



State of New York
DIVISION OF CRIMINAL JUSTICE SERVICES
80 South Swan Street
Albany, New York 12110
<http://criminaljustice.ny.gov>

TO: New York State Law Enforcement Executives

FROM: Michael C. Green 
Executive Deputy Commissioner

DATE: September 22, 2014

SUBJECT: Certificate of Breath Test Instrument-Record of Inspection/Maintenance/Calibration

Please be advised that beginning on December 4, 2014, the Division of Criminal Justice Services' (DCJS) Office of Public Safety will no longer mail the Certificate of Breath Test Instrument-Record of Inspection/Maintenance/Calibration to your agency. These documents, which are produced by the DCJS Office of Public Safety, will now be sent to your attention via e-mail in an electronic format. Upon receipt, you will notice two differences in these documents. The documents will now be signed with an electronic signature in accordance with the Electronic Signature and Records Act (ESRA) (State Technology Law § 1102(3)), and the raised seal on the document has been replaced with the DCJS watermark.

There is statutory authority that permits the admissibility of electronic records and signatures in criminal proceedings. The New York ESRA recognizes technological advances and requires that electronic signatures and records have the same force and effect as a pen and ink signature.

To enable DCJS to continue to send you these records in this new format, we ask that you please provide **complete contact information (name, e-mail address, physical address and telephone number)** for the person that you wish to receive these documents by **October 20, 2014**. This information can be sent to dcjs.sm.ops.hstu@dcjs.ny.gov. We will be unable to send this critical record to you unless you provide this contact information by the **October 20th** deadline. Should that contact person change in the future, please remember to notify us of that change. This will ensure that your agency receives these documents in a timely manner.

Please remember to keep these documents on file at your agency and provide them to your local prosecuting attorneys upon request to aid in their prosecution efforts. If you have any questions regarding this change, please contact Lisa Lee at lisa.lee@dcjs.ny.gov or 518-402-0689.

Thank you for your assistance in this matter.