

Matthew E. Malhiot

May 2019

9000 Experience

- Comprehensive review and analysis of *"Implementation Plan for Replacement of Breath Alcohol Testing Instrument, GBI Crime Laboratory, Jan 2012"*
- Comprehensive Review and analysis of *"Evaluation of Breath Alcohol Testing Instrument to Replace the Intoxilyzer 5000, GBI Crime Laboratory, Sep 2012"*
- Comprehensive Review of *"Intoxilyzer 9000, Georgia Operator's Transition Training Manual"* (2013).
- Comprehensive Review of *"Intoxilyzer 9000, Georgia Operator's Transition Training Manual"* (2014).
- Comprehensive Review of *"Intoxilyzer 9000, Georgia Operator's Training"*, (2014 Revision B).
- Comprehensive Review of *"Intoxilyzer 9000, Georgia Operator's Training"*, (2016 Revision)
- Comprehensive Review of the GBI's *"Agency Contact Training"* Intoxilyzer 9000, (Dec 2013)
- Comprehensive Review of the GBI's *"Instrument Inspection Training"*, Intoxilyzer 9000 (Sep 2015).
- Comprehensive Review of the GBI's *"Instrument Inspection Training"*, Intoxilyzer 9000 (Jan 2016).
- Review of software changes on the Intoxilyzer 9000, between version(s) 9405.03.00 and the latest in use in Georgia today, 9406.05.00.
- Review of *"Software Evaluation of the Georgia Model Intoxilyzer 9000"*, GBI Crime Laboratory (Dec 2013)

- Review of *“Software Evaluation of the Georgia Model Intoxilyzer 9000”*, GBI Crime Laboratory (Oct, 2014)
- Review of CMI manual for Intoxilyzer 9000 training, in person at GBI Crime Lab
- Colorado Department of Public Health and Environment, *“Intoxilyzer 9000 Operator Certification Course”*, CD Based
- Colorado Department of Public Health and Environment, *“Intoxilyzer 9000, Instructor Certification Course”*, CD Based
- Colorado Department of Public Health and Environment, *“Intoxilyzer 9000 Training for the Colorado Legal Community”*, On-Line Training.
- Review of Colorado Department of Public Health and Environment *“Rules Pertaining to Testing for Alcohol and Other Drugs”* (5CCR 1005-2)
- Review of Colorado Department of Public Health and Environment *“Intoxilyzer 9000 Operator Guide for Law Enforcement”* (V1.0, May 2013)
- Review of Colorado Department of Public Health and Environment *“Intoxilyzer 9000 instrument evaluation”*.
- Review of Texas Department of Public Safety , *“Instrument Evaluation of the Intoxilyzer 9000”*, (August 27, 2014)
- Review of Texas Department of Public Safety, *“Texas Breath Alcohol Testing Program, Operator’s Manual”*, (October 2015)
- Review of Texas Breath Alcohol Testing Program, *“Standard Operating Guidelines: Evidential Breath Alcohol Testing”*, (December 2015)
- Review of the Louisiana Department of Public Safety & Corrections, Applied Technology Section, Breath Alcohol Testing with the Intoxilyzer 9000.
- Conduct Instrument Inspection and Evaluations, Intoxilyzer 9000, Serial Number 90-000610, November 13, 2015,
 - Evaluation consisted of 38 independent breath test evaluations
 - Breath testing

