminal justice and traffic law enforcement activities; and to be a teaching resource. The BAC data spans in this Table apply to typical social drinkers, not to chronic alcohol abusers.

About ten revisions and updates of the Table have been prepared in the past 58 years, to modify its nomenclature and adjust the several blood-alcohol concentration stages to reflect the evolving consensus of published research on human alcohol toxicology. The Table has been incorporated into Dubowski publications (1) and into leading textbooks on toxicology, emergency medicine, medicolegal aspects of alcohol, etc. Thus, the "Dubowski Alcohol Table" became a recognized authority on its subject, and has been for many years the most widely cited information source in litigation involv-

ing human alcohol effects at various blood-alcohol concentrations.

The 2012 revision incorporates some minor changes in terminology, and a revised fatal blood-alcohol concentration span to reflect recent and classic publications on that subject by Jones and Holmgren, Heatley and Crane, Leopold, and Kaye and Haag (2-5).

The fatal BAC listing in the 2012 Table edition reflects recent published consensus data on blood-alcohol concentrations found at autopsy in series of deaths attributed to acute alcoholic intoxication (2-4). Those autopsy BAC data are lower than typical agonal BACs reached prior to death from acute alcoholic intoxication, because persons who die from that cause often live several hours after reaching their highest blood-alcohol concentration. During that agonal period, alcohol elimination continues until death ensues. It is rare for persons whose blood-alcohol concentration reaches 0.60–0.65 g/dL to survive.

The several Dubowski Alcohol Tables, including the 2012 edition, published in this IACT Newsletter issue, each have a copyright notation. Under federal copyright laws (17 U. S. Code, Section 106-107, et seq.), reproduction and use of the Table are limited to those permitted under the

"Fair Use" doctrine. Other uses of the Table require prior permission of the copyright holder.

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STAGES OF ACUTE ALCOHOLIC INFLUENCE/INTOXICATION

| BLOOD-ALCOHOL CONCENTRATION grams/100 mL | STAGE OF ALCOHOLIC INFLUENCE | CLINICAL SIGNS/SYMPTOMS |
|---------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0.01-0.05 | Subclinical | Behavior nearly normal by ordinary observation Influence/effects usually not apparent or obvious Impairment detectable by special tests |
| 0.03-0.12 | Euphoria | Mild euphoria, sociability, talkativeness Increased self-confidence; decreased inhibitions Diminished attention, judgment and control Some sensory-motor impairment Slowed information processing Loss of efficiency in critical performance tests |
| 0.09-0.25 | Excitement | Emotional instability; loss of critical judgment Impairment of perception, memory and comprehension Decreased sensory response; increased reaction time Reduced visual acuity and peripheral vision and slow glare recovery Sensory-motor incoordination; impaired balance; slurred speech Vomiting; drowsiness |
| 0.18-0.30 | Confusion | Disorientation, mental confusion; vertigo; dysphoria Exaggerated emotional states (fear, rage, grief, etc.) Disturbances of vision (diplopia, etc.) and of perception of color, form, motion, dimensions Increased pain threshold Increased muscular incoordination; staggering gait; ataxia Memory loss Apathy; progressive lethargy |
| 0.25-0.40 | Stupor | General inertia; approaching loss of motor functions Markedly decreased response to stimuli Marked muscular incoordination; inability to stand or walk Vomiting; incontinence of urine and feces Impaired consciousness; sleep or stupor; deep snoring |
| 0.35-0.50 | Coma | Complete unconsciousness; coma; anesthesia Depressed or abolished reflexes Subnormal temperature Impairment/irregularities of circulation and respiration Possible death |
| Mean, Median=0.36 90%=0.21-0.50 | Death | Death from respiratory or cardiac arrest |

KURT M. DUBOWSKI, Ph.D., DABCC, DABFT

The University of Oklahoma
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Case Law

By Roger Doherty

Included is an update on Florida v. Geiss and an opinion related to the wording of an implied consent warning used in Florida.

Florida v. Gregory G. Geiss **Florida Supreme Court** **April 12, 2012**

The Florida Supreme Court decided to withdraw from the appeal of the Fifth District Court of Appeal's (DCA) ruling in State v. Geiss. The Court had accepted written briefs and heard oral arguments before deciding to withdraw. The per curiam opinion states:

"We initially accepted jurisdiction to review the decision of the Fifth District Court of Appeal in State v. Geiss, 70 So. 3d 642, 652 (Fla. 5th DCA 2011), in which the district court passed upon a question certified by it to be of great public importance. See art. V, § 3(b)(4), Fla. Const. After further consideration, we have determined that we should exercise our discretion and discharge jurisdiction. Accordingly, we dismiss this review proceeding."

