NORTH CAROLINA STATE CRIME LABORATORY FY2015/2016 Annual Report

North Carolina Criminal Justice Information Network Governing Board

Thursday, March 30, 2017

Raleigh, NC

Agenda

Quality & Transparency
Case Submissions and Completions
Process Improvements
Expansion Requirements
Fiscal Resource Needs Identification
Video Testimony Pilot Report

Our Mission:

Conduct the highest quality, technically proficient forensic analysis in a timely manner and provide unbiased expert witness testimony for the Criminal Justice Community.

Our Purpose

Truth through Science so Justice is served.

FY 15/16 Highlights

- Case inventory and Turnaround Times (TAT) continues to drop
  - *FY 15-16 significant increase in submissions*
- Vacancy rate is at or lower than other agencies
- Toxicology Outsourcing contract is meeting expectations; winding down
- New Western Lab on time and under budget
- Transparency and Accountability
- Video testing project mock court case complete

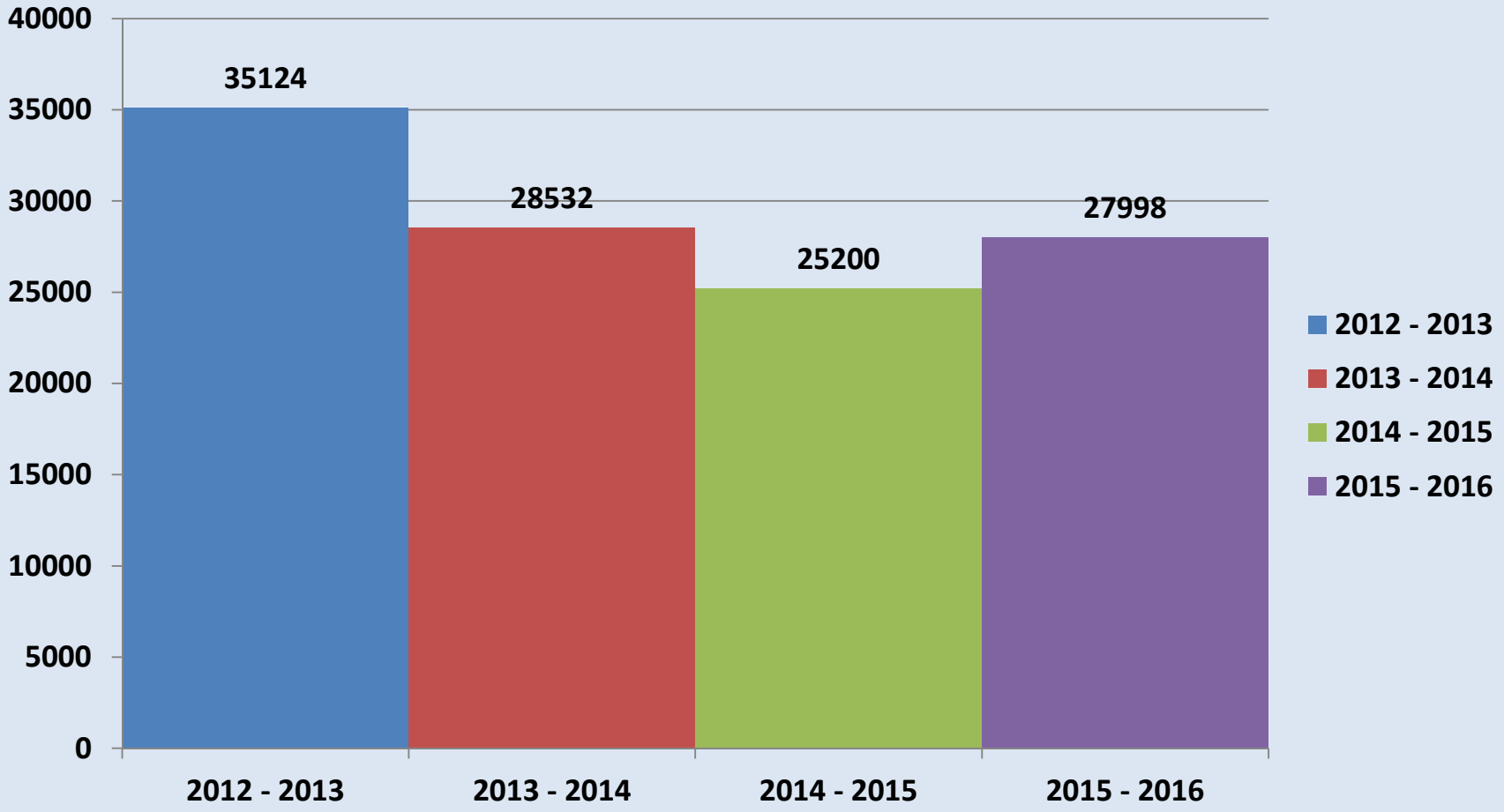
Highest Forensic Science Quality Standards

