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NEWS RELEASE

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Appeals Court Rejects Challenge to Scottsdale Crime Lab Blood Alcohol Results

PHOENIX, AZ (January 14, 2014) – The Arizona Court of Appeals has cleared the way for ten DUI cases to move forward after determining that blood alcohol content (BAC) results provided by the Scottsdale Crime Lab (SCL) are admissible under Arizona Rules of Evidence. Today’s ruling vacates a previous Superior Court finding that the methods used to test the defendants’ blood samples were not properly applied.

“The Appeals Court clearly saw through this attempt by the DUI defense industry to impugn the validity of the evidence in these cases,” remarked Maricopa County Attorney Bill Montgomery. “We continue to have confidence in our law enforcement partners at the Scottsdale Crime Lab and we look forward to the opportunity to hold these defendants accountable for making the wrong choice to drive under the influence and threaten the safety of other members of our community,” he added.

In reaching its conclusion, the Appeals Court noted “it is particularly significant that the Superior Court found no evidence that any of Defendants’ SCL BAC test results were inaccurate or incorrect.” The court’s ruling also pointed out that in addition to the vials of blood that were tested in the DUI cases, a second vial of blood was drawn by law enforcement officers from each defendant. “Although the second vial of blood is available for independent testing by Defendants, the record does not contain any independent test results conducted by any of the Defendants,” the court wrote in its ruling.

The ten DUI cases covered offenses that occurred between November, 2009 and February, 2012. BAC results obtained by the crime lab ranged from 0.143 to 0.318. Under Arizona law, the BAC threshold for DUI is .08, while the threshold for extreme DUI is 0.15.

The Appeals Court ruling vacates a stay on the ten DUI cases and remands them for further proceedings. All defendants are presumed innocent until proven guilty.

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