



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

OFFICE OF THE COMMISSIONER
Scientific Crime Detection Laboratory

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February 9, 2021

Senate Finance Committee
State Capitol
Juneau, AK 99801

Dear Finance Committee,

Further to the comments of the senate finance committee this letter will attempt to address some of the questions of the committee members regarding the status of projects and services at the Alaska Scientific Crime Detection Laboratory (ASCDL).

Space & Occupancy

The new ASCDL was completed in 2012, for the final total of approximately \$89 million and has a square footage of about 84,000. Due to the reduction in the budget during construction, key laboratory spaces including a toxicology laboratory, a questioned documents laboratory, a mitochondrial DNA laboratory, and tire impression laboratory were left as shelled spaces with no floors, ceilings, fixtures, or equipment. The ASCDL was never funded to hire positions to perform these disciplines or to acquire the needed equipment to open these services.

The ASCDL then experienced reductions in budget and personnel from 2014 to 2019 due to budget cuts across the state.

Year	2014	2015	2016	2017	2018	2019	2020	2021
Positions	43	40	38	36	36	36	38	42

This had a direct impact on the increase in backlogs. Since 2019, largely due to the strong desire of the legislature to address the testing of sexual assault kits (SAKs), the ASCDL has experienced a growth of 6 positions.

The ASCDL still has approximately 3,100 sq ft of shelled laboratory space and is expected to remain underutilized until resources for construction, equipment, and additional positions are authorized. An example of this is the current shelled space originally designed to provide the state with a toxicology laboratory. Currently toxicology testing for law enforcement agencies and the medical examiner are being outsourced to a private testing company on the east coast. Driving related offenses are sent through the ASCDL to the Health and Social Services laboratory where they are tested using a federal Highway Safety grant. The goal at the time of the development of the ASCDL was to streamline and simplify the process for all submitting law enforcement agencies, guarantee the consistency of forensic testing through accreditation, and ensure no hidden downstream costs in needing to pay exorbitant expert witness fees for someone to travel from the east coast, by offering this forensic service in-house. ASCDL estimates the cost of standing up the toxicology testing services within the ASCDL to be approximately \$3.5 million

for construction, instrumentation, personnel, and consumables with ongoing costs expected to be in the region of \$700k-\$1m per year.

Despite those challenges, the ASCDL has taken steps towards better utilizing space. For example, in August 2020, the Department of Public Safety entered into an agreement with the Anchorage Police Department (APD) for the consolidation of their forensic laboratory within the ASCDL. Construction of their spaces are complete and APD's scientists now occupy once underdeveloped square footage. The benefits of this partnership are expected to extend many years into the future and ensure consistency of forensic testing within the state, improves robustness and efficiency of forensic testing within the fingerprint disciplines, and eventually will give ASCDL access to the National Integrated Ballistics Information Network (NIBIN). NIBIN is a software system that provides an excellent investigative tool for linking crime scenes by matching fired cartridges from crime scenes.

An additional example improved space utilization, is what is now the central repository for all sexual assault kits in the state. An empty shelled space has been outfitted with high density storage shelving to allow the ASCDL to store all police departments' SAKs in a temperature-controlled room for the statutorily required amount of time, which is effectively indefinite. The goal of this is to reduce the possibility of having any SAK remaining in a law enforcement agency evidence room past the 30 days specified under AS 44.41.065.

Submission Rates

The ASCDL continues to experience significant increases for demand of our services.

Figure 1 shows the requests received, completed, and backlog for FY19 and FY20 as well as percentage increase in submissions.

	Backlog	FY19	FY20	%Δ FY19-FY20
Forensic Alcohol	1	558	457	-18%
Seized Drugs	5	909	1169	+29%
Forensic Biology	400*	651	909	+40%
DNA Database	0	3636	3071/4262**	+17%
Firearm/Toolmark	46	86	107	+24%
Fingerprints	153	584	542	-7%
Footwear	25	39	26	-33%
Crime Scenes	0	16	14	-12%

*Outsourced additional cases using funding from HB49

**The total number of submitted database samples

Figure 2 shows submission trends from FY12 through FY20.