Laboratory Accreditation

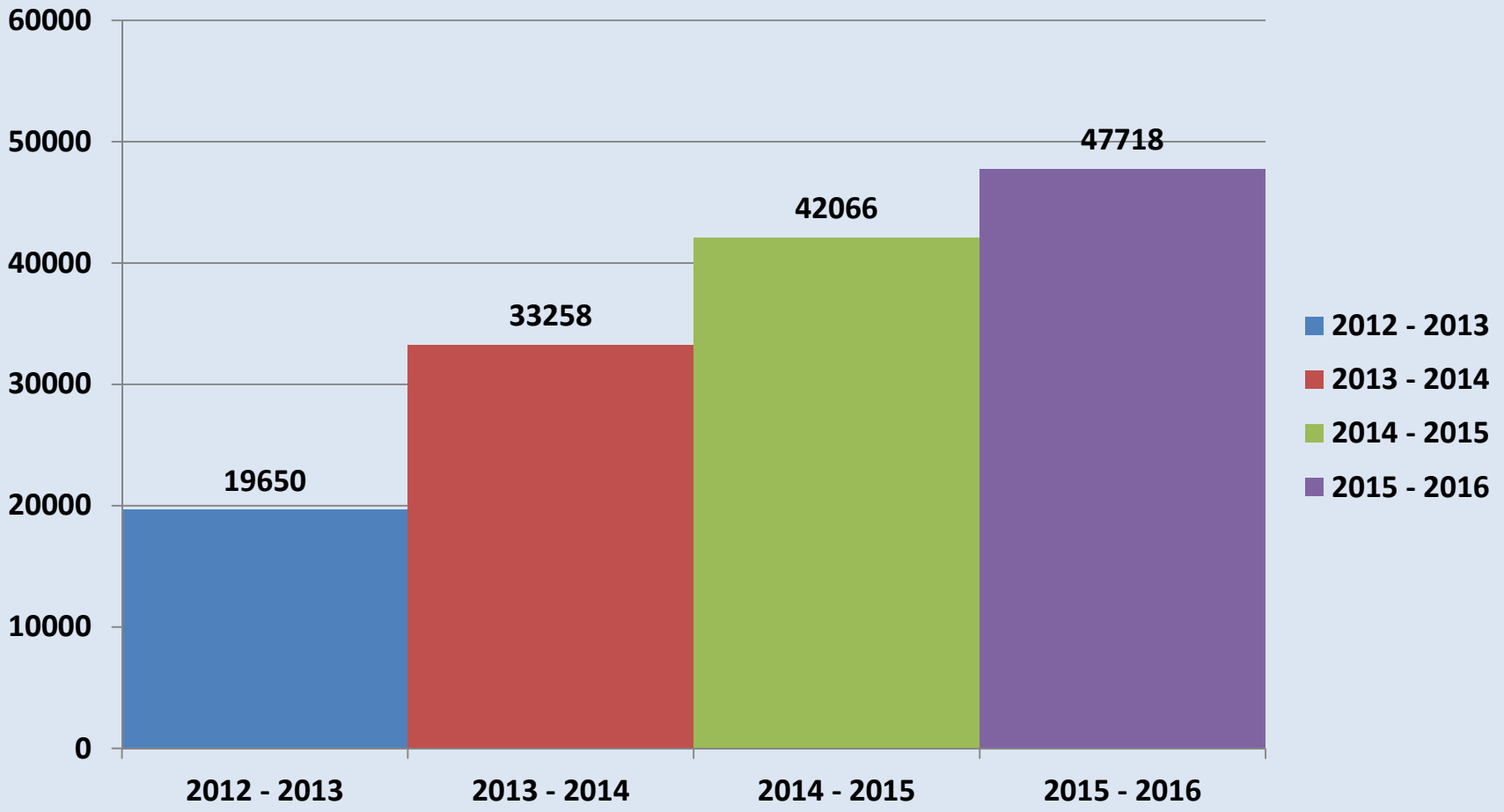
Forensic Scientist Certification

Submissions
Completions
Trends
Turnaround Time (TAT)
