



## Meeting Minutes (Draft) Nevada Committee on Testing for Intoxication (COTI)

Attendance	DATE	Thursday, November 7, 2024
	TIME	10:00-11:00 am
	METHOD	Teams Teleconference Meeting ID: 282 835 872 510 Call in: 984-204-1608
	RECORDER	Ryan McKell, Kimley-Horn and Associates, Inc.
<b>Appointed Voting Members</b>		
Shannon Bryant, Chair	Nevada Transportation Safety Resource Prosecutor	X
Steven Johnson	Washoe County Sheriff's Office Forensic Science Division Director	X
Terri Suffecool	Las Vegas Metropolitan Police Department Forensic Laboratory	Abs
Michael Stypa (Proxy for Terri)	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Eric Bauman	Clark County District Attorney's Office	X
Lt. Andrew Granata	Nevada State Police/Highway Patrol	X
<b>Others Invited</b>		
David Astles	Washoe County Sheriff's Office Forensic Science Division	X
Meg Matta	Nevada State Police Office of Traffic Safety	X
Marlissa Collins	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Darby Lanz	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Shari Baughman	Washoe County Sheriff's Office Forensic Science Division	X
Lindsay Yearman	Washoe County Sheriff's Office Forensic Science Division	X
<b>Legal and Support</b>		
Lori Story	Attorney General's Office	X
Jesselyn De Luna	Attorney General's Office	X
Georgan Goebel	Attorney General's Office	X
Ryan McKell	Kimley-Horn	X

### 1. CALL TO ORDER (Non-Action Item)

The meeting was called to order by Chair Shannon Bryant at 10:01 am.

### 2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS (Non-Action Item)

Chair Bryant led introductions and confirmed a quorum. Terri Suffecool was absent; Michael Stypa was designated as Terri's proxy for the meeting (5 out of 5 members present).

### 3. PUBLIC COMMENT (Non-Action Item)

No public comments were received.

### 4. PREVIOUS COTI MEETING MINUTES (Discussion/For Possible Action)

The meeting minutes for the July 18, 2024, meeting were distributed to each Committee member for review and need to be approved by the Committee. No changes were requested.

- Michael Stypa moved to approve the July 18, 2024, meeting minutes.
- Eric Bauman seconded the motion; it was unanimously approved. The motion passed.

#### 5. DISCUSSION OF THE COTI'S ROLE IN ANSI/ASB STANDARDS FOR TESTING AND CALIBRATION OF EVIDENTIAL BREATH INSTRUMENTS (Discussion Only/Non-Action Item)

The Committee discussed the role of the Committee and Nevada forensic testing laboratories in implementing ANSI/ASB standards. The Committee members solicited input from Forensic Analysts of Alcohol (FAA) for their perspectives. Michael Stypa provided foundational information and historical background information for national standards regarding forensic disciplines. Steven Johnson proposed that the Committee provide direction for how to approach standards regarding breath alcohol and calibration. Michael Stypa reported that, for breath alcohol, there are three standards being worked on, standard O-55 for alcohol measuring instrument calibration, standard 118 for breath alcohol instrument specifications, and a standard practice for breath alcohol subject testing. Only one of these standards is officially published currently.

Steven Johnson discussed the possibility of the Committee evaluating the NAC to see if they want to make any changes to mirror the published standards. Michael Stypa clarified that the standards are not written to require all laboratories to run their tests the exact same way. The standards are written to ensure good science, and it is up to the individual laboratory to figure out how to meet the standards.

- No vote was taken on this item.

#### 6. DISCUSSION OF NATIONAL STANDARDS FOR REPORTING OF EVIDENTIARY BREATH TESTING (Discussion/For Possible Action)

The Committee discussed an anticipated standard for reporting of evidential breath testing results which has not yet been approved by ANSI/ASB. The standard includes a change from reporting two results to one result for evidentiary breath test. The new standards have not been drafted yet.

Darby Lanz stated that states vary in what is printed on a subject's breath test. Some states run a report two to three times and then report a final value. Some states run a report two times and report the lower of the two values. Some states give an average and some states don't give a final answer. Currently, in Nevada, reports display two measured values from the two independent tests that are run, and this discussion is to look into how this Committee wants to report values.

Darby Lanz presented the option of displaying the two measured values from the two independent tests plus an additional value as the final value. Shannon Bryant and Eric Bauman expressed concern that displaying a third value would cause confusion.

- Steven Johnson moved to continue the discussion at a later date if a standard test method is developed that includes information regarding final values in evidentiary breath testing.
- Eric Bauman seconded the motion; it was unanimously approved. The motion passed.

#### 7. PUBLIC COMMENT (Non-Action Item)

No public comments were received.

#### 8. ADJOURNMENT (Discussion/For Possible Action)

- Steven Johnson moved to adjourn.
- Michael Stypa seconded the motion; it was unanimously approved. The motion passed.
- The meeting adjourned at 10:52am.