As a result, the district court's ruling that search warrants cannot be issued for the purpose of drawing blood for misdemeanor DUI arrests stands.

Nader v. Florida DHSMV **Florida Supreme Court** **No. SC09-1533** **February 23, 2012**

The Florida Supreme Court

ruled that using the term "breath, blood, or urine test" in an implied consent warning does not violate section 316.1932(1)(a)1.a., Florida Statutes, and upheld Nader's suspension for refusal. In agreeing with the Second District Court of Appeal's opinion in the case, the justices also struck down the Fourth District Court of Appeal's decision in DHSMV v. Clark, 974 So. 2d 416 (Fla. 4th DCA 2007), which held that a circuit court could reverse a suspension if the officer used the phrase "breath, blood, or urine test" in the implied consent warning.

Nader was arrested for DUI, and her license was suspended when she refused a breath test, which was the only test she was asked to take. She requested an administrative hearing and argued that her implied consent warning was improper because it included the phrase "breath, blood, or urine test." The hearing officer upheld the suspension, and Nader petitioned the circuit court to reverse the suspension on the grounds that the implied consent warning was improper. She cited the Fourth DCA's decision in DHSMV v. Clark in her petition. DHSMV argued that the Fourth DCA's decision was wrong. The circuit court judge wrote that he would have denied Nader's petition, except that he was required

to follow the Fourth DCA's ruling.

DHSMV appealed to the Second DCA. The appeals court had to make two decisions. It had to decide if it had the authority to consider the appeal and then decide if the circuit court's opinion should be overturned. The Second DCA decided that it had authority to consider the appeal because it found that the Fourth DCA's Clark opinion was "contrary to clearly established statutory law." The Second DCA quashed the circuit court's ruling and reinstated the suspension. The Second DCA then certified two questions to the Supreme Court. Simply stated, they asked, (1) Did the implied consent warning used in this case violate the statute? and (2) Did the Second DCA correctly decide that it had the authority to review the circuit court's decision?

The justices agreed with the Second DCA's actions related to both questions. Justice Pariente wrote in the opinion, "In conclusion, we answer the first certified question in the negative. The Second District properly found that there was no violation of the implied consent law under the circumstances of this case. Accordingly, we approve of the Second District's decision and disapprove the Fourth District's opinion in Clark to the extent that it concluded to the contrary."



CSI Iowa By Antoinette Macchia

About two years ago IACT's own Bob Monserrate was approached to start a live radio show about forensics. He calls it CSI Iowa. The show is broadcast live on Friday nights from 5–6 pm CT and can be viewed at www.webcastonline.com. Best of all, archived copies of the show can be viewed via Ustream and Livestream and currently there are over 80 to choose from. CSI Iowa has about 7,000 viewers a month. Many of the viewers are from the criminal justice field as are his guests. Through the miracle of modern technology Bob Monserrate uses Skype to contact his guests allowing him to have access to the criminal justice system from around the country.

On May 25, 2012, Bob featured another distinguished member of IACT, Patrick Harding. In the course of his hour-long feature, Pat Harding spoke about the challenges facing Breath and Blood testing today, both in and out of court. The episode covered Breath vs. Blood testing (Which is more reliable?), the challenges associated with the continuous appearance of new drugs and the important role of quality control procedures in the modern crime laboratory.

This broadcast and others are available for free from the website <http://www.ustream.tv/discovery/recorded/all?q=csi+iowa>. Some of the archived episodes which may be of interest include: John Rusco – Breathalyzers: May 18, 2012, Paul Hermsen – Crime Lab Accreditation: February 17, 2012, Jim Meyerdirk – Traffic Safety: March 16, 2012. This production is informative, entertaining and best of all free! CSI Iowa serves as a way to catch up on what is going on in crime labs around the country.

Intoxilyzer Users Group 28th Annual Meeting Portsmouth, New Hampshire September 16-20, 2012

- Location:** Portsmouth, New Hampshire
- Hosts:** New Hampshire State Police Forensic Laboratory (Nancy Mobile, Lisa Johnston and Matt Howe) and CMI Inc. (Mr. Toby Hall)
- Hotel:** Sheraton Portsmouth Harborside Hotel and Conference Center
250 Market St., Portsmouth, NH 03801
603-431-2300 (Specify Intoxilyzer Users Group)
- Website:** <http://www.starwoodmeeting.com/StarGroupsWeb/res?id=1108264134&key=57087> will take you to the main web page where you can make your reservation, or browse around.
- Guest Rooms:** Single or Double Occupancy rate is \$130.00 + tax (9 percent). This meets the Government CONUS (GSA Per Diem Rate). This is the rate for 2012.
- Airports:** Manchester, New Hampshire (closest), Boston, Massachusetts and Portland, Maine
- Ground Transportation:** No hotel shuttle from any of the airports. Rental cars and Super Shuttle <http://www.airportshuttles.com/supershuttle.php?gclid=CNjg-qKB6rACFUIN4AodQhndbw> is available from all three airports (\$49 from Manchester). It's about a one hour trip from any of the three airports.
- Places to see:** A good place to start <http://www.portsmouthnh.com> but have fun with Google. There is a lot to do, see, eat and drink.
- Presentations:** Some topics being considered NH's DUI Mobile Command Center (bus), what it's like to have and/or get ready for an ASCLD/LAB inspection, PBT versus blood tests from a DRE's view point, comparisons of different states' certification (calibration) programs, lots from CMI including more on the 9000.