Rush Requests
DNA Database

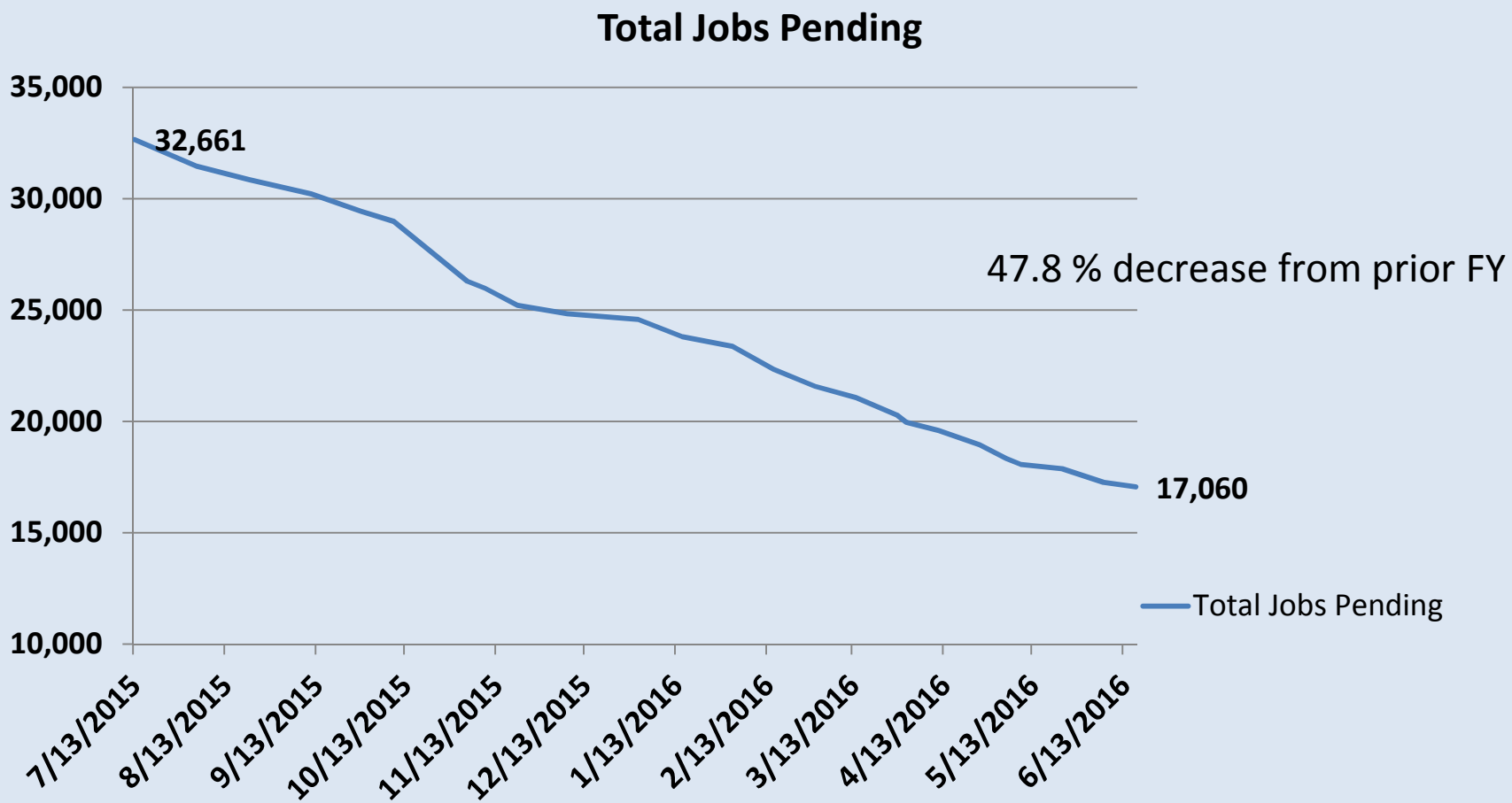
Annual Case Record Submissions



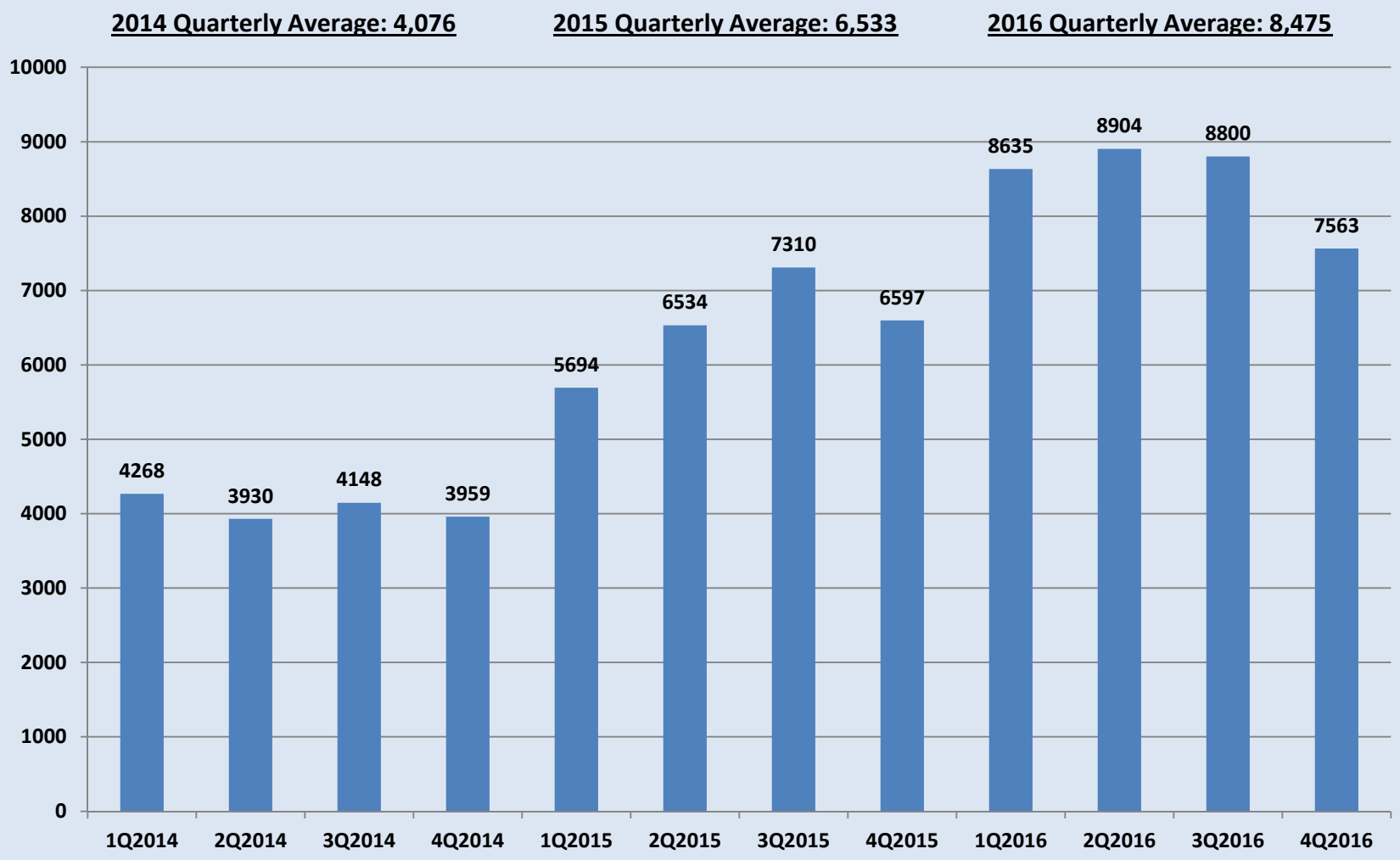
