

Department of Forensic Science



Presentation to Senate Finance

Public Safety Subcommittee

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Major Accomplishments of 2014

- All laboratories accredited on 9/3/14
 - 4 Forensic Testing Labs and 1 Breath Alcohol Calibration Lab
- Implemented new instrumentation and DNA kits for all DNA Data Bank Samples
 - Profiles will contain 24 areas of DNA (up from 16)
- Designed process for statewide PERK inventory
- Provided expedited analyses in high profile case
- Participated in National Forensic Science leadership
 - National Commission on Forensic Science, Accreditation and Proficiency Testing Subcommittee Co-Chair



DFS Case Reception and Completion Statistics

Section	Cases Received (FY13)	Cases Completed (FY13)	Cases Received (FY14)	Cases Completed (FY14)
Controlled Substances	33,111	31,199	32,297	30,089
Firearms	4,886	4,751	5,310	5,260
Forensic Biology (DNA)	4,786	4,776	4,563	4,691
Latent Prints (includes DME)	3,452	3,276	3,200	3,336
Questioned Documents	372	361	323	327
Toxicology	9,829	10,487	9,716	9,899
Trace Evidence	996	956	956	975



DFS Caseload/Backlog

Section	Ending Backlog (cases) 6/30/2013	Ending Backlog (cases) 6/30/2014	Ending Backlog (cases) 12/31/2014
Controlled Substances	4224	6440	5150
Firearms	540	606	564
Forensic Biology (DNA)	862	816	906
Latent Prints (includes DME)	678	558	475
Questioned Documents	33	29	9
Toxicology	1430	1255	1450
Trace Evidence	175	188	113



Department of Forensic Science

§ 9.1-1101. Powers and duties of the Department

B. The Department shall:

1. Provide forensic laboratory services to all law-enforcement agencies throughout the Commonwealth and provide laboratory services, research, and scientific investigations for agencies of the Commonwealth as needed;
2. Establish and maintain a DNA testing program ... to determine identification characteristics specific to an individual; and
3. Test the accuracy of equipment used to test the blood alcohol content of breath at least once every six months.

FY14 Expenditures by Category

- Personnel (salaries, benefits): 67%
- Facilities (O&M, rent, equipment): 13%
- Administrative Expenses (IT, supplies, postage): 6%
- Travel (court, training, Breath Alcohol instrument certification): 2%
- Other Laboratory Expenses (for forensic analyses): 12%



Changes to DFS Budget

- 5% in FY15 (one time savings allowed)
- 7% in FY16 (no one time savings allowed)
- Actual reduction for FY15
 - \$1,153,070 (~ 3.1%)
- Proposed reduction for FY16
 - \$1,790,451 (~4.9%)
- Decision Packages for FY16



DFS Reductions

- Recognize 2014 Pledged Balances
- Reduce Frequency of Scientific Instrumentation Replacement
- Discontinue Analysis of Marijuana Plant Material in Simple Possession Cases
- Eliminate General Fund Support for Discretionary Training
- Delay Filling Positions to produce turnover/vacancy savings
- Personnel layoffs and delayed fill



Scientist Positions

Scientific Discipline	Total Funded Prior to Cuts	Less Permanent Cuts (Layoff)	Less Permanent Cut (Vacant)	Less Delayed Fills (FY15)	Total Funded For FY15	Total Funded For FY16
Controlled Substances	48		-1	-1	46	47
Digital & Multimedia Evidence	4	-2			2	2
Firearms	28				28	28
Forensic Biology	67		-2	-1	64	65
Latent Prints	21		-1		20	20
Questioned Documents	3				3	3
Toxicology	29			-1	28	29
Trace Evidence	11	-3			8	8
Total Scientists	211	-5	-4	-3	199	202

*Red text indicates new positions funded in FY15



Administrative and Scientific Support Staff

	Total Funded Prior to Cuts	Less Permanent Cuts (Layoff)	Less Permanent Cut (Vacant)	Less Delayed Fills (FY15)	Total Funded For FY15	Total Funded For FY16
Non-scientific staff						
Information Technology	4	-1			3	3
Administrative Assistants	12	-4			8	8
Photo Processing	4	-2			2	2
Forensic Lab Specialists (Classified + Wage)	31		-5		26	26
Other staff	33				33	33
Total Administrative and Support Staff	84	-7	-5		72	72



Forensic Service Reductions

Controlled Substances

- Require a court order for most analyses of plant material in simple possession of MJ cases as per code section §19.2-188.1

Digital & Multimedia Evidence

- Eliminate audio and video enhancements and comparisons
- Maintain computer and mobile device analysis

Photo Processing

- Eliminate photo printing for law enforcement
- Maintain preparation of court exhibit posters

Trace Evidence

- Limit Primer Residue (Gunshot Residue) to homicide or attempted homicide cases
- Reduce services in fiber, hair and explosives analysis
- Reduce services in general chemical analysis (e.g., unknown liquids and cosmetics)



Average Turnaround Times

Section	Backlog Trend	Average Turnaround Time (days) (Q4 FY14)	Average Turnaround Time Goal for FY16/18 (days)
Controlled Substances		66	45/30
Firearms		40	30
Forensic Biology (DNA)		91	80/70
Latent Prints (includes DME)		87	30
Questioned Documents		36	30
Toxicology		56	45
Trace Evidence		66	30

Potential Impact of Longer Turnaround Times

- continuance of court cases
- increased jail bed days for defendants awaiting trial
- delay of the issuance of death certificates and a family's ability to receive death benefits
- an innocent individual may remain incarcerated until the forensic testing that would ultimately exonerate him or her is completed
- perpetrators could commit additional crimes before investigative information can be provided to law enforcement
- delay in the identification or elimination of suspects in violent crimes



New Spending – Retesting of Cases with “Inconclusive” Results

- Virginia State Crime Commission directed DFS to retest certain samples in the Post-Conviction project
- DFS requested funding to outsource retesting using mini-STR or Y-STR testing
- Estimated cost for retesting - \$3,500 per case
 - Average of 7 samples per case
 - \$500 cost per sample
- Introduced Budget – first year of project
 - FY2016 – \$150,000



New Spending - Proposed Review of 1973-1994 Archived Case Files

- FBI Review of Cases with Microscopic Hair Comparisons
- ASCLD/LAB Board of Directors recommended each lab consider evaluation of past cases
- Laboratory reports from archived case files would be scanned and entered into database
- Introduced Budget (Personnel, equipment & data storage)
 - FY 2015 \$ 38,598
 - FY 2016 \$ 188,350