ASCLD/LAB Training Courses

Information on all training courses can be found at <http://www.ascl-d-lab.org/trng/trngoverview.html>.

The website provides dates and locations of upcoming courses as well as course objectives, structure, and cost for all courses.

Training courses for Testing Laboratories are more common than those for Calibration Laboratories. Training course offerings for the Calibration accreditation program during 2012 are:

- Preparation Course: September 18-20, White Plains, New York
- Assessor Course: December 3-7, San Diego, California

For more information, contact Laurel Farrell, phone 303-517-2761, email lfarrell@ascl-d-lab.org.



Section III IACT Business

Minutes of the IACT General Business meeting April 16 and 18, 2012 Nashville, Tenn.

Submitted by
Secretary Paul Glover

President Lohmann called the meeting to order at 4:06 p.m. A quorum was present. The minutes of the Business meeting held in St. Louis, Missouri on April 18, 2011 as published in the August 2011 newsletter, were approved.

Treasurer Trey Miles reported that the results of the current audit would be published in the next newsletter. He reviewed the current status of IACT funds and the spending and income for 2011. He reported that IACT-PTP was officially terminated in June 2011. The previous conference resulted in a net gain of \$10,614.72. He then reviewed the projected expenses and income for the current conference.

Secretary Glover stressed to the membership the need for them to complete the membership renewal form every year and to send to him any changes throughout the year with respect to contact information and employment. He reported that the use of email for sending newsletters, conference announcements and other IACT information was working very well.

Chair Lisa Johnston reported that the Membership Committee had approved 28 applications for regular membership and one for associate membership. The committee's efforts

to recruit new members from states not currently represented in IACT had been met with limited success.

Chair Scott Brown was most appreciative of the efforts of the Publications Committee. His desire is to have regional reports submitted at least once a year. He welcomes any pictures members would like to submit, feedback on the newsletter, and encouraged anyone who would like to assist, to join the Publications Committee.

Chair Melissa Kennedy discussed the Training Committee's 2011 survey, the results of which guided the workshops offered at this conference. Responding to surveys is most helpful to the Committee as they put together future workshops. She would welcome any additional members who would like to join this committee.

It was announced that the Legal Research Committee needs members and it would be most helpful if there were a prosecutor that would contribute to this committee.

Chair Lee Anne Spino reported that the Manufacturer's Committee is always looking for new vendors and committee members. There are 14 vendors participating in the current conference and Guth Labs has set up a historical display of breath alcohol testing related items.

Chair Kim Overton had no issues to report from the Ethics Committee. Chair Overton's appointment to the committee expires in 2013; Daryl Coffee's appointment continues through 2014 and Natalie Essary agreed to serve another three year appointment which will run through 2015.

Chair Shirley Ezelle reported that the Nominating Commit-

tee had the following slate for Wednesday's vote: Alka Lohmann for President, Mark Pevey for Vice President, Trey Miles for Treasurer, and Paul Glover for Secretary.

Chair Randall Beaty reported on the conference site selection process and the status of the current conference. He feels that there needs to be more communication between the various IACT committees with respect to conference planning. We are in need of a 2014 site/local host and he welcomed any volunteers.

OIML – Ambler Thompson will give a report on the OIML progress in his presentation on Wednesday morning.

In unfinished business, it was reported that IACT-PTP was officially dissolved June 2011.

The meeting was recessed at 4:47 p.m. and will resume on Wednesday afternoon, April 18, 2012.

The meeting reconvened at 4:37 p.m. on April 18, 2012 and a quorum was present. Chair Beaty solicited for nominations from the floor for the four (4) elected IACT offices – there were none and nominations were closed. The paper ballots for new members and officers were distributed to the regular members. A video was shown featuring the 2013 host city of Minneapolis, Minn. After ballot tabulation, it was reported that all current officers had been re-elected and all new member applicants had been approved for membership.

Dowd Hauver announced that he was stepping down from his position as a member of the Board of Directors. President Lohmann recognized him for his many years of dedicated service to IACT.