Annual Case Records Completed



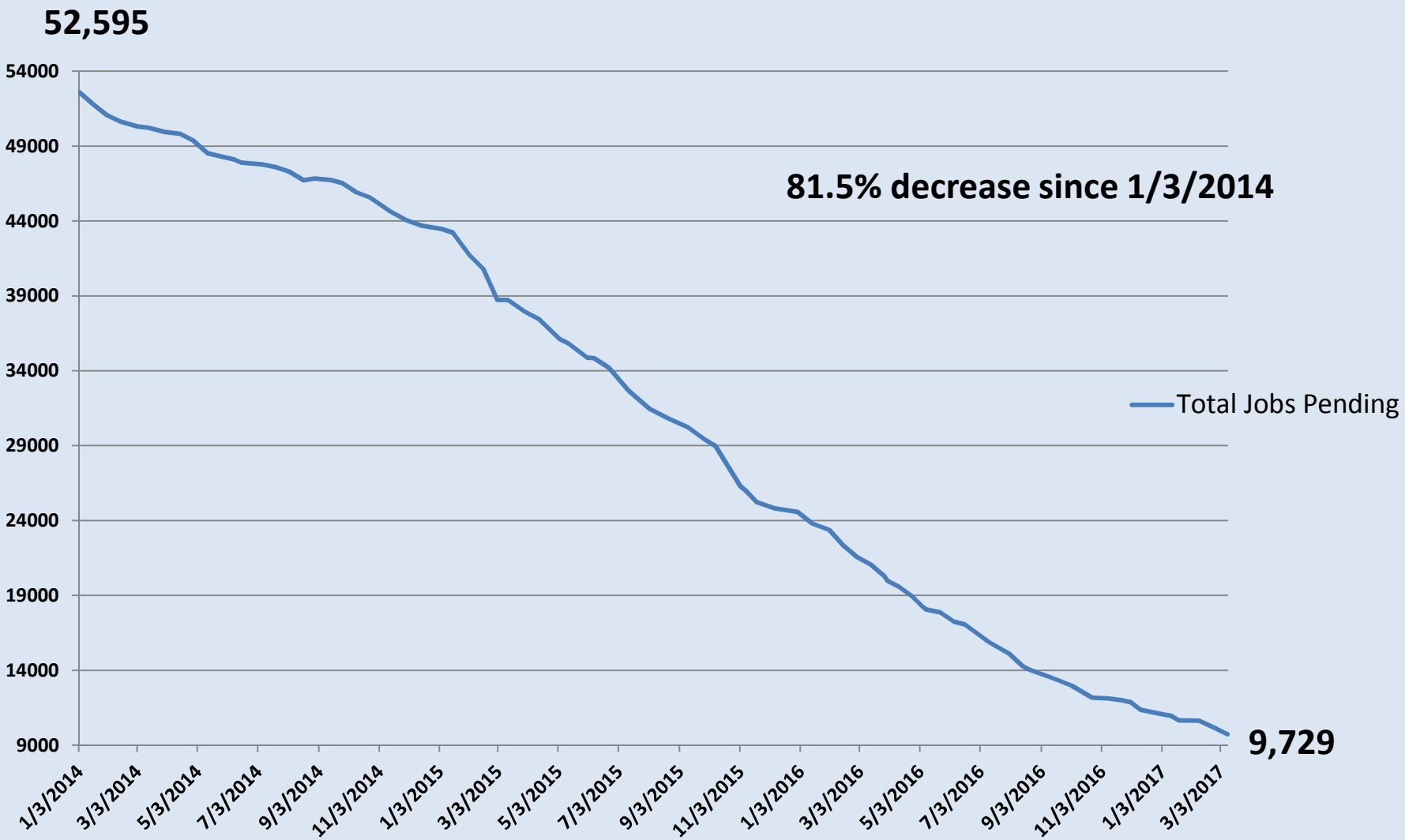
Technical Operations- Overall Case Trends through 6/30/16



