



Prosecution Division

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## MEMORANDUM

From: Matthew S. Mueller, Chief Assistant City Prosecutor

Re: Notice of Intoxilyzer Date Display Issue

Date: March 12, 2026

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The Scottsdale City Attorney's Office Prosecution Division is providing this notice regarding a recently identified administrative issue involving Intoxilyzer device **90-003550**.

During routine review and quality assurance procedures, **Scottsdale Police Officer Cory McCann (Badge 1273)** observed that the device's displayed date was **incorrect by one calendar day**. This issue was discovered after Officer McCann conducted an I2 procedure and noticed the variance in the recorded date.

The date has since been corrected on the instrument, and one possible cause for the issue was a failing internal chip responsible for date retention. Upon consultation with the AZ Department of Public Safety, it has been determined that this is an **administrative issue** and **does not impact the scientific validity or accuracy of the breath test results**. The instrument has since been taken out of service and will be brought to DPS for maintenance.

A review of case records identified the cases potentially affected by the date-display error. The first affected case appeared on **February 7, 2026**, and the most recent on **March 6, 2026**, which corresponds to the period during which the date discrepancy was active. The list of affected cases is reproduced below so that all parties may review:

**Affected SPD Departmental Report Numbers:**

2602916	2603219	2604001	2604287	2604829
2602919	2603373	2604006	2604290	2604895
2603054	2603376	2604008	2604375	
2603102	2603461	2604009	2604459	
2603104	2603876	2604057	2604464	
2603115	2603946	2604208	2604476	

## Assessment of Impact

Based on review by the Prosecution Division, the date-display issue:

- **Does not affect the accuracy or validity of breath test results;**
- **Does not constitute exculpatory information and is not considered a mandatory *Brady* disclosure;**
- Is best described as an **administrative irregularity** that may relate to the weight of the evidence, not its admissibility;
- Is mitigated by the existence of independent, reliable evidence such as **police reports (DRs)** and **body-worn camera footage**, which accurately document incident dates and times.

## Conclusion and Purpose

This memo has been published to ensure transparency and to assist defense counsel and other stakeholders in understanding the scope and nature of the issue. If additional information becomes available, this notice may be updated.