



MADISON COUNTY DISTRICT ATTORNEY'S OFFICE

CALIBRATION RECORDS SUBMISSION FORM FOR
C.P.L. ARTICLE 245 COMPLIANCE

AGENCY:

NYSP - SP SYRACUSE

**CALIBRATION
RECORDS FOR
THE PERIOD:**

9/12/ , 2019 to _____ , 20

AGENCY CONTACT:

NYSP Troop Traffic

(If there are any questions
on the calibration records
submitted.)

Phone: _____

Email: _____

PLEASE SEND ALL CALIBRATION RECORDS BY A LABELED PDF SENT BY
EMAIL TO discovery@madisoncounty.ny.gov WITH THIS SUBMISSION FORM AS THE
SUBJECT LINE OF THE PDF. THANK YOU!

PLEASE CHECK ONE:



With the present submission, the calibration records for the period specified above, that appear as a listed item of "automatic discovery" under C.P.L. § 245.20(1), are complete and have been submitted to the District Attorney's Office.



With the present submission, the calibration records for the period specified above, that are a listed item of "automatic discovery" found under C.P.L. § 245.20(1) are ~~being~~ being escrowed and further calibration records for the above listed dates will be submitted to the District Attorney's Office as soon as they are available.

PLEASE NOTE: When making C.P.L. § 245.20(1), the list of materials to be turned over for discovery is phrased as "including but not limited to" and all discovery materials must be turned over within fifteen (15) days of completion of the search. Under C.P.L. § 245.20(2), that a continuing on-going request has been made to your agency and you are unable to turn over a complete copy of its complete records and that the request is for the production of the defendant."

CERTIFIED COPY (CPLR RULE 4518)

BREATH TEST INSTRUMENT

CALIBRATION / MAINTENANCE RECORD

Serial Number ARAF-0053, dated September 12, 2019

I, Carrie A Kirkton, Supervisor of Forensic Services, Forensic Investigation Center, do hereby certify and authenticate, as provided by Rule 4518, subdivisions a and c, Civil Practice Law and Rules, that the document annexed hereto is a true and accurate representation of an electronic record of the New York State Police Forensic Investigation Center which has been delegated to my possession, custody and control by the Superintendent of the New York State Police. This record, once created, is stored in an electronic format that cannot, thereafter, be altered or modified. This record was made in the regular course of business of the New York State Police Forensic Investigation Center, it is the regular course of the Forensic Investigation Center business to make such record, and such record was made at the time of each event recorded in it or within a reasonable time thereafter.



Digitally signed under ESRA
by Carrie A Kirkton on
2019.09.27 07:03:46 -04'00'

Carrie A Kirkton
Supervisor of Forensic Services
Forensic Investigation Center



State Police

Forensic Investigation Center

ANDREW M. CUOMO Governor
KEITH M. CORLETT Superintendent
DR. RAY A. WICKENHEISER Director

BREATH TEST INSTRUMENT CALIBRATION / MAINTENANCE RECORD

Report Date: September 12, 2019 Calibration Date: 9/12/2019
Manufacturer: Draeger Safety Calibration Solution: 0.08%, at 34.0 °C
Model: AlcoTest 9510 Manufacturer: Guth Laboratories, Inc.
Serial Number: ARAF-0053 Lot Number: 18380

Table with 4 columns: Level, Manufacturer / Lot #, Analysis Result (g/210L), Result. Rows include calibration levels from 0.02% to 0.25% with IR and EC values and 'Passed' results.

I, Stephen D Berry, calibrated the above referenced instrument, and determined that any necessary maintenance procedures were performed. Based on this calibration, I have determined that the instrument is accurate and reliable for the determination of ethyl alcohol in the blood...

I, Stephen D Berry, made the entries contained in this record at the time of each event recorded, or within a reasonable time thereafter.