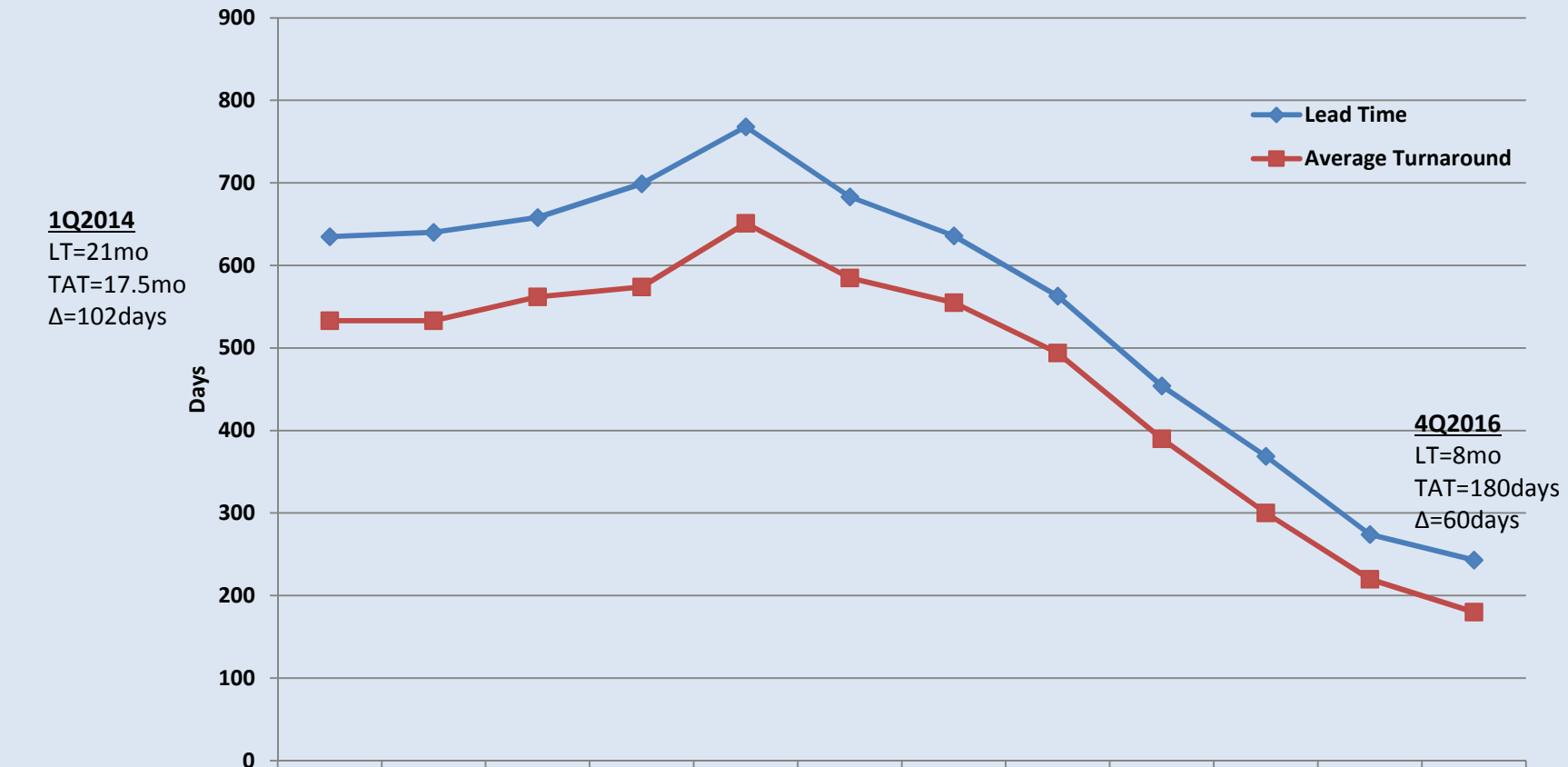
Exams Completed by Quarter



Total Jobs Pending 03/10/2017



Lead Time (LT) versus Average Turnaround Time (TAT)
LT = Queue Time + Analysis Time (aka TAT)



	1Q2014	2Q2014	3Q2014	4Q2014	1Q2015	2Q2015	3Q2015	4Q2015	1Q2016	2Q2016	3Q2016	4Q2016
Lead Time	635	640	658	699	768	683	636	563	454	369	274	243
Average Turnaround	533	533	562	574	651	585	555	494	390	300	220	180