The meeting was adjourned at 4:53 p.m.



Minutes of the IACT Board of Directors meeting April 15, 2012 Nashville, Tenn.

Submitted by Secretary Paul Glover

The meeting of the IACT Board of Directors was called to order by President Alka Lohmann at 1:04 p.m. on April 15, 2012 at the Loews Vanderbilt in Nashville, Tenn. Present at the meeting were, President Alka Lohmann, Vice President Mark Pevey, Secretary Paul Glover, Treasurer Robert "Trey" Miles and Board members Randall Beaty, Dr. Kurt Dubowski, Sue Hackworthy, Patrick Harding, and Dowd Hauver. The previous minutes of the Board were approved as published in the November 2011 newsletter.

Treasurer Miles reviewed the status of the current audit, which was not complete at this time. He also reviewed the IACT expenditures and income for 2011, which showed an approximate \$16,000 net increase. The status of the current conference with respect to registered attendees and hotel registrations was discussed with the conclusion that there were no apparent issues. Some vendors (NPAS, Airgas and Intoximeters) had donated funds in support of various breaks/functions, which was greatly appreciated by the Board. It was also recognized that the Tennessee Governor's Highway Safety Office (GHSO) had contributed a generous grant in support of the conference, based on the application submitted by 2012 local conference host Samera Zavarro. Treasurer Miles also located the source of a monthly minor banking charge that has now been discontinued.

Secretary Glover reviewed the status of the overall membership with

Treasurer's Report

By Trey Miles

Summary of Assets (as of 07/16/2012)

| | |
|-------------------------------------------------------------|----------------|
| MetLife Premium Deferred Fixed Annuity | = \$ 34,310.58 |
| MetLife Premium Deferred Fixed Annuity (Dubowski endowment) | = \$ 26,526.01 |

Bank of America checking account and savings accounts

| | |
|------------|----------------|
| Checking | = \$ 55,487.87 |
| Savings | = \$ 5,297.16 |
| Total Cash | = \$ 60,785.03 |

Total Assets = \$121,621.62

Notes:

The 2011 audit is completed and is accessible at the IACT website. Everything went well. Also available on the website is the 990 tax document that was submitted. Financially, IACT is in great shape. The Nashville meeting was a great success. For those that attended, I hope you enjoyed your stay. I appreciate the opportunity to serve you for the next two years.

Respectfully Submitted,
Trey Miles

respect to updating contact information, agency affiliation, and the need for members to submit the renewal form each year. He will address this issue at the general meeting.

Chair Lisa Johnston's Membership Committee report showed a total of 29 potential new members to be voted on at the general meeting.

The Publications Committee, chaired by Scott Brown, has now issued three newsletters in pdf format with email distribution, and Director Harding recognized the March 2012 issue as being one the best issues in many years.

Chair Melissa Kennedy's Training Committee report discussed the success of the online surveys that had been sent out to the membership. One significant finding in the survey was the number of relatively new or young IACT members. There was positive discussion about attempting

to provide some basic level workshops for new members in conjunction with future conferences. It was recognized that there are many current members that could make significant contributions in leading such workshops. For this conference, there were 10 students in the pre conference FTCB personal certification preparatory workshop and 16 in the Statistics-Traceability/Measurement Assurance workshop. The Board advised Chairperson Kennedy to submit her invoice for the cost of the online surveys. She intends to distribute a post conference survey as well.

The Legal Research Committee, chaired by Roger Doherty, needs three or four more members and enhanced contact with prosecutors.

Chair Lee Anne Spino reported

Continued on Page 13



Continued from Page 12

that the Manufacturer's Committee had attempted to recruit five or six new vendors without success. There are 14 vendors signed up for the current conference and Guth Laboratories has provided a historical display of breath alcohol testing related items.

Samera Zavaro gave the Board an update on the current conference and the Board recognized the tremendous support by the Tennessee GHSO.

Chair Kim Overton had no issues to report from the Ethics Committee. Chairperson Overton's appointment to the committee expires in 2013; Daryl Coffee's appointment continues through 2014 and Natalie Essary agreed to serve another three year appointment which will run through 2015.

Chair Shirley Ezelle reported that the Nominating Committee had nominated Alka Lohmann for President,

Mark Pevey for Vice President, Trey Miles for Treasurer and Paul Glover for Secretary. The elections will be held at the general meeting.

Chair Randall Beaty reported that the Conference Committee selected the Hyatt in Minneapolis, MN for the 2013 IACT conference, and that we currently do not have a host or site selected for the 2014 meeting. There was some discussion concerning the conference hotels. Many things have to be considered for a conference – including but not limited to: room rate, meeting room size, food and beverage obligations and overall location. The consensus of the Board is that the sites selected provide the appropriate facilities for IACT conferences and may not be available to IACT without the use of a conference planner.