- Simulator testing
 - Scenario testing
 - Error message evaluation
 - Software evaluation
 - Dry gas standard testing
- Conduct Instrument Inspection and Evaluation, Intoxilyzer 9000, Serial Number 90-000709, December 17 & 18, 2015,
 - Evaluation consisted of 54 independent breath test evaluations
 - Breath testing
 - Simulator testing
 - Scenario testing
 - Error message evaluation
 - Software evaluation
 - Dry gas standard testing
 - Dose Subject testing
 - Interferent testing
- Conduct Instrument Inspection and Evaluation, Intoxilyzer 9000, Serial Number 90-000374, June 12, 2017.
 - Evaluation consisted of 13 Breath Test Evaluation
 - Breath testing
 - Simulator testing
 - Scenario testing
 - Error message evaluation
 - Wet Bath Standard
 - Instrument Hardward
- Conduct review of 1000s of breath alcohol tests completed on Georgia, Texas, Colorado, New York, Rhode Island and Louisiana Intoxilyzer 9000.
- Provide Expert Testimony in State Court of Georgia, Cobb County, State v. Choudhuri, Judge Maria Golick, December 2, 2015
- Provide Expert Testimony in County Court of Douglas County CO, State v. Givan, Judge Monica J. Gomaz, January 25, 2016
- Provide Expert Testimony in County Court of Jefferson County, CO, St v. Caballero, Division "C" ., October 6, 2014
- Provide Expert Testimony in County Court of Arapahoe County, CO, St v. Bailey, Division 306., March 19, 2014

- Provide Expert Testimony in State Court of Chatham County, GA, St v. Headley, Judge Hermann Coolidge, June 6, 2016.
- Provide Expert Testimony in State Court of Chatham County, GA, St v. Morini, Judge Gregory V. Sapp, July 26, 2016.
- Provide Expert Testimony in State Court of Athens-Clarke County, GA, St v. Robinson, Judge Ethelyn N. Simpson, Aug 3, 2016.
- Provide Expert Testimony in Justice Court, City of Southold, NY, St v. Claudio, Judge William H. Price, Jr., Jan 4, 2017
- Provide Expert Testimony in County Court, County of Gilpin County, Colorado, St v. Friedlander, Judge David Taylor, March 20, 2017.
- Provide Expert Testimony in State Court, DeKalb County, Georgia, St v. Gerard, Judge Johnny Panos, March 22, 2017
- Provide Expert Testimony in State Court, DeKalb County, Georgia, St v. Freeman, Senior Judge Wood, May 2, 2017.
- Provide Expert Testimony in State Court, Chatham County, Georgia, St v. Moore, Judge Fowler, May 24, 2017.
- Provide Expert testimony in County Court, Harris County, Texas, St v. Serna, Judge Wilkerson, June 7, 2017
- Provided Expert Testimony in State Court, Cobb County, Georgia, St v. Gissy, Judge Manning, October 18, 2017
- Provided Expert Testimony in State Court, Cobb County, Georgia, St v. Richards, Judge Morgan, October 24, 2017
- Provided Expert Testimony in County Court, Tarrant County, Texas, St v. Thomsen, Judge Carey F. Walker, December 5, 2017
- Provided Expert Testimony in State Court, Bulloch County, Georgia, St v. Cornett, Judge Gary L. Mikell, January 30, 2018

- Provided Expert Testimony in County Criminal Court, Harris County, Texas, St v. Singh, Judge Spjut, March 23, 2018.
- Provided Expert Testimony in County Criminal Court, Tarrant County, Texas, St v. Huffman, June 5, 2018.
- Provided Expert Testimony in Justice Court, City of Southold, New York, St v. Graseck, Judge Poewers, Jun 12, 2018.
- Provided Expert Testimony in County Criminal Court, Denton County, Texas, St v. Lukoff, Judge Vahlenkamp, July 31, 2018.
- Provided Expert Testimony in State Criminal Court, Chatham County, GA, St v. Woltman, Judge Fowler, September 25, 2018.
- Provided Expert Testimony in New York City Criminal Court, County of Queens, NY, St v. Mwingira, Judge Gershuny, March 25, 2019.
- Provided Expert Testimony in New York City Criminal Court, County of Queens, NY, St v. Nin, Judge Kershner, May 9, 2019.
- Approved by the Georgia Bar Association to provide CLE training and credits on the Intoxilyzer 9000.
- Approved by the Colorado Bar Association to provide CLE training and credits on the Intoxilyzer 9000.
- Approved by the Texas Bar Association to provide CLE Training and credits on the Intoxilyzer 9000.
- Provided Training to Municipal Court Judges Training, University of Georgia, Athens GA, 2014.
- Published in *"Colorado DUI Defense, The Law and Practice"*, Second Edition, Lawyers & Judges Publishing Company, Inc., 2016.