DNA Database

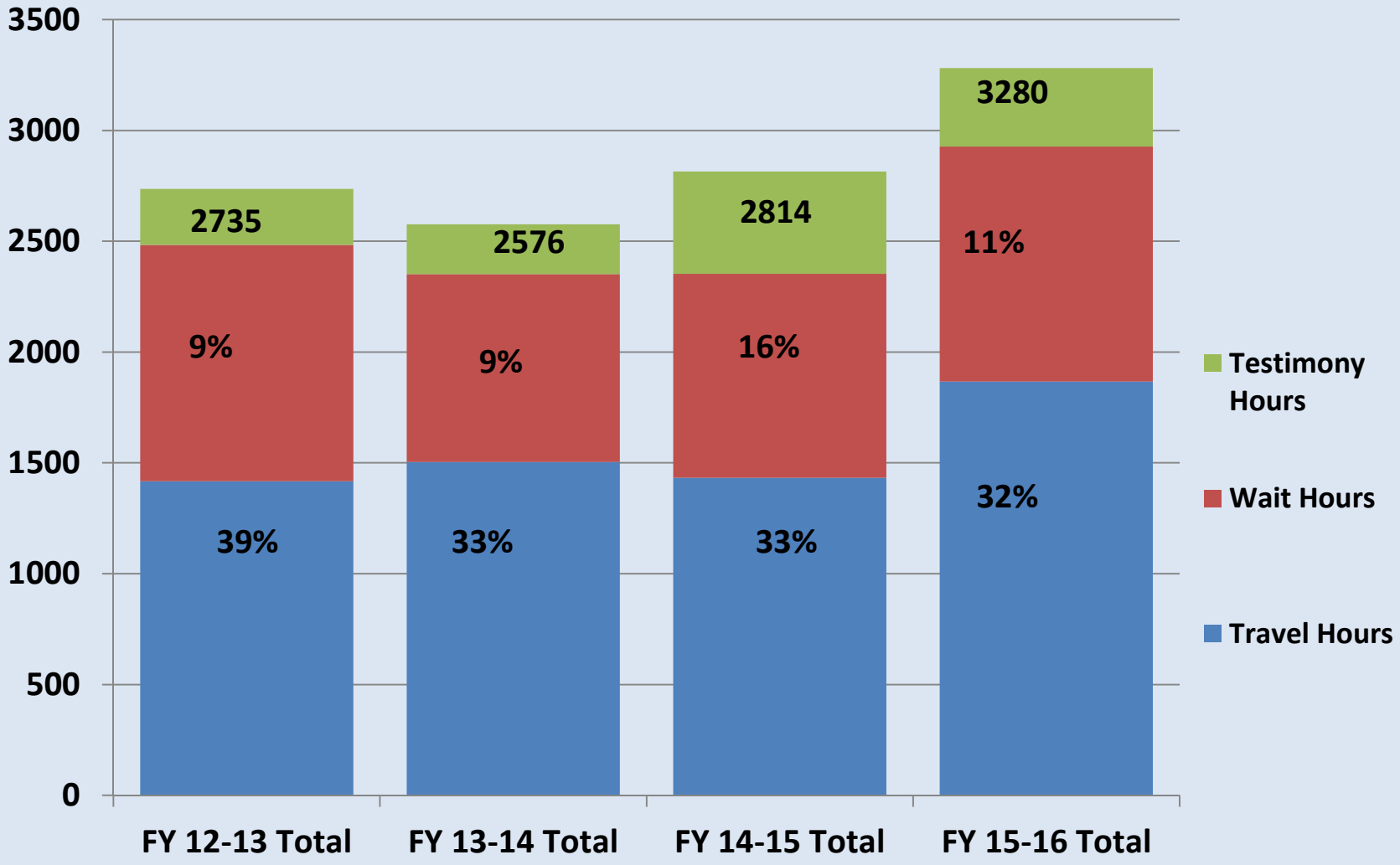
- **Record 456 hits** to the DNA Database
- Over 300,000 DNA profiles
- G.S. 15A-266.3A authorized the collection of DNA profiles from those arrested for 35 additional offenses to include all violent felonies.
- Duplicate sample submissions around 20%
- Expungement workload continues to rise

Process Improvements
Court Testimony
Judicial Efficiencies
Toxicology Outsourcing
Stop Works

June 2009 Impact of

Melendez-Diaz v. Massachusetts

Court Testimony Hours 2012-2016



UNC School of Government

Report of the State Crime Laboratory Working Group: Administrative Solutions to Alleviate Lab Backlog

- Memorandum of Agreement (MOA)
  - 17 recommendations
- 26 Judicial Districts have adopted the MOA or modified MOA (As of 1/4/2016)
- 12 are pending finalization
- **12 have made no indication to adopt**

- **Stop Work notifications are addressed in 5 of 17 recommendations.**
- **Goal = Quality and Timely Analysis**

Toxicology Outsourcing

- 5,019 cases outsourced; 25 Batches sent.
- Total funds spent to date $1,865,541.03
- AG has approved moving forward with Sexual Assault Kit testing
  - Kits older than one year sitting in LEAs
  - Request for Proposal (RFP) posted 3/21/17

Stop Works

- 43 of 44 DAs either fully or partially participating
- Some DAs have changed internal business processes to help us eliminate inflated caseloads. This efficiency opportunity helps the State have a more accurate workload assessment.

Video Testimony Pilot
Greensboro, NC

May 26, 2016

Chief District Judge H. Thomas Jarrell, Presiding

Expansion

Western Regional Laboratory

Western Regional Crime Lab

NORTH CAROLINA
DEPARTMENT OF JUSTICE

Larry T. Justus Western Justice Academy, Edneyville, NC

Tuesday, March 31, 2015

WESTERN REGIONAL
CRIME LABORATORY

Fiscal Resources

Unfunded Mandates

2011 Forensic Science Act

Unfunded Mandates from 2011 Forensic Science Act

- Forensic Science Advisory Board
- Ombudsman
- Laboratory Accreditation
- Scientist Certification
  - Training
  - Recertification

  "Continuing external education in the disciplines in which analysis is performed is critical for the professional development of forensic scientists and a ***requirement*** for continued certification."*