Our Webmaster Paul Calderon had no issues to report.

Unfinished Business

The issue of obtaining a service

mark for the Dubowski Award was discussed. Since IACT is incorporated in Massachusetts, the process of obtaining a service mark or trademark for the award should be explored in that state, thus it remains unfinished business. Dr. Dubowski suggested that it might be possible to transfer or convert the registration of his previously obtained service mark to the Dubowski Award. He volunteered to research the possibility and report back to the Board.

New Business

The Board set the date for the 2012 Fall Board meeting to be September 8 in Minneapolis.

There was a brief discussion about Dubowski Award recipient criteria.

Dr. Dubowski advised the Board of the passing of Dr. Forney Jr.'s mother this morning and acknowledged her support of the science of chemical testing.

The meeting was adjourned at

IACT Newsletter Team

The IACT Newsletter is published three times per year. Articles published in this newsletter may be reproduced with attribution unless otherwise noted.

Publisher:

IACT Publications Committee

Chair: Scott Brown

Editors: Carrie Kirkton and Cheryl Ryser

Patrick Harding, Scientific Editor

Alva Barbosa · Perry Curtis · Roger Doherty · Emily Esquivel · Shirley Ezelle · Carl Lecoche · Susan Lefebvre
Antoinette Macchia · Trey Miles · Randall Prokopanko · Jeffrey Warnecke

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Tyler, TX 75701

Phone: (903) 939-6008 Fax: (903) 939-6089

E-mail: scott.brown@dps.texas.gov

A Look Ahead ...

Next Newsletter Deadline: October 1, 2012

Next Newsletter: November 2012



Training Committee Report By Melissa Kennedy

In the fall of 2011, the Training Committee conducted a traditional e-mail/paper survey to assess topics for workshops to be held during the 2012 conference. The top choices were UOM, measurement traceability and basic statistics. In Nashville, we have been able to partner with Dr. Suzanne Bell from WVU, and Laurel Farrell from ASCLD/LAB to host a workshop designed to cover all three of these topics. There were 16 students in attendance. FTCB also hosted their one day seminar on alcohol toxicology, and had 10 students in attendance. The workshop offerings were published on the IACT website, in the SOFT newsletter, and on the ASCLD/LAB website. The Training Committee will be sending out a survey via SurveyMonkey to participants at the completion of the conference to assess their thoughts on the workshops.

In late 2011, the Training Committee proposed to the Board of Directors an update to the conference format. With the Board's approval, the Training Committee decided the best course of action was to survey the membership to assess their thoughts on this proposal. In

February of 2012, the survey was conducted via SurveyMonkey with a very good response. We had 109 total surveys completed, which is well above the number returned using a traditional paper survey just a few months prior to this. We received valuable feedback regarding demographics of our members, funding for conferences, and conference format. I plan to present a slideshow with this data during the general meeting this week. Ninety eight percent (98 percent) of respondents were in favor of changing the conference format to 2.5 days of general session with two days of workshops. Eighty four percent (84 percent) favored the Mon/Tues workshops followed by the General Sessions being held Wednesday through Friday afternoon. Input on registration fees associated with the conference was in a dead heat for most of the open period of the survey; ending with a slight advantage (55 percent) for separating workshop vs. general session fees. This would seem to call for some creativity on the part of the treasurer and conference committee to work this out.

The Training Committee plans to continue to assist the Conference Committee in planning workshops and finding speakers for the 2013 conference. The committee will also keep the needs of members in mind, possibly conducting another SurveyMonkey survey.

One area noted from the survey results was lower participation from those who would consider themselves early in their career (19 percent of respondents). I believe this is an area we as an organization should seek to develop. There are other organizations that have seen this demographic as an opportunity to develop the knowledge, networking, and leadership skills of newer members of the chemical testing community. The American Academy of Forensic Sciences has a Young Forensic Scientists Forum with activities such as resume and interview skills, poster sessions, breakfast talks etc., all designed to educate and develop emerging forensic scientists. In 2010, SOFT began the Young Forensic Toxicologists program. They hold a forum at their annual conference and host the Student Enrichment Program, which has different events each year. I see this demographic as an important component of a balanced organization, where personal and professional development can occur throughout your entire career and all members can benefit from the viewpoint of each other. I would ask the Board of Directors to consider looking into this area, perhaps forming an ad-hoc committee to determine the desire and feasibility of pursuing this particular demographic.

Plan Ahead!

