



INDIANA UNIVERSITY

BOBKENSTEIN
COURSE

Center for Studies
of Law in Action

Checklist of Issues Commonly Arising in Legal Proceedings
Involving Blood-Alcohol Analysis Results

by

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CHECKLIST OF ISSUES COMMONLY ARISING IN LEGAL PROCEEDINGS INVOLVING BLOOD-ALCOHOL ANALYSIS RESULTS

Laboratory and Personnel

- Identity, status, and qualifications of the person giving testimony
- Name, status, and location of laboratory
- Identity, status, and qualifications of the analyst(s) and phlebotomist
- Identity, status and qualifications of the laboratory director
- Licensure and accreditation of laboratory and personnel

Specimens

- Information and documentation on identity of the specimen donor; and on the nature, integrity, and security of specimens
- Authority for ordering the test and for procurement of the specimens
- Appropriateness and validity of specimen selection
- Details of specimen collection, handling, storage
- Time, date, location of specimen collection; and bodily sampling site
- Chain-of-custody of specimens, and evidence to establish absence of irregularities or tampering; seals, labels, etc.
- Details of specimen containers, anticoagulants, preservatives, etc.
- Present location and condition of specimens or residues

Analysis

- Analysis protocols and standard operating procedures; literature references
- Details of the analysis actually performed; including apparatus, equipment, devices, and procedures involved
- Analytical "raw" data and final results and findings, and their derivation
- Details of instrument or system calibration
- Method characteristics, especially with respect to accuracy, precision, linearity, sensitivity, specificity, interferences
- Validity and reliability of the analysis scheme

Quality Assurance

- Overall quality assurance/quality control schemes
- Control specimens; nominal concentrations, actual results
- Standards, and their origin and validation
- Replicate analyses of the unknown specimens
- Laboratory performance in external alcohol analysis proficiency testing programs and surveys

Interpretation of Results

- Scientific validity of the test results
- Pharmacological, toxicological, or clinical significance and meaning of the results
- Relevance or significance of the results to the legal issues
- Relevant patient history, clinical care and treatment details; effects on results of fluid(s) administration, medications, shock, trauma or other details of patient status or medical conditions
- Compliance with applicable statute law, case law decisions, and rules and administrative procedures

Documentation

- Records, laboratory requisitions and requests, reports, manufacturers' literature and other source documents pertaining to any of the foregoing matters

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