*Quote from FSAB letter to NCGA dated 11 February 2016

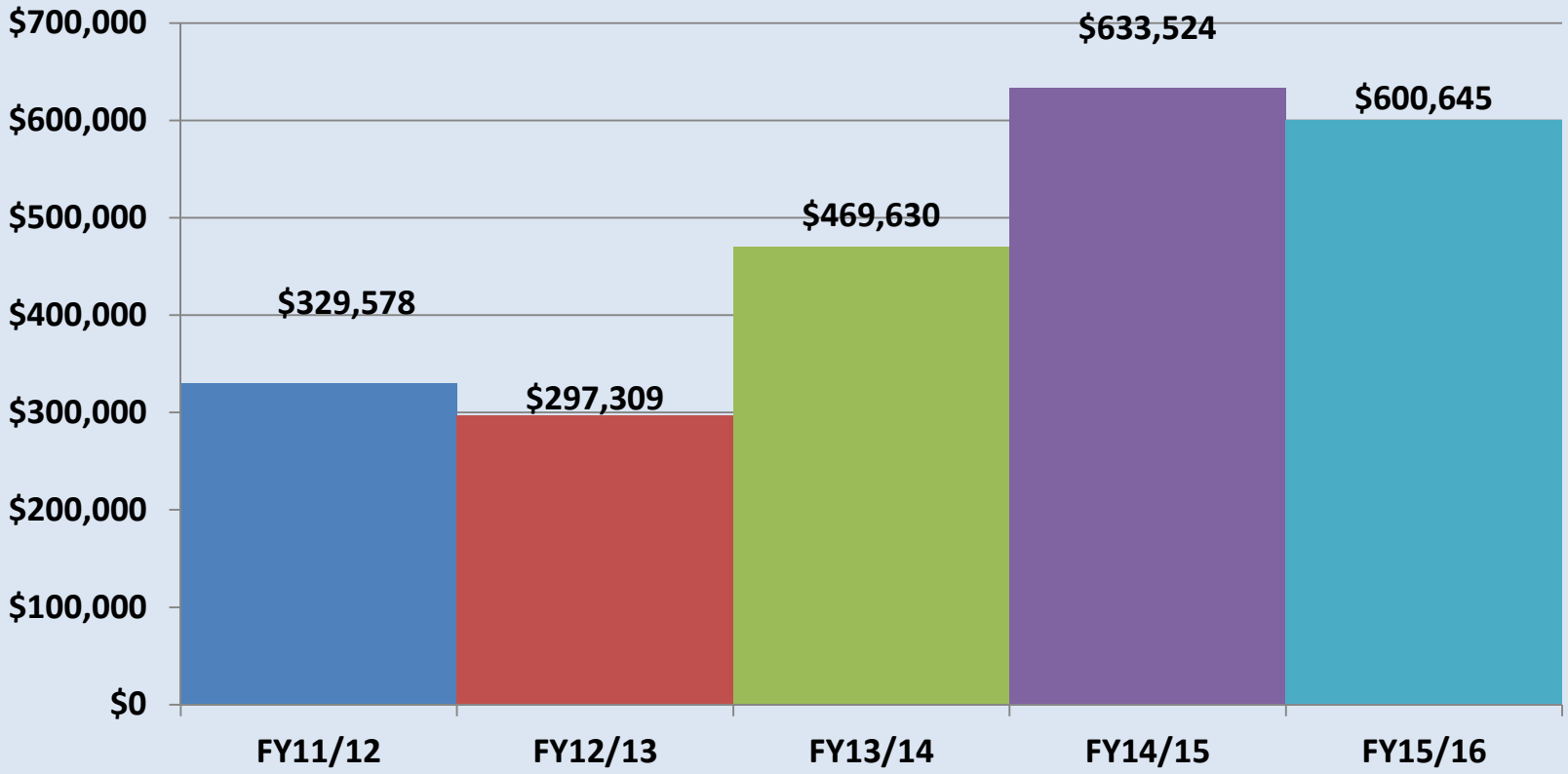
Scientific Equipment

- $13.5 million scientific equipment inventory
- $64,680 annual replacement budget
- Industry standard - replace scientific equipment every five years