**The 2013 IACT Conference will be held in the
Twin Cities of Minneapolis–St. Paul, Minnesota**

April 14–18, 2013



Membership Committee Update July 2012

By Lisa Johnston

Welcome to the new members of IACT that were voted in at the April Conference in Nashville. We have added 28 Regular Members and one Associate member. Please encourage your co-workers and associates to consider becoming members in IACT as membership is beneficial to both the individual and the association. I would like to thank all those that recruited new members over the past year.

I would also like to thank my co-worker Matt Howe for volunteering to serve on the membership committee.

A list of the newly voted in members follows.

INTERNATIONAL ASSOCIATION FOR CHEMICAL TESTING 2012 NEW MEMBERS

REGULAR MEMBERS

| | | |
|--------------------|--------------------------------------------|-----------------|
| Angus, Stewart | Royal Canadian Mounted Police | Edmonton AB |
| Barton, Megan | Texas DPS | Austin TX |
| Billeter, Michelle | Virginia Dept of Forensic Science | Richmond VA |
| Blake, Kerry | Royal Canadian Mounted Police | Edmonton AB |
| Carter, Chelsea | San Diego SO Crime Lab | San Diego CA |
| Dean, Kevin | N.C. Forensic Tests for Alcohol Branch | Raleigh NC |
| DeBoard, Donald | University of Central Missouri | Independence MO |
| Del Valle, Maximo | San Diego SO Crime Lab | San Diego CA |
| Elbogen, Julie | Los Angeles Sheriff's Dept | Downey CA |
| Hernandez, Arturo | San Diego SO Crime Lab | San Diego CA |
| Jacobs, Jennifer | Florida Department of Law Enforcement | Tallahassee FL |
| Jewell, Diane | Los Angeles Sheriff's Dept | Downey CA |
| Lancon, Douglas | Montana Department of Justice | Missoula MT |
| Lanz, Darby | Las Vegas Metro Police Dept – Forensic Lab | Las Vegas NV |
| Lewis, Lauren | Los Angeles Sheriff's Dept | Downey CA |
| McCarthy, Cynthia | Delaware State Police | Dover DE |
| Nixt, Erin | Orange Co. Sheriff-Coroner Dept | Santa Ana CA |
| O'Donoghue, Eoin | Medical Bureau of Road | Dublin Ireland |
| Oliver, Ronald | Texas DPS | Austin TX |
| Palser, Robert | Alberta Justice | Edmonton AB |
| Runkle, Jennifer | OCME, Toxicology Unit | Washington DC |
| Shanahan, Jake | Florida Department of Law Enforcement | Tallahassee FL |
| Shipp, Kristen | Florida Department of Law Enforcement | Tallahassee FL |
| Stafford, Camille | Texas DPS | Houston TX |
| Suber, Phillip | Florida Department of Law Enforcement | Tallahassee FL |
| Swierk, William | Rhode Island Department of Health | Providence RI |
| Turner, Joe | Indiana Criminal Justice Institute | Indianapolis IN |
| Vance, Christopher | San Diego SO Crime Lab | San Diego CA |

ASSOCIATE MEMBERS

| | | |
|-----------|-----------|---------------|
| Ward Dean | CMI, Inc. | Worthville KY |
|-----------|-----------|---------------|



Section IV Miscellaneous

Manufacturers' Corner

We continue to highlight any vendors that would like to share any information or new developments they may have.

CMI, Inc.

CMI, Inc. is excited to announce the expansion of its product portfolio to include the Intoxilyzer 9000 and Intoxilyzer 600. As with the Intoxilyzer 5000 and 8000, the I-9000 utilizes proven infrared technology for sample analysis and provides customers with enhanced hardware and software configurability. The Intoxilyzer 600, a handheld fuel cell instrument capable of data collection, provides customers with state-of-the art technology for both screening and mobile evidential testing. Usability has never been easier as both instruments utilize a bright, color-graphics, touch-screen display.

CMI, together with Lion Laboratories, offers customers one worldwide company bringing the latest in technology while offering continued support of alcohol testing programs worldwide. To view our full range of instrumentation, visit www.alcoholtest.com.

Forensic Advantage® Systems: Providing State of the Art Breath Alcohol Testing Software Solutions

Since 2006 Forensic Advantage® Systems, the award-winning, Microsoft Gold Certified Partner, has been delivering industry leading solutions in the law enforcement laboratory space. The Breath Alcohol Database (BrAD) application tracks and stores instrument records that measure a drivers' breath alcohol levels from an easy-to-use technology platform ar-

chitected with proven Microsoft based tools. The product helps forensic and law enforcement agencies track the maintenance histories of their data collection devices and includes most recent certification dates and when instrument operators need to be re-certified. BrAD also handles subpoena duces tecum requests for instrument certifications and calibration histories, rendering responses in Adobe PDF format and automatically emailing, faxing or mailing them to attorneys. For sales, strategic partnering opportunities and product updates please be sure to visit our website www.forensicadvantage.com.