Performed by:

Reviewed by:

Signature of Stephen D Berry

Digitally signed under ESRA by Stephen D Berry on 2019.09.12 10:18:38 -04'00'

Signature of Carol S Miller

Digitally signed under ESRA by Carol S Miller on 2019.09.21 13:10:58 -04'00'

Stephen D Berry
Highway Safety Equipment Technician
Breath Analysis Operator Permit #27376

Carol S Miller
Forensic Scientist III
Breath Analysis Technical Supervisor/Operator #43419



State Police

Forensic Investigation Center

ANDREW M. CUOMO
Governor

KEITH M. CORLETT
Superintendent

DR. RAY A. WICKENHEISER
Director

BREATH TEST INSTRUMENT CALIBRATION / MAINTENANCE RECORD

Report Date: September 12, 2019 Model: AlcoTest 9510
Manufacturer: Draeger Safety Serial Number: ARAF-0053

Diagnostic Test	Result
Main System Memory	Passed
IR System	Passed
Electro-Chemical System	Passed
Flow System	Passed
Heater System	Passed
Pressure System	Passed
Power System	Passed

Maintenance Activity:

- Replaced Two Fuses
- Replaced Power Supply
- Replaced Fuel Cell

Conducted by:

- Stephen D Berry
- Stephen D Berry
- Stephen D Berry

Performed by:

Stephen D Berry

Digitally signed under ESRA
by Stephen D Berry on
2019.09.12 10:19:02 -04'00'

Reviewed by:

Carol S Miller

Digitally signed under
ESRA by Carol S Miller on
2019.09.21 13:10:39
-04'00'

Stephen D Berry
Highway Safety Equipment Technician
Breath Analysis Operator Permit #27376

Carol S. Miller
Forensic Scientist III
Breath Analysis Technical Supervisor/Operator #43419

**New York State Police Crime Laboratory System
BREATH TESTING**

AlcoTest 9510 Instrument Inspection

Class: Form Effective Date: December 14, 2018
 ID: Breath Form 1a (Version:6) Page: 1 of 1

Instrument Serial Number: ARAF-0053

Instrument Inspection / Checks: **Analyst / Date:** Stephen D Berry 9/11/2019

- All inspections/checks performed satisfactorily
- Voltage set at 12 VDC ± 0.5
- Pressure set at ambient pressure
- Software/Firmware versions verified

Multimeter Serial No:	94720386
Barometer Serial No:	41000QWJ
M16/PartNo.	1.12.2/8321288
M16 Checksum	0x6581
Bl. Version/PartNo.	1.5/8320818
WinCE Version/PartNo.	4.7.5/8321287
WinCE Checksum	0xF0C
Cfg. Version/PartNo.	1.3BG/8321286
APF Cfg. Version/PartNo.	1.3BG/8321286A
NAPF Cfg. Version/PartNo.	1.3BG/8321286NA
APF/NAPF Cfg. Checksum	0x4F31/0xB202

Repairs

Date	Technician	Component
9/11/2019	Stephen D Berry	Replaced Power Supply
9/11/2019	Stephen D Berry	Replaced Two Fuses
9/11/2019	Stephen D Berry	Replaced Fuel Cell

Comments: Instrument arrived to lab with note stating "no power".
 Replaced fuel cell as preventive maintenance.

Approved By: Associate Director of Forensic Science/Toxicology

Page 1 of 9 *SB*

Print Date: 9/12/2019

**New York State Police Crime Laboratory System
BREATH TESTING**

AlcoTest 9510 Instrument Calibration

Class: Form Effective Date: December 14, 2018
 ID: Breath Form 1b (Version 3) Page: 1 of 1

Instrument Serial Number: ARAF-0053 Analyst / Date: Stephen D Berry 9/12/2019

Simulator	Manufacturer: <u>Guth Laboratories, Inc.</u> Serial No: <u>G10488</u>
Simulator Solution	Manufacturer: <u>Guth Laboratories, Inc.</u> Lot #: <u>18380</u> Expiration Date: <u>12/12/2019</u> Temp (34.0°C ± 0.2) <u>34.0</u>
Thermometer	Manufacturer: <u>Control Company</u> Serial #: <u>181228748</u>
Probe	Manufacturer: <u>Control Company</u> Serial #: <u>181228748</u>

Calibration Verification

Gas Standard	Manufacturer	Lot #	Exp Date
0.02%	CalGaz	1081527	12/13/2021
0.08%	CalGaz	1048227	11/15/2021
0.10%	CalGaz	1097804	3/4/2022
0.18%	CalGaz	1064589	12/12/2021
0.25%	CalGaz	1112549	3/20/2022