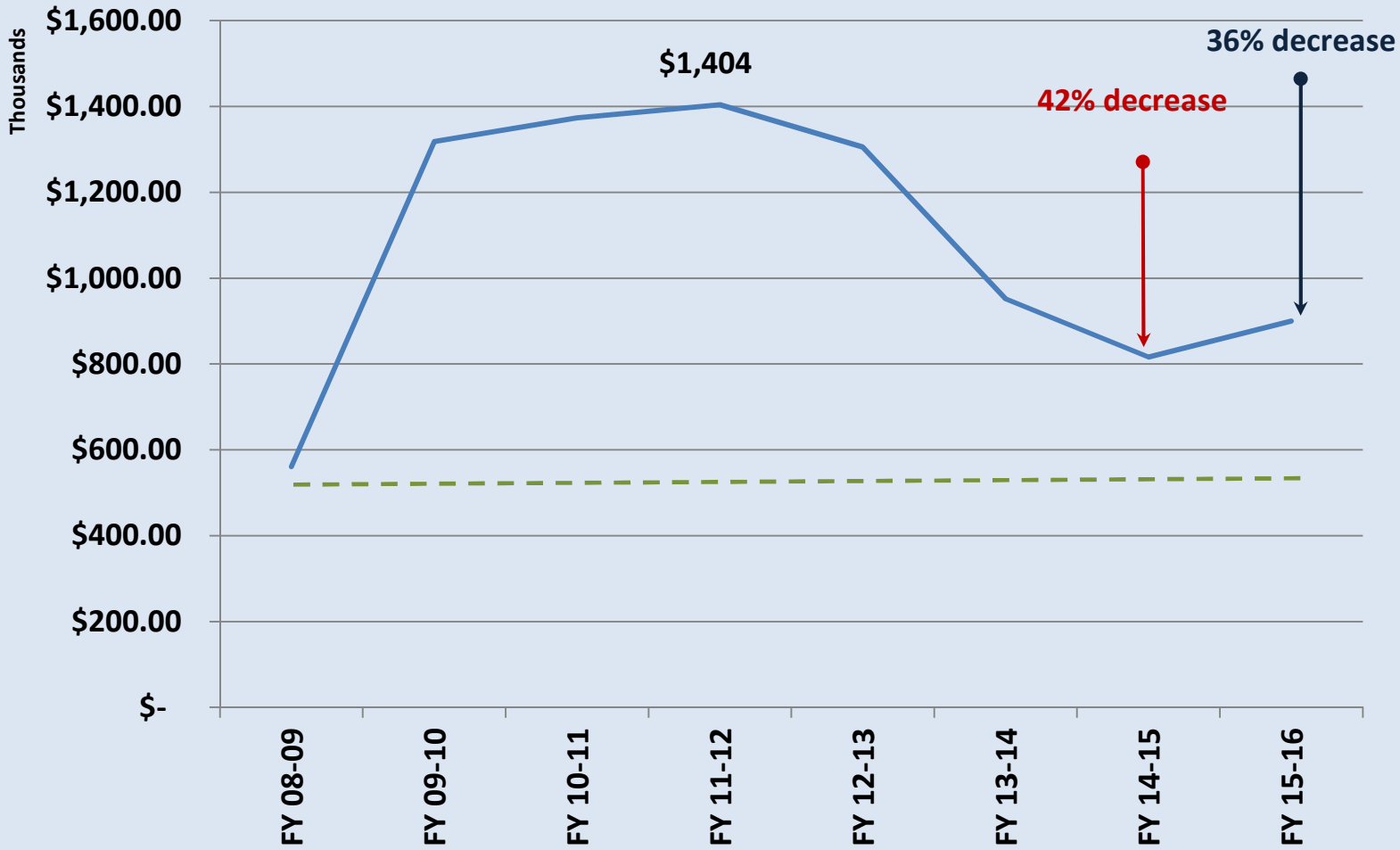
Operational Expenses

- Certified Budget for operating expenses for FY15-16: $3,864,007 ($750k is non-recurring)
- Actual operating expenses for FY15-16: $5,019,021
  - Δ made up in carry forward funding and lapse salary
- Certified Budget for FY 16-17 is $7,393,530 ($3.925M is non-recurring)

Expenditures for Scientific Supplies FY 11/12 –FY15/16



DOJ Receipts for $600 Crime Lab Fees



DOJ Budget Requests

- Finance unfunded mandates from the 2011 Forensic Science Act
  - Scientist certification, Laboratory accreditation, and Forensic Science Advisory Board
- Appropriate funding for 6.0 FTE positions
  - 5.0 Forensic Scientists – current court receipt funding source is unreliable
  - 1.0 Ombudsman – another unfunded mandate from the Forensic Sciences Act
- Establish a Special Reserve Fund – No Cost
  - Allows the Lab to lease scientific equipment – a best practice for Crime Labs nationally.
- Fund replacement of Outdated Equipment
  - Industry standard for replacing Lab equipment is 5 years.

Program Updates

- Toxicology Outsourcing – Concluded
- Testing of Untested Sexual Assault Kits older than one year
- CODIS Hit Follow Thru
- Recommend Adopting UNC SOG MOA
  - Reduce wait time for scientists

Skin in the Game

Transparency and Accountability

Strengthening Forensic Science in the United States: A Path Forward, August 2009

Recommendation 4:

To improve the scientific bases of forensic science examinations and *to maximize independence from or autonomy within the law enforcement community*, Congress should authorize and appropriate incentive funds to the National Institute of Forensic Science (NIFS) for allocation to state and local jurisdictions for the purpose of *removing all public forensic laboratories and facilities from the administrative control of law enforcement agencies or prosecutors' offices*.

Conclusion

http://ncdoj.gov/crime-lab.aspx

Director John Byrd jbyrd@ncdoj.gov

North Carolina State Crime Laboratory

Back Up Slides

Laboratory Accreditation

- Sustained ISO/IEC 17025 Accreditation
- Audit by ANAB
- Audit by VA State Crime Laboratory
- DNA Quality Assurance Standards (QAS)
- In compliance with all established standards

ANAB
ACCREDITED
ISO/IEC 17025
FORENSIC TESTING
LABORATORY

Scientist Certification

All eligible scientists independently certified

International Association for Identification (IAI)

American Board of Criminalistics (ABC)

Association of Firearm and Tool Mark Examiners (AFTE)

American Board of Forensic Toxicologists (ABFT)

EnCase Certified Examiner (EnCE)

International Association for Property and Evidence (IAPE)