Airgas

Airgas has produced dry gas standards since 1996 at their St. Louis Missouri facility. We are always looking for ways to continually improve our manufacturing processes to provide our customers with the highest quality products. We continue to listen to our customers and by listening we remain the market leader for quality, service, and product lines in the dry gas market. Airgas is an ISO 17025:2005 accredited testing lab through (A2LA) American Association of Lab Accreditation, and ISO 9001:2008 registered lab through Quality Systems Registrars. Airgas is the only dry gas supplier that meets ISO standards from production through calibration.

Airgas initiated a stability program in October of 2008 where we retain cylinders from weekly lots and monitor their concentration over a 30 month period, a full six months past their expiration date. We currently have nearly 300 retained cylinders that have been analyzed since the program was implemented from a variety of concentrations and package sizes. These studies have proven that

our dry gas standards remain in stated tolerances throughout their lifetime. We also are the only dry gas supplier that controls all components used in our cylinder package. The cylinder, valve, and mother cylinder are tracked to the end user. Airgas has a long term relationship with the suppliers of the valve and cylinder, both suppliers are located in the United States and are ISO 9001 facilities.

Airgas, in conjunction with Intoximeters, has developed a new system (True Trace) to facilitate end-user online access to NIST analysis reports, certificates of analysis, and our factory QC data for every dry gas standard shipped. Customers now have easy access to all dry gas standard NIST traceability records, certifications, and cylinder retention data.

Airgas, Inc. (NYSE: ARG), through its subsidiaries, is the largest U.S. distributor of industrial, medical and specialty gases, and hardgoods, such as welding equipment and supplies. Airgas is also a leading U.S. producer of atmospheric gases, carbon dioxide, dry ice, and nitrous oxide, one of the largest U.S. distributors of safety products, and a leading U.S. distributor of refrigerants, ammonia products, and process chemicals.

Airgas Chairman and Chief Executive Officer Peter McCausland founded the company in 1982. Through approximately 400 acquisitions and internal growth, Airgas has built the largest national distribution network in the packaged gas industry. More than 14,000 employees work in more than 1,100 locations, which include branches, cylinder fill plants, production facilities, specialty gas laboratories, and regional distribution centers to serve a diversified customer base.

For more information, please visit www.airgas.com.



Measurement Uncertainty — Forensic Community Survey

By Jennifer F. Limoges, MS
Supervisor of Forensic Services/Toxicology and Breath Testing

New York State Police
Forensic Investigation Center
Albany, New York

Jennifer.Limoges@troopers.
ny.gov

In May of 2012, a brief survey was conducted to help the forensic community understand what their peers were doing relative to measurement uncertainty. It focused on whether labs were pursuing measurement of uncertainty estimations, and if so, were they reporting it. The survey did not attempt to address how labs were calculating their uncertainties. Requests to participate in the survey were emailed out to members of the Society of Forensic Toxicologists (SOFT) and the International Association of Chemical Testing (IACT).

Responses were received from 172 laboratories, representing 11 different countries and 37 US states. Of the respondents, 40 percent performed blood alcohol analysis, 42 percent performed quantitative drug analysis, 12 percent performed breath testing instru-

ment calibrations, and six percent certified breath testing reference materials. These analyses were conducted for casework involving impaired driving (29 percent), postmortem investigation (23 percent), drug facilitated crimes (21 percent), non-regulated employee drug testing (nine percent), breath instrument calibration programs (nine percent), and other types of casework (nine percent).

Blood Alcohol Analysis (n=131):

Sixty two percent of respondents have estimated the uncertainty of their blood alcohol test method. For the 32 percent who have not, 62 percent intend to. A 99.7 percent level of confidence was selected by 42 percent of the labs, while a 95 percent level of confidence was selected by 45 percent. For those labs that have estimated their uncertainty, only 26 percent are currently including it on their laboratory reports.

Quantitative Drug Analysis (n=124):

Thirty seven percent of respondents have estimated the uncertainty of their quantitative drug test methods. For the 63 percent who have not, 51 percent intend to. A 99.7 percent level of confidence was selected by 19 percent of the labs, while a 95 percent level of confidence was selected by 63 percent. For those labs that have estimated their uncertainty, only 19 percent are currently including it on their laboratory reports.

Breath Instrument Calibration (n=40):

Forty three percent of respondents have estimated the uncertainty of their breath instrument calibrations. For the 57 percent who have not, 74 percent intend to. A 99.7 percent level of confidence was selected by 31 percent of the labs, while a 95 percent level of confidence was selected by 50 percent. For those labs that have estimated their uncertainty, 37 percent are currently including it on their calibration reports.

