



Florida Department of
Law Enforcement

Division of Local Law
Enforcement Assistance

P.O. Box 1489
Tallahassee, Florida 32302
(904) 487-1806

James T. "Tim" Moore
Commissioner
January 31, 1997

Ira D. Karmelin
Office of the State Attorney
Fifteenth Judicial Circuit of Florida
401 N. Dixie Highway
West Palm Beach, Florida 33401-4209

Dear Mr. Karmelin:

This is in response to your letter addressed to Richard E. Lober concerning the transcript of the testimony of Rick Swope. Mr. Lober reviewed the transcript and the file of Mr. Swope as you requested. He discussed with me, as the custodian of records for the Alcohol Testing Program, the contents of the file and the possibility of any other information existing in this office concerning this matter. He then asked me to reply to your request in the following way:

1. **Permit to Conduct Chemical Analysis - Alcohol Breath Testing - Intoxilyzer 5000 Series** - He received his first permit after successfully completing the basic forty (40) hour course on April 28, 1988 and meeting all other Florida Administrative Code (F.A.C.) rule requirements. The permit was dated April 28, 1988 through April 27, 1994. He successfully requalified in 1989, 1990, 1991, 1992, 1993 and 1994, as required by the F.A.C. He applied for a renewal permit at the August 18, 1993 requalifying class, as the F.A.C. allowed. The renewal permit was issued by this office dated August 18, 1993 through August 17, 1999. The last successful requalification class he attended was on June 27, 1994. According to the F.A.C., the renewal permit issued in 1993 became invalid as of January 1, 1996.

2. **Instructor Permit** - He doesn't now nor has he ever held an instructor's permit issued by the Florida Department of Law Enforcement or by the Department of Health and Rehabilitative Services.

If Richard Lober or I can be of any further assistance in this matter or any other, please feel free to contact either of us at (904) 487-3881.

Sincerely,

James T. Moore
Commissioner

Lillian JoAnn Searls
Administrative Assistant/Custodian of Records
Alcohol Testing Program