	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
Forensic Alcohol	626	607	584	552	473	605	635	558	457
DNA Database	3929	4273	3446	3122	2646	3141	3147	3636	4262
Forensic Biology	303	342	388	459	553	559	608	651	909
Seized Drugs	1292	1463	1461	1429	1051	825	886	909	1169
Firearm/Toolmark	70	88	97	88	127	124	101	86	107
Fingerprints	754	717	940	839	734	672	670	584	542
Crime Scene	48	49	42	72	34	40	48	16	14

Footwear	NA	NA	NA	5	37	67	73	39	26
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**Note 300% increase in forensic biology submissions during this timeframe with no additional personnel until FY20.*

Figure 3 shows backlogs between FY12 through FY20.

	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
Forensic Alcohol	102	1	0	1	0	0	3	2	1
Seized Drugs	161	0	4	0	0	0	0	0	5
Forensic Biology	344	302	319	354	152	93	240	400	400
Firearm/Toolmark	18	10	16	3	15	21	16	59	46
Fingerprints	83	68	55	182	125	103	82	169	153
Footwear	NA	NA	NA	NA	8	2	20	19	25

Sexual Assault Kit Projects

In 2015, the Department of Public Safety (DPS) was awarded a total of \$1.5 million in Sexual Assault Kit Initiative (SAKI) funds from Bureau of Justice Assistance. Over 500 previously never submitted sexual assault kits from the Alaska State Troopers were tested.

In 2018, the Alaska State Legislature appropriated \$2.75 million in capital funds for the Department of Public Safety to address untested sexual assault kits (SAKs) for all other law enforcement agencies across the state.

- 2490 sexual assault kits were inventoried.
- All 2490 capital kits have been submitted to the private laboratory contracted for this project. The ASCDL have received the results for 1831 of those kits to date.

Both initiatives were exceedingly large in scope and have drawn substantial resources away from our DNA section to complete. However, they are vital projects and the ASCDL would like to continue to be at the forefront of the conversations regarding better handling of SAKs. With that goal in mind, the ASCDL was just awarded a federal grant to implement a statewide sexual assault kit tracking software mechanism. This initiative is one of the only remaining pillars identified by national sexual assault reform advocates and is integral to providing both accountability and survivor communication through a portal by which they can track the progress of their SAK.

Backlog Analysis

To understand and answer this question we must define some of the metrics we will discuss:

Backlog – the total number of incomplete or un-started cases over 30 days old

Turnaround time – the time in days from receipt of evidence to report distribution

Case Submission – the number of individual law enforcement requests for analysis

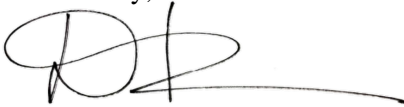
Staffing level – the number of trained competent forensic scientists performing analysis in each discipline

All of these numbers are inter-related, and all are dependent on having adequate number of trained staffing to perform the complex analysis and report writing to the highest quality assurance standards. For example, if submissions increase, but staffing level remains stagnant or decreases, the natural consequence is that backlog and/or turnaround time would increase. In the instance of our forensic biology unit, case submissions increased by 300% since 2012 while staffing decreased to 2019 then

increased to 2020. The effective staffing level lags behind the date at which additional funding for new positions due to the various administrative delays in creating, recruiting, and training positions. Training a new analyst takes between 6 months and 2 years depending on the discipline, namely an average of 12-18 months for a DNA analyst. It also takes already trained analysts away from casework to perform the training further inflating the backlog and/or turnaround times. The ASCDL has a low success rate at recruiting experienced forensic scientists due to the lack of other forensic science service providers in Alaska and the relatively non-competitive ratio of salary to cost of living.

The ASCDL appreciates the opportunity to provide this information to the committee. Please let me know if there is further information the committee would like. I am happy to answer questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'DK' with a long horizontal flourish extending to the right.

David Kanaris
Forensic Laboratory Chief
Alaska Scientific Crime Detection Laboratory