Calibration Verification Results

Level	IR1	IR2	IR3	IR Avg	EC1	EC2	EC3	EC Avg	Grand Avg
0.02%	0.0193	0.0199	0.0201	0.0198	0.0203	0.0203	0.0199	0.0202	0.0200
0.08%	0.0816	0.0823	0.0821	0.0820	0.0808	0.0812	0.0810	0.0810	0.0815
0.10%	0.1026	0.1029	0.1029	0.1028	0.1010	0.1014	0.1016	0.1013	0.1021
0.18%	0.1858	0.1854	0.1860	0.1857	0.1833	0.1833	0.1835	0.1834	0.1845
0.25%	0.2599	0.2606	0.2604	0.2603	0.2585	0.2589	0.2597	0.2590	0.2597
0.08% solution (1x)				0.0793				0.0789	0.0791

Approved By: Associate Director of Forensic Science/Toxicology

Print Date: 9/12/2019

PDZ SB

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00582
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:33
EXT STD IR 0.0193 08:33
EXT STD EC 0.0203 08:33
AIR BLANK 0.0000 08:34
EXT STD IR 0.0199 08:35
EXT STD EC 0.0203 08:35
AIR BLANK 0.0000 08:36
EXT STD IR 0.0201 08:36
EXT STD EC 0.0199 08:36
AIR BLANK 0.0000 08:37
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00583
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:38
EXT STD IR 0.0816 08:39
EXT STD EC 0.0808 08:39
AIR BLANK 0.0000 08:40
EXT STD IR 0.0823 08:41
EXT STD EC 0.0812 08:41
AIR BLANK 0.0000 08:42
EXT STD IR 0.0821 08:42
EXT STD EC 0.0810 08:42
AIR BLANK 0.0000 08:43
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00584
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:45
EXT STD IR 0.1026 08:46
EXT STD EC 0.1010 08:46
AIR BLANK 0.0000 08:47
EXT STD IR 0.1029 08:47
EXT STD EC 0.1014 08:47
AIR BLANK 0.0000 08:49
EXT STD IR 0.1029 08:49
EXT STD EC 0.1016 08:49
AIR BLANK 0.0000 08:49
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00585
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:53
EXT STD IR 0.1856 08:53
EXT STD EC 0.1833 08:53
AIR BLANK 0.0000 08:55
EXT STD IR 0.1854 08:55
EXT STD EC 0.1833 08:55
AIR BLANK 0.0000 08:56
EXT STD IR 0.1860 08:57
EXT STD EC 0.1835 08:57
AIR BLANK 0.0000 08:57
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00586
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:00
EXT STD IR 0.2599 09:01
EXT STD EC 0.2585 09:01
AIR BLANK 0.0000 09:02
EXT STD IR 0.2606 09:03
EXT STD EC 0.2589 09:03
AIR BLANK 0.0000 09:04
EXT STD IR 0.2604 09:04
EXT STD EC 0.2597 09:04
AIR BLANK 0.0000 09:05
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00587
DATE: 08/12/2019

UF CASE NO.: TEST
ZERO TOLERANCE CASE: YES
TROOP: H
STATION:

LAB
REF STD LOT: 1090299.#32
REF STD EXP.: 02/08/2022
REF STD VALUE: 0.10%

SUBJECT INFORMATION:
LAST: TEST
FIRST: TEST
MI: T
D.O.B.: 09/11/1989
AGE: 30
GENDER: MALE

ARREST DATE: 09/12/2019
ARREST TIME: 08:53AM
ARRESTING MEM. LAST:

TEST
ARRESTING MEM. FIRST:
TEST
ARRESTING MEM. MI: T
ARRESTING MEM. SHIELD:

TEST
SUBJ OBSERVED 20 MIN
PRIOR TO SAMPLE: YES
PMP. COLLECT 20 MIN
AFTER ARREST: YES
REFUSAL/MIRANDA WARN
READ TO SUBJECT: YES

