The text in this document is provided for assisting in the preparation of NOEs for court purposes. These templates provide general information that may be covered in testimony by a lab analyst in the listed discipline. For case specific information attorneys should contact the analyst to discuss their expected testimony.

Content of any case specific alcohol toxicology interpretations (e.g., retrograde extrapolations, number of drink calculations, pharmacological effects, etc.) should be communicated via a written forensic alcohol opinion report authored by the expert.

The State of Alaska, by and through the undersigned attorney, hereby provides notice in the above-captioned case that the State intends to call Colleen O’Bryant or Derek Walton or Carlie Glaister, Alaska Scientific Crime Detection Laboratory, 4805 Dr. Martin Luther King Jr. Ave., (907) 269-5740, as an expert witness. Any reports authored by the expert have been or will be provided to the defense pursuant to Criminal Rule 16. Curriculum vitaes for the State Crime Laboratory analysts are available on their website: (<https://dps.alaska.gov/Statewide/CrimeLab/Quality-Assurance/SOQ>).

The substance of Colleen O’Bryant’s, Derek Walton’s, or Carlie Glaister’s expected testimony in this case is as follows:

1. Provide the definition of ethanol and an explanation of its physical and chemical properties and characteristics.
2. Describe the relationship of ethanol in the breath to ethanol in the human body.
3. Explain the partition coefficient used to correlate breath and blood ethanol results.
4. Explain what a DataMaster DMT is, how it works, and why the DataMaster DMT is a precise, accurate and reliable method of measuring the ethanol concentration of a person’s breath.
5. Describe the precision and accuracy of the DataMaster DMT, including a discussion of the scientific studies supporting this type of technology.
6. Describe the pre-test procedures used to ensure that a breath test result is accurate.
7. Explain the DataMaster DMT requirements for obtaining adequate breath samples for analysis.
8. Describe the quality assurance measures in place to ensure the integrity and validity of the result in this case.
9. Explain the training of Breath Test Operators and/or Breath Test Supervisors and the procedures regarding the administration of evidential breath testing.
10. Explain the information provided on the DataMaster DMT printout(s) in this case as well as the Verification of Calibration Reports.
11. Explain the maintenance history of the DataMaster DMT used in this case.
12. Explain electronic diagnosis, repair, adjustment, calibration, and calibration verification procedures for the DataMaster DMT.
13. Describe the proper functioning of the DataMaster DMT used in this case at the time a breath sample was provided by defendant.
14. Describe the design features of the DataMaster DMT intended to detect conditions including, but not limited to, “mouth alcohol,” radio frequency interference (RFI), and “interfering substances.”
15. Explain radio frequency interference (RFI), how it may apply to breath testing, and procedures used to prevent or protect against RFI.
16. Explain what “interfering substances” are, how they may get into a person’s breath, and what effect, if any, interfering substances may have on a breath test.
17. Explain what status messages and frequency of status messages indicate about the DataMaster DMT and/or the test(s) in this case.
18. Explain the meaning of a breath ethanol concentration result, such as the one in this case.
19. Comment on any other relevant matter on which the expert is qualified to render an opinion.

DataMaster DMT records described above are available on the Alaska Scientific Crime Detection Laboratory website. For additional information on breath alcohol calibration procedures, refer to the Breath Alcohol Procedure Manual located on the crime lab webpage under Alaska Breath Alcohol Manuals.

<https://dps.alaska.gov/Statewide/CrimeLab/DataMaster-(1)/datamaster>