Breath Reference Materials (n=29):

Thirty eight percent of respondents have estimated the uncertainty of their breath reference material testing method. For the 62 percent who have not, 53 percent intend to. A 99.7 percent level of confidence was selected by 19 percent of the labs, while a 95 percent level of confidence was selected by 62 percent. For those labs that have estimated their uncertainty, 33 percent are currently including it on their laboratory reports.

The results of the survey were presented at the Society of Forensic Toxicologists 2012 Annual Meeting, as part of the Workshop "Uncertainty of Measurement – Reporting for the Forensic Community." Thank you to Carrie Kirkton, Melissa Kennedy, and Laurel Farrell for their assistance in creating the survey. And thank you to all the colleagues who took the time to respond.

Please Help Keep IACT's Records Updated

If your contact information or employment changes during the year, please submit this information to Secretary Paul Glover using the membership update form.

University of Wisconsin
 Wisconsin State Laboratory of Hygiene
 Patrick Harding- International Association for Chemical Testing, Inc
 2601 Agriculture Drive, PO Box 7996
 Madison, WI 53707-7996

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 2012–14 Officers, Board of Directors and Committee Chairpersons**

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BOARD OF DIRECTORS

Randall Beaty • Kurt Dubowski • Susan Hackworthy • Patrick Harding • Samera Zavaro

COMMITTEE CHAIRPERSONS

| | | | |
|------------------------------------|------------------|------------------------------|----------------|
| Conference Site and Program | Randall Beaty | Nominating | Shirley Ezelle |
| Ethics | Kimberly Overton | Publications | Scott Brown |
| Legal Research | Roger Doherty | Manufacturers Liaison | Lee Anne Spino |
| Training | Melissa Kennedy | Webmaster | Paul Calderon |
| Membership | Lisa Johnston | OIML Ad Hoc | Jeff Rost |



MEMBERSHIP APPLICATION

(PLEASE PRINT OR TYPE)

NAME _____
Last First Middle Title

ADDRESS _____
Street City State Zip+4

TELEPHONE _____
Work Number (Include Area Code) Other (Include Area Code) Fax (Include Area Code)

E-MAIL _____

EMPLOYER _____

EMPLOYER ADDRESS _____
(If different from above) Street City State Zip Code+4

POSITION _____ LENGTH OF EMPLOYMENT _____

PLEASE INCLUDE A CURRENT CURRICULUM VITAE WITH YOUR APPLICATION

APPLICANT'S SIGNATURE _____ DATE _____

RECOMMENDATION BY CURRENT REGULAR (NOT ASSOCIATE) MEMBER ONLY
I VERIFY THAT THE ABOVE AND/OR ATTACHED INFORMATION IS CURRENT AND CORRECT. I RECOMMEND THIS APPLICANT FOR MEMBERSHIP TO THE INTERNATIONAL ASSOCIATION FOR CHEMICAL TESTING

SIGNATURE _____ DATE _____

REGULAR MEMBER'S NAME _____ TELEPHONE _____
(Please print)

Send completed application and enclose \$65.00 in the form of a check or money order payable to IACT, \$15 of which is a non-refundable processing fee. The remaining \$50.00 will be your first year's annual membership fee, contingent upon membership approval at an IACT annual meeting.

Mail completed application to:

Robert "Trey" Miles III
Tennessee Bureau of Investigations
901 R.S. Gass Blvd
Nashville, TN 37216-2639



MEMBERSHIP UPDATE

(PLEASE PRINT OR TYPE)

NAME _____
Last First Middle

TITLE _____

STREET _____ CITY _____

STATE _____ ZIP CODE+4 _____

TELEPHONE _____
Work Number (Include Area Code) Other (Include Area Code)

E-MAIL _____ FAX (Include Area Code) _____

CURRENT EMPLOYER OR PAST EMPLOYER (IF RETIRED) _____

EMPLOYER'S ADDRESS _____
(If different from above) Street City State Zip Code+4

POSITION _____ LENGTH OF EMPLOYMENT _____

DESCRIPTION OF CURRENT DUTIES (OR PAST DUTIES IF RETIRED) _____

CHEMICAL TEST EXPERIENCE _____

PUBLICATIONS OR SPECIALIZED TRAINING _____

OTHER PROFESSIONAL MEMBERSHIP(S) _____

(Attach additional sheets if necessary to complete. — Note: Please do not abbreviate)

MEMBER'S SIGNATURE _____ DATE _____

SEND UPDATE TO:
Paul Glover
North Carolina Forensic Tests for Alcohol Branch
1922 Mail Service Center
Raleigh, NC 27699-1922