BREATH ANALYSIS

	%BAC	TIME
DIAGNOSTIC	PASS	09:14AM
AIR BLANK	0.00	09:16AM
EXT STD IR	0.10	09:16AM
EXT STD EC	0.10	09:16AM
AIR BLANK	0.00	09:18AM
SUBJECT IR	0.07	09:18AM
SUBJECT EC	0.08	09:18AM
AIR BLANK	0.00	09:19AM
EXT STD IR	0.10	09:20AM
EXT STD EC	0.10	09:20AM
AIR BLANK	0.00	09:20AM
DIAGNOSTIC	PASS	09:21AM

REPORTABLE VALUE:
0.07 %BAC

pg 4

83

Draeger Alco Test 9510 Adjustment Worksheet

Class: Form
ID: Breath Form 1c (Version 1)

Effective Date: January 10, 2017
Page: 1 of 2

Instrument Serial # ARAF-0053 Analyst: SB Date: 9-12-2019
Ambient Pressure 1010 INT-T Value 341

0.08% Simulator Solution Adjustments

Manufacturer: Guth Lot # 18380 Bottle # 81 Exp Date 12-12-2019
Target Concentration: 0.0800 Acceptability Range: 0.0784-0.0816
Simulator Serial # G10488 Temperature 34.0

Instrument prep - CalCheck 0.08 solution
 Auto Adjust 0.08% solution
Cal Factor EC 989 Cal Factor IR 942
 CalCheck 0.08 solution
IR 0.0793 IR Calculation: _____
EC 0.0789 EC Calculation: _____
NA Adjust (if necessary)
Cal Factor EC _____ Cal Factor IR _____
IR _____ IR Calculation: _____
EC _____ EC Calculation: _____

0.10% Dry Gas Adjustments

Manufacturer: ILMO Lot # 16219100A1 Exp Date 7-5-2021
Target Concentration: 0.1000 Acceptability Range: 0.0950-0.1050

CalCheck 0.10% dry gas
EC Drygas Offset (%) 6 IR/EC Correction (%) 2
IR 0.0987 Calculations: IR-EC
EC 0.0987 0.0000
 Adjust (if necessary)
EC Drygas Offset (%) 5 IR/EC Correction (%) 3
IR 0.0999 Calculations: IR-EC
EC 0.0987 0.0012

Draeger Alcotest 9510 Adjustment Worksheet

Class: Form
ID: Breath Form 1c (Version 1)

Effective Date: January 10, 2017
Page: 2 of 2

Instrument Serial # ARAF-0053 Analyst: SR Date: 9.12.2019

0.40% Simulator Solution Adjustments

Manufacturer: Guth Lot # 18340 Bottle # 265 Exp Date 10.24.2019

Target Concentration: 0.4000 Acceptability Range: 0.3800-0.4200

Simulator Serial # G-12245 Temperature 34.0

CalCheck 0.40% solution

IR Slope Multiplier 12597

EC Quadratic Factor 11

IR 0.3937

EC 0.3943

na Adjust (if necessary) based on Linearity Program

IR Slope Multiplier _____

EC Quadratic Factor _____

IR _____

EC _____

NOTES:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00577
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:12
EXT STD IR 0.0802 08:12
EXT STD EC 0.0900 08:12
AIR BLANK 0.0000 08:13

DIAGNOSTIC PASS
SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00578
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:17
EXT STD IR 0.0793 08:17
EXT STD EC 0.0789 08:17
AIR BLANK 0.0000 08:18

DIAGNOSTIC PASS
SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00579
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:20
EXT STD IR 0.0987 08:20
EXT STD EC 0.0987 08:20
AIR BLANK 0.0000 08:21

DIAGNOSTIC PASS
SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00580
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:23
EXT STD IR 0.0989 08:23
EXT STD EC 0.0987 08:23
AIR BLANK 0.0000 08:23

DIAGNOSTIC PASS
SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00581
DATE: 09/12/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 08:27
EXT STD IR 0.3937 08:27
EXT STD EC 0.3943 08:27
AIR BLANK 0.0000 08:28

DIAGNOSTIC PASS
SIGNATURE / DATE:

897

SB

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00574
DATE: 09/11/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 14:01
EXT STD IR 0.0768 14:01
EXT STD EC 0.0783 14:01
AIR BLANK 0.0000 14:02
DIAGNOSTIC PASS

SIGNATURE / DATE:

NEW YORK STATE POLICE
ALCOTEST 9510

SERIAL NO.: ARAF-0053
TEST NO.: 00575
DATE: 09/11/2019

DIAGNOSTIC PASS
%BAC TIME
AIR BLANK 0.0000 14:06
EXT STD IR 0.0791 14:07
EXT STD EC 0.0783 14:07
AIR BLANK 0.0000 14:07
DIAGNOSTIC PASS

SIGNATURE / DATE:

Calibration not used

New York State Police Crime Laboratory System

BREATH TESTING

Draeger Alcotest 9510 Adjustment Worksheet

Class: Form
ID: Breath Form 1c (Version 1)

Effective Date: January 10, 2017
Page: 1 of 2

Instrument Serial # ARAF-0053 Analyst: AB Date: 9-11-2019
Ambient Pressure 1007 INT-T Value 1113

0.08% Simulator Solution Adjustments

Manufacturer: Guth Lot # 18380 Bottle # 81 Exp Date 12-12-2019
Target Concentration: 0.0800 Acceptability Range: 0.0784-0.0816
Simulator Serial # G-10488 Temperature 34.0

Instrument prep - CalCheck 0.08 solution
 Auto Adjust 0.08% solution
 Cal Factor EC 1127 Cal Factor IR 960
 CalCheck 0.08 solution
IR 0.0791 IR Calculation: _____
EC 0.0783 EC Calculation: _____
____ Adjust (if necessary)
Cal Factor EC _____ Cal Factor IR _____
IR _____ IR Calculation: _____
EC _____ EC Calculation: _____

0.10% Dry Gas Adjustments

Manufacturer: ILMO Lot # _____ Exp Date _____
Target Concentration: 0.1000 Acceptability Range: 0.0950-0.1050

____ CalCheck 0.10% dry gas
EC Drygas Offset (%) _____ IR/EC Correction (%) _____
IR _____ Calculations: IR-EC
EC _____
____ Adjust (if necessary)
EC Drygas Offset (%) _____ IR/EC Correction (%) _____
IR _____ Calculations: IR-EC
EC _____

Draeger AlcoTest 9510 Adjustment Worksheet

Class: Form
ID: Breath Form 1c (Version 1)

Effective Date: January 10, 2017
Page: 2 of 2

Instrument Serial # ARAF-0053 Analyst: SB Date: 9-11-2019

0.40% Simulator Solution Adjustments

Manufacturer: Guth Lot # _____ Bottle # _____ Exp Date _____

Target Concentration: 0.4000 Acceptability Range: 0.3800-0.4200

Simulator Serial # _____ Temperature _____

_____ CalCheck 0.40% solution

IR Slope Multiplier _____ EC Quadratic Factor _____

IR _____

EC _____

_____ Adjust (if necessary) based on Linearity Program

IR Slope Multiplier _____ EC Quadratic Factor _____

IR _____

EC _____

NOTES:

Calibration not used, fuel cell replaced before next calibration.

Technical & Administrative Review Checklist
Instrument Inspection, Adjustment & Calibration

Class: Form
ID: Breath Form 4a (Version 7)

Effective Date: May 25, 2017
Page: 1 of 1

Instrument Serial # AAAF-0053

Review Start Date: 09-21-19

Reviewer (initials): CA

Documentation:

- Instrument serial number on all pages
- Handwritten initials on all pages
- Page number on all pages, total pages noted
- All pages of the technical record were reviewed for corrections; if applicable, corrections were documented appropriately
- Dates of analyses documented
- If abbreviations/symbols specific to the laboratory are used, they have been defined in section procedures
- NA Any deviations/departures from acceptability criteria have documented approval

Technical Data:

- The technical records demonstrate compliance with test methods
- Data transfers are accurate
- Adjustment results meet acceptability criteria
- Calibration results meet acceptability criteria
- Field QC Check results meet acceptability criteria
- Repairs are accurately recorded
- Calibration Date is appropriate based on any repairs
- Manual data calculations are accurate

Instrument Calibration/Maintenance Record (electronic):

- Instrument specific information is accurate (e.g. serial number, etc)
- Results/repairs are accurately reported
- Electronic signature applied
- File name accurate

Review Completed:

- Upon review of the technical records available, I independently reached the same conclusion(s) reported.

Reviewer (initial/date): CA 09-21-19