

# NORTH CAROLINA STATE CRIME LABORATORY

## FY2014/2015 Annual Report

Joint Legislative Oversight Committee  
on Justice and Public Safety

Thursday, February 11, 2016

# Presentation of Annual Report

Organizational Strategy

Quality & Transparency

Case Submissions and Completions

Expansion/Construction Western Laboratory

Lean Six Sigma Implementation

Human Capital

Fiscal Resources

Conclusion

# Organizational Strategy

- Strategic Vision
- Values
- Mission
- Goals

## North Carolina State Crime Laboratory Mission:

*Conduct forensic analysis in a timely manner in order to produce the highest quality, technically proficient case work and unbiased expert witness testimony for the Criminal Justice community.*

# Annual Report Highlights

- Reducing Turnaround Time (TAT) and on track to continue reducing TAT
- Vacancy rate reduced
- Began Toxicology analysis in the Western Lab
- Broke ground on the new Western Lab
- Video testing project is ready for first mock court case

# Highest Forensic Science Quality Standards

Laboratory Accreditation  
Forensic Scientist Certification

# Laboratory Accreditation

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





# 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)***

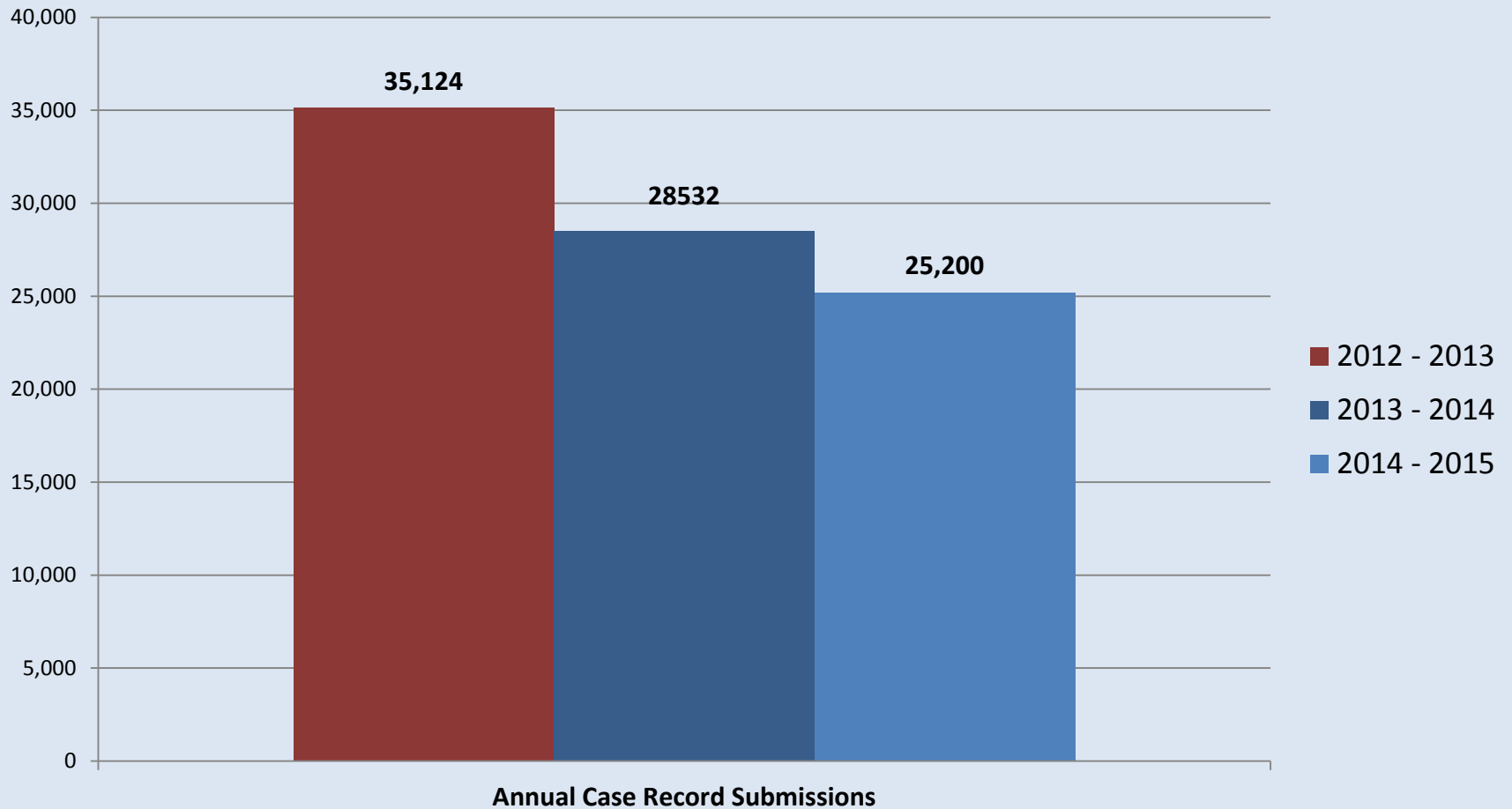


# North Carolina State Crime Laboratory Case Submissions & Completions for FY 14/15

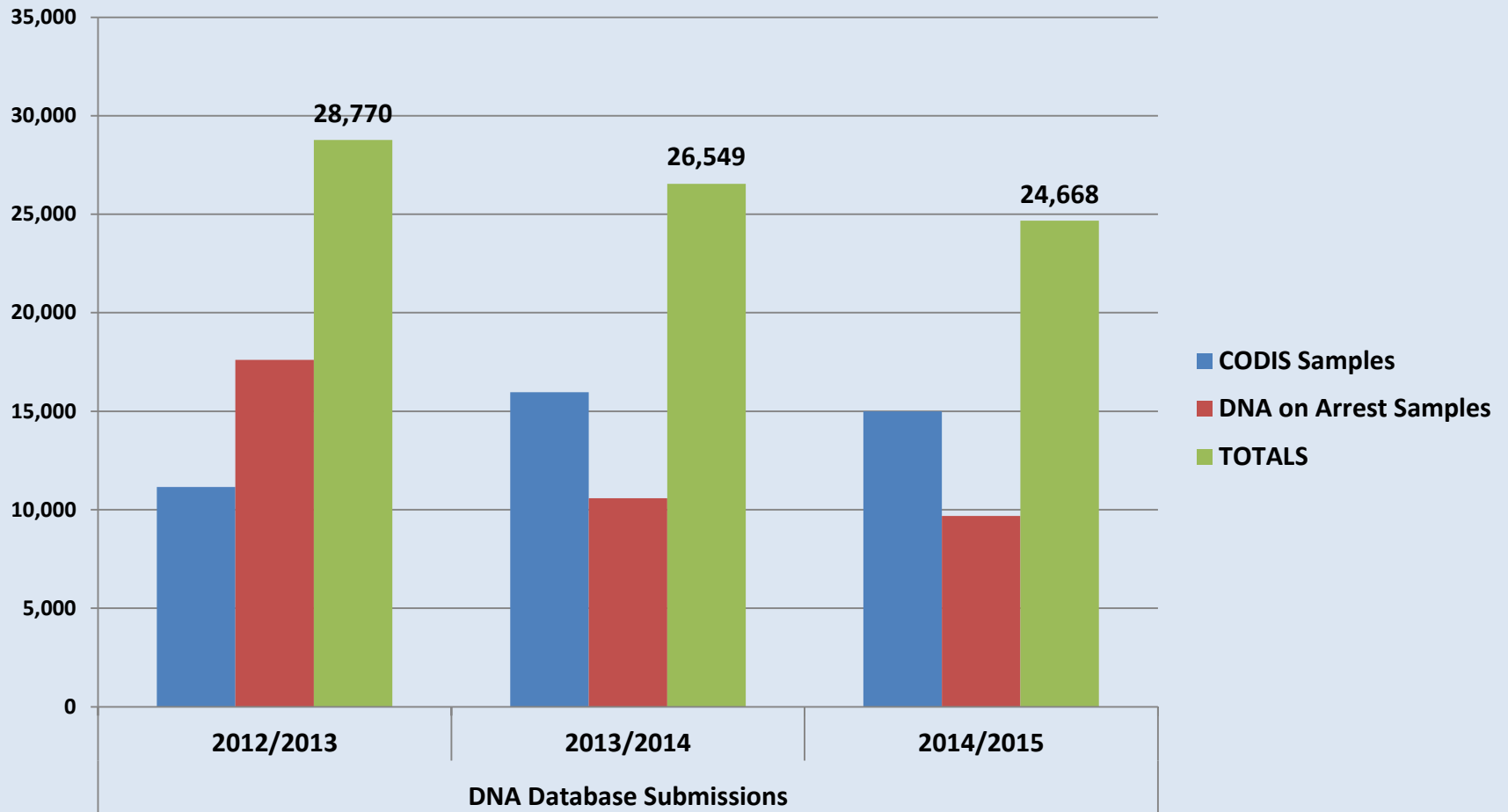
## Case Inventory and Turnaround Time



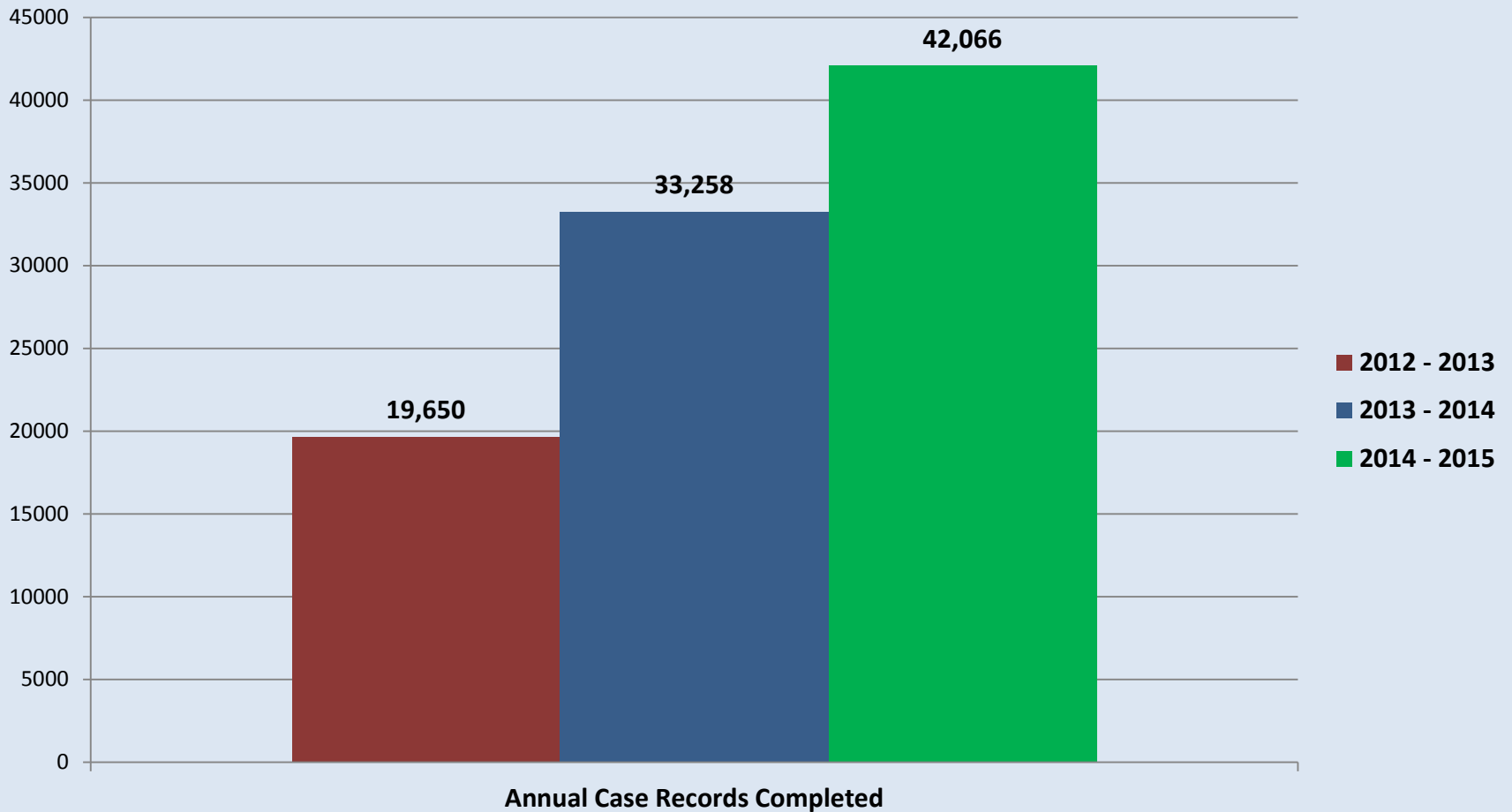
# Annual Case Record Submissions



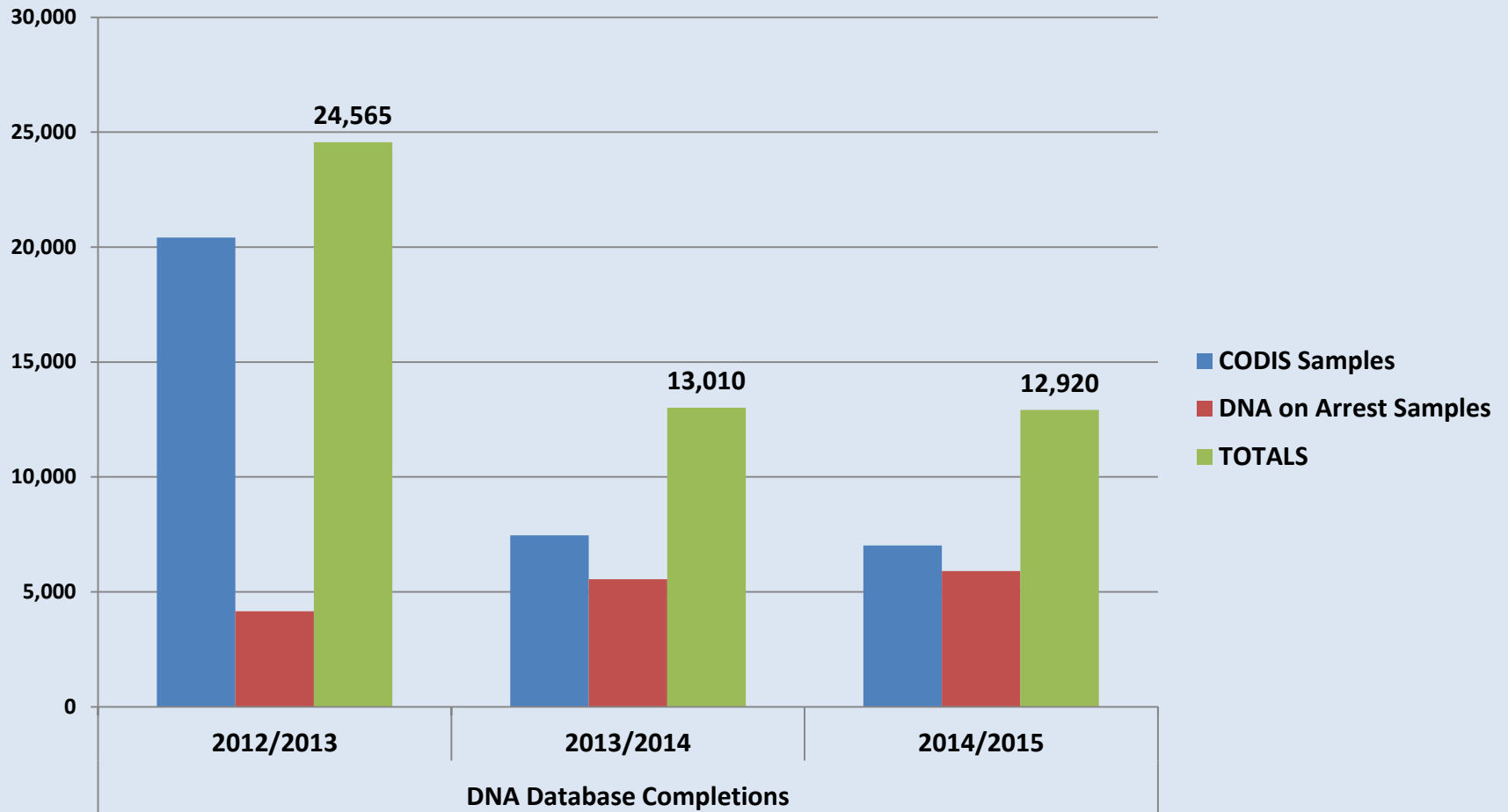
# DNA Database Submissions



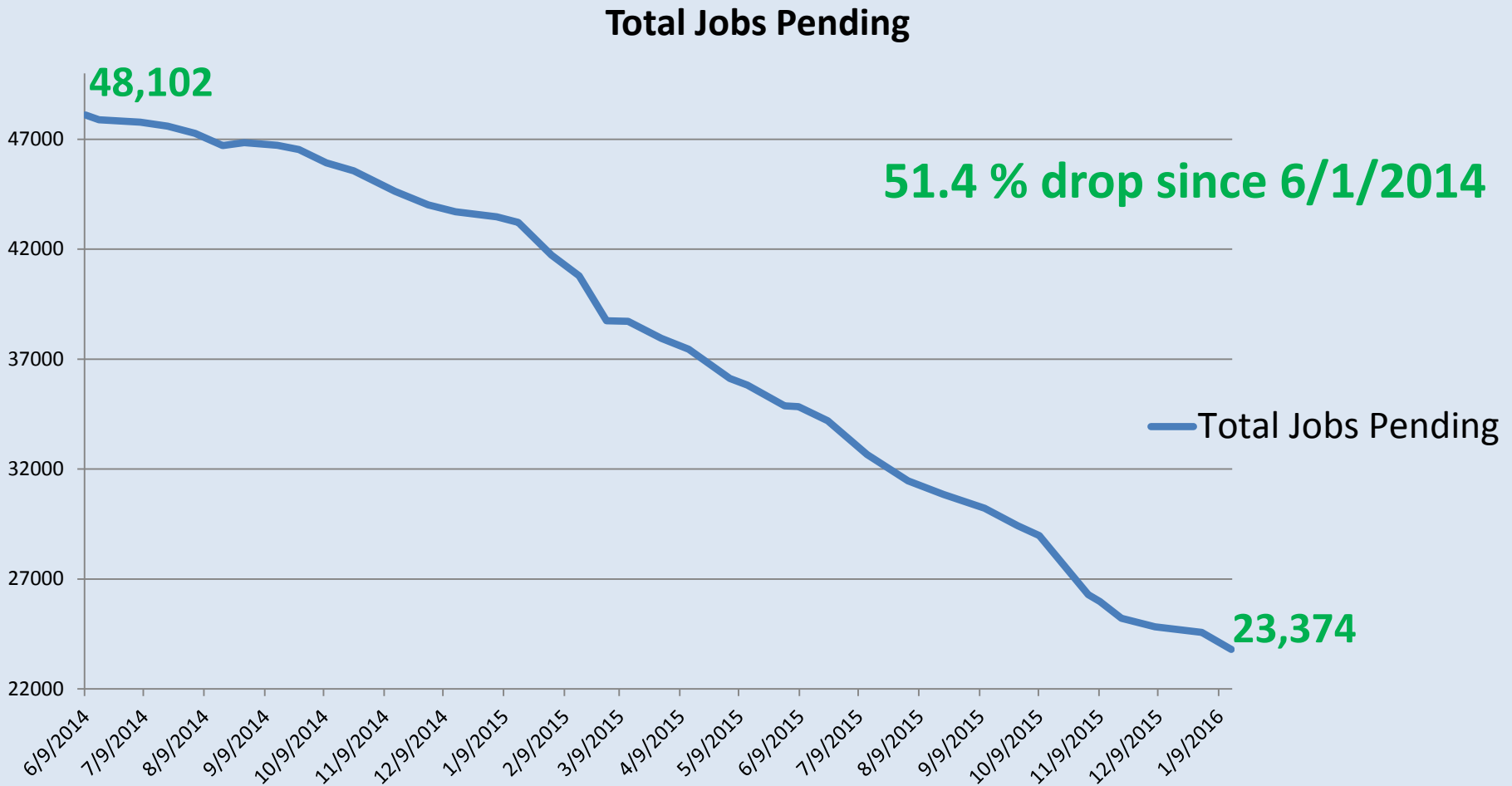
# Annual Case Records Completed



# DNA Database Completions



# Technical Operations – Overall Case Trends through 02/2/2016



# Average Turn Around Time in Days

FY 2014/2015 TAT Average drop of ~150 days  
between July 1, 2014 and June 30, 2015

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**Since July 1, 2015,  
dropped SCL TAT Average by 110 days in 5 months**

| <u>Laboratory<br/>Disciplines</u> | <u>TAT as of<br/>7/24/15</u> | <u>TAT as of<br/>8/25/15</u> | <u>TAT as of<br/>10/12/15</u> | <u>TAT as of<br/>11/9/15</u> | <u>TAT as of<br/>12/31/15</u> | <u>TAT as of<br/>2/2/16</u> |
|-----------------------------------|------------------------------|------------------------------|-------------------------------|------------------------------|-------------------------------|-----------------------------|
| Lab Average                       | 321                          | 319                          | 316                           | 245                          | 211                           | 207                         |

***Areas of Focus: Cases submitted prior to January 1, 2015***

# Rush Form via FA Web

**\*90 days notice  
is requested**

## Rush Request Form (Web Only)

|  |  |          |                            |
|--|--|----------|----------------------------|
| Name of District Attorney or ADA:              |  |          |                            |
| DA's Office<br>Point of Contact<br>and Phone # |  |          |                            |
| Date Requested for<br>Case Completion:         |  |          |                            |
| Trial Date<br>(if confirmed):                  |  |          |                            |
| For DWI/DUI Cases                              |  |          |                            |
| Statute of<br>Limitation:                      |  |          |                            |
| Habitual                                       |  | Fatality | Personal Injury to Another |

Reason for Rush Request\*:

|  |
|--|
|  |
|--|

I, the undersigned District Attorney or Assistant District Attorney, am requesting that the North Carolina State Crime Laboratory complete the examination of the evidence submitted in the above reference case as quickly as possible.

DA or ADA:

|  |
|--|
|  |
|--|

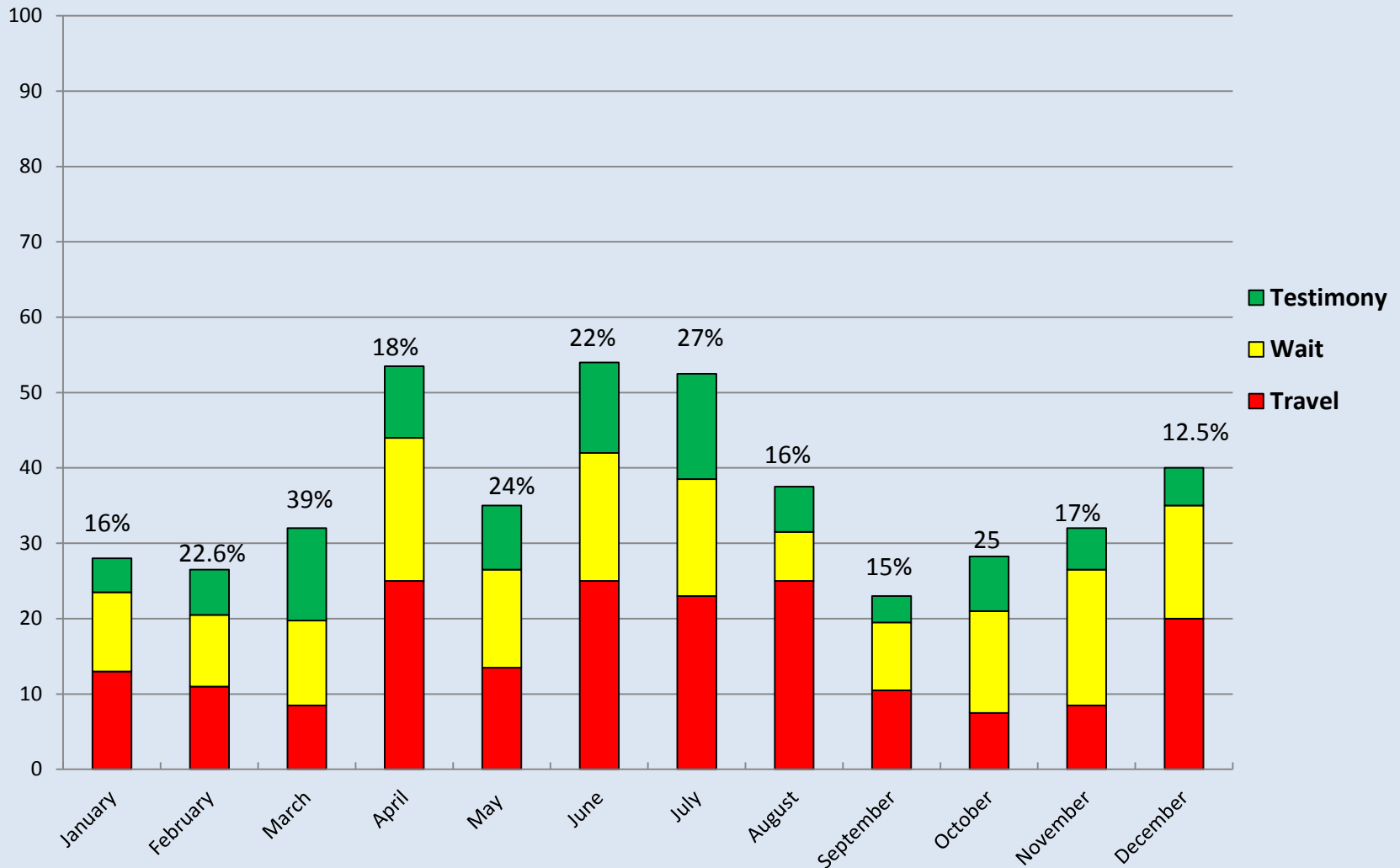
Please attach this request to your Forensic Advantage Web message. This information can be located by your Agency's FA Administrator. \*Rush requests without adequate justification may not be honored.

# Court Testimony and Judicial Efficiencies



# Forensic Biology 2015

## Court Travel, Wait & Testimony Times



# HB 357 Toxicology Reports

"§ 8-58.21. Toxicology analysis admissible as evidence in criminal prosecution in district court.

(a) Notwithstanding G.S. 8-58.20, in any criminal prosecution in district court a laboratory report of a written toxicology analysis that states the results of the analysis and that is signed and sworn to by the person performing the analysis may be admissible in evidence without the testimony of the analyst who prepared the report provided all of the following criteria are satisfied:

- (1) ...analysis complies... with the provisions of G.S. 8-58.21(d).
- (2) ...analyst...complies with the provisions of G.S. 8-58.20(c).
- (3) The district attorney...[must serve a copy of the lab report and affidavit and indicate whether the report and affidavit will be offered as evidence...]no later than 10 business days after receiving...and at least 10 business days before trial.
- (4) The defendant...as a right to appeal...for a trial de novo...
  - (b) A defendant reserves the right to subpoena the analyst...If the analyst fails to comply with the subpoena, and the case is not continued for the analyst to do so, the results of the analysis are inadmissible at trial in the district court.
- (c) Nothing in this section...can violate State or federal rights...with the exception of the right to a jury trial in district court.

**SECTION 2.** This act becomes effective October 1, 2015, and applies to trials commencing on or after that date.

# UNC School of Government

## Oct 2014 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

# Outsourcing

- 1,636 blood drug cases outsourced
- 52 of 100 counties have agreed to outsourcing
- 27 of 44 District Attorneys participating
- Contract management, 60 day turnaround time
- Internal audit process to monitor the contractor
- 2,233 Blood Drug cases & 3,280 Combo

|                            |            |
|----------------------------|------------|
| <b>Number of Counties:</b> | <b>100</b> |
| Counties Participating:    | 52         |
| Elected DAs                | 44         |
| DAs participating          | 27         |

# Expansion, Renovation and Process Improvements

Lean Six Sigma – Green Belts

