



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
PO BOX 085
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JEFFREY S. CHIESA
Attorney General

STEPHEN J. TAYLOR
Director

February 17, 2012

**TO: ALL COUNTY PROSECUTORS
COLONEL JOSEPH FUENTES, SUPERINTENDENT, NJSP
ALL MUNICIPAL PROSECUTORS
ALL LAW ENFORCEMENT EXECUTIVES**

RE: FRIDAY MAILING

Dear Prosecutor:

Enclosed please find:

1. Temporary Procedure for Evidential Breath Tests Utilizing Alcotest Instrument for Daylight Savings Time Period March 11 - April 14, 2012

Please distribute this information to All Law Enforcement and Chief Executives within your jurisdiction.

Very truly yours,

Thomas Fisken, Deputy Chief
Prosecutors Supervision and Coordination Bureau

Enclosures
c: Distribution List



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379388

WARREN W. FAULK
CAMDEN COUNTY PROSECUTOR




Camden County
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GLADYS E. RODRIGUEZ
First Assistant Prosecutor
JOSHUA M. OTTENBERG
Deputy First Assistant Prosecutor
THOMAS J. GARRITY, JR.
Chief of Investigators

MEMORANDUM

TO: Camden County Chiefs of Police,
All Municipal Prosecutors

FROM: Prosecutor Warren W. Faulk 

DATE: October 16, 2012

RE: Temporary Procedure Utilizing Alcotest Instrument
For Standard Time Period October 28 to November 4, 2012

Memo # 12-014

Enclosed please find a copy of memorandum from the Office of the Attorney General detailing the temporary procedure for utilizing the Alcotest Instrument for the standard time period of October 28th through November 4th.

Thank you for your attention in this matter.

/jb
Enc.



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JEFFREY S. CHIESA
Attorney General

STEPHEN J. TAYLOR
Director

October 5, 2012

TO: All County Prosecutors
Colonel Joseph Fuentes, Superintendent, NJSP
All Municipal Prosecutors
All Law Enforcement Executives

**Re: Temporary Procedure for Evidential Breath Test Utilizing
Alcotest Instrument for Standard Time Period October 28 - November 4, 2012**

In 2005, President Bush signed the Energy Policy Act of 2005, 42 U.S.C. sec. 15801. This Act, the relevant portion of which is attached, changes the dates of Daylight Savings Time effective 2007. As a result, Daylight Savings Time will end on the first Sunday in November instead of the last Sunday in October. Therefore, we will revert to Eastern Standard Time on Sunday, November 4, 2012, instead of Sunday, October 28, 2012.

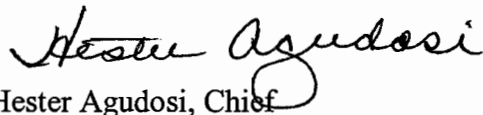
The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically revert to Eastern Standard Time based on the pre-2007 timetable. Therefore, instead of changing to Eastern Standard Time on November 4, 2012, the Alcotest 7110 MK III-C will change on October 28, 2012. Commencing at 02:00 on October 28, 2012, the instrument will record all times, both printed and electronic, with an "S" suffix, indicating Standard Time.

The instrument's recordation of Standard Time rather than Daylight Savings Time does not affect the method of analysis or the accuracy of the readings. All current procedures for the processing of arrested intoxicated drivers are to continue, including the 20 minute observation period currently part of the regular protocol. However, because the Alcotest is set to read in Standard Time for the week between October 28 and November 4, Breath Test Operators should enter the time of arrest in the Alcotest instrument in Standard Time (one hour earlier than Daylight Savings Time). Entries on all other documents related to the arrest (*e.g.*, police reports) should reflect Daylight Savings Time which will remain in effect until November 4, 2012.



Please inform all local law enforcement personnel to direct any questions regarding the implementation of this interim procedure to their respective New Jersey State Police Breath Test Coordinator or the Municipal Prosecutor Supervisor within the respective County Prosecutor's Office.

Very truly yours,

A handwritten signature in black ink that reads "Hester Agudosi". The signature is written in a cursive style with a large, looped initial "H".

Hester Agudosi, Chief
Prosecutors Supervision and Coordination Bureau

- c: AAG Stephen J. Taylor, Director, Division of Criminal Justice
- AAG Boris Moczula, Deputy Director, Division of Criminal Justice
- DSFC Patrick Guilfooy, NJSP Alcohol & Drug Testing Unit
- Traffic Records Unit, Criminal Justice Records Bureau, NJSP
- Dr. Howard Baum, Director, NJSP Office of Forensic Science



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JEFFREY S. CHIESA
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February 17, 2012

TO: All County Prosecutors
Colonel Joseph Fuentes, Superintendent, NJSP
All Municipal Prosecutors
All Law Enforcement Executives

**Re: Temporary Procedure for Evidential Breath Tests
Utilizing Alcotest Instrument for
Daylight Savings Time Period March 11-April 14, 2012**

In 2005, President Bush signed the Energy Policy Act of 2005, 42 U.S.C. sec. 15801. This Act, the relevant portion of which is attached, changes the dates of Daylight Savings Time effective 2007. As a result, Daylight Savings Time will begin on the second Sunday in March (March 11, 2012) instead of the first Sunday in April (April 1, 2012).

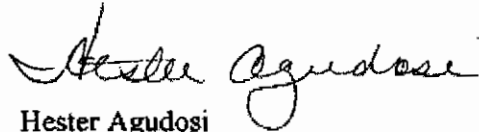
The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically convert to Daylight Savings Time based on the pre-2007 timetable. Therefore, instead of changing to Daylight Savings Time on March 11, 2012, the Alcotest 7110 MK III-C will change on April 1, 2012. Prior to April 1, 2012, the instrument will continue to record all times, both printed and electronic, with an "S" suffix, indicating Standard Time. At 02:00 on April 1, 2012, the instrument's time recording will automatically change to a "D" suffix, indicating Daylight Savings Time.

The instrument's recordation of Standard Time rather than Daylight Savings Time does not affect the method of analysis or the accuracy of the readings. All current procedures for the processing of arrested intoxicated drivers are to continue, including the 20 minute observation period currently part of the regular protocol. However, because the Alcotest is set to read in Standard Time during that period of time, Breath Test Operators should enter the time of arrest in the Alcotest instrument in Standard Time (one hour earlier than Daylight Savings Time). Entries on all other documents related to the arrest (e.g., police reports) should reflect Daylight Savings Time effective March 11, 2012.



Please inform all local law enforcement personnel to direct any questions regarding the implementation of this interim procedure to their respective County Prosecutor's Office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Hester Agudosi".

Hester Agudosi
Chief, Prosecutors Supervision and
Coordination Bureau

c: A/Lt. Patrick Guilfooy, Unit Head, NJSP Alcohol & Drug Testing Unit
Traffic Records Unit, Criminal Justice Records Bureau, NJSP
Dr. Howard Baum, Ph.D., Director, NJSP Office of Forensic Science