

Bianchi Law Firm Staff

From: Washington State Patrol <wsp@mycusthelp.net>
Sent: Friday, January 22, 2021 10:46 AM
To: Bianchi Law Firm Staff
Subject: [Records Center] Public Records Request :: R000764-012021

--- Please respond above this line ---



RE: Public Records Request of January 20, 2021, Reference # R000764-012021

Dear George Bianchi,

Thank you for your inquiry to the Washington State Patrol. We have received your public disclosure request for the following:

“Any and all correspondence since November 2017 from Lt. Robert Sharpe, Lt. Bruce Maier (formerly Sgt. Bruce Maier), or any member of the WSP Breath Test Program to the Washington Association of Prosecuting Attorneys (WAPA) with issues associated with the Draeger 9510 allowing breath samples without completion of the required 15 minute observation time frame and/or the observation time is documented as occurring after the first breath sample.”

The Washington State Patrol (WSP) has researched your public disclosure request and we did not locate any WSP public record that contains the information you have requested. RCW 42.56.010, RCW 42.56.080. *Citizens for Fair Share*, 117 Wn. App. at 435 (citing *Smith v. Okanogan County*, 100 Wn. App. 7, 13–44(2000)), *Bonamy v. City of Seattle*, 92 Wn. App. 403, 409 (1993), *Sperr v. City of Spokane*, 123 Wn. App. 132, 96 P.3d 1012 (2004), and *Neighborhood Alliance of Spokane County v. County of Spokane*, No. 84108-0 (Wash. Sept. 29, 2011).

This response completes your request. Should you have any questions, please respond to this email.

Sincerely,
Terra Shin, Public Disclosure Tracking Coordinator



To monitor the progress or update this request please log into the [Public Records Center](#)



From: Maier, Bruce (WSP) <Bruce.Maier@wsp.wa.gov>
Sent: Thursday, January 21, 2021 4:26 PM
To: George Bianchi <george@thebianchilawfirm.com>
Cc: Shin, Terra (WSP) <Terra.Shin@wsp.wa.gov>; Harbour, Susan (WSP) <Susan.Harbour@wsp.wa.gov>
Subject: FW: WAPA Letter

Mr. Bianchi,

I verified with IDS that we only notified the affected Prosecutors and not WAPA separately.

Bruce

Bruce Maier
Washington State Patrol
Commercial Vehicle Division - Region 2
(425) 441-8817 ext. 1921
Cell (425) 508-1264
Bruce.maier@wsp.wa.gov

From: Maier, Bruce (WSP)
Sent: Wednesday, January 20, 2021 4:57 PM
To: 'George Bianchi' <george@thebianchilawfirm.com>
Subject: RE: WAPA Letter

Mr. Bianchi,

I am having them verify, but I believe we did just notify the affected prosecutorial jurisdictions and ANAB and did not notify WAPA. I will let you know for sure when they double check.

Bruce

Bruce Maier
Washington State Patrol
Commercial Vehicle Division - Region 2
(425) 441-8817 ext. 1921
Cell (425) 508-1264
Bruce.maier@wsp.wa.gov

From: George Bianchi <george@thebianchilawfirm.com>
Sent: Tuesday, January 19, 2021 1:15 PM
To: Maier, Bruce (WSP) <Bruce.Maier@wsp.wa.gov>
Cc: Francisco Duarte <fad@furyduarte.com>; Jon Fox <jfox@thefoxlawfirm.com>; Bianchi Law Firm Staff <staff@thebianchilawfirm.com>
Subject: WAPA Letter

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Lt. Maier,

In a separate email, on a different issue, you wrote that you had been transferred and that Sgt. Villante is the Acting IDS Commander until your replacement is in place.

Should I also be sending the below request to Sgt. Villante or have you already set this request in motion for a response?

George L. Bianchi
The Bianchi Law Firm
1950 112th Ave N.E., Suite 201
Bellevue, WA 98004
Phone: (206) 728-9300

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From: George Bianchi
Sent: Monday, January 18, 2021 2:48 PM
To: 'Bruce.Maier@wsp.wa.gov' <Bruce.Maier@wsp.wa.gov>; George Bianchi <george@thebianchilawfirm.com>
Cc: Francisco Duarte <fad@furyduarte.com>; Jon Fox <jfox@thefoxlawfirm.com>; Bianchi Law Firm Staff <staff@thebianchilawfirm.com>
Subject: FW: Alcotest 9510 functionality change request RE: 9A.72.085 RCW

Lt. Maier,

When Jon Fox, you and I met on October 23, 2020, you mentioned that you had decided to not send out any further letters regarding the 15 minute observation timer issues as a result of your email to Sue Harbour on December 3, 2019 requesting that she continue with the Database Query with the "Observation Time Occurring after the First Breath Sample" because WAPA had previously been notified. A review of the 17-174 Quality Variance Incident, as well as copies of the November 22, 2017 letters that the WSP has previously provided to me do not suggest that a letter was written to WAPA.

Would you please provide me with any letter(s) written to WAPA from Lt. Sharpe, yourself, or any member of the WSP Breath Test Program where issues associated with the Draeger 9510 allowing breath testing before completion of the required observation period is discussed and/or the observation time was documented as occurring after the first breath sample.

Thank you.

George L. Bianchi
The Bianchi Law Firm
1950 112th Ave N.E., Suite 201
Bellevue, WA 98004
Phone: (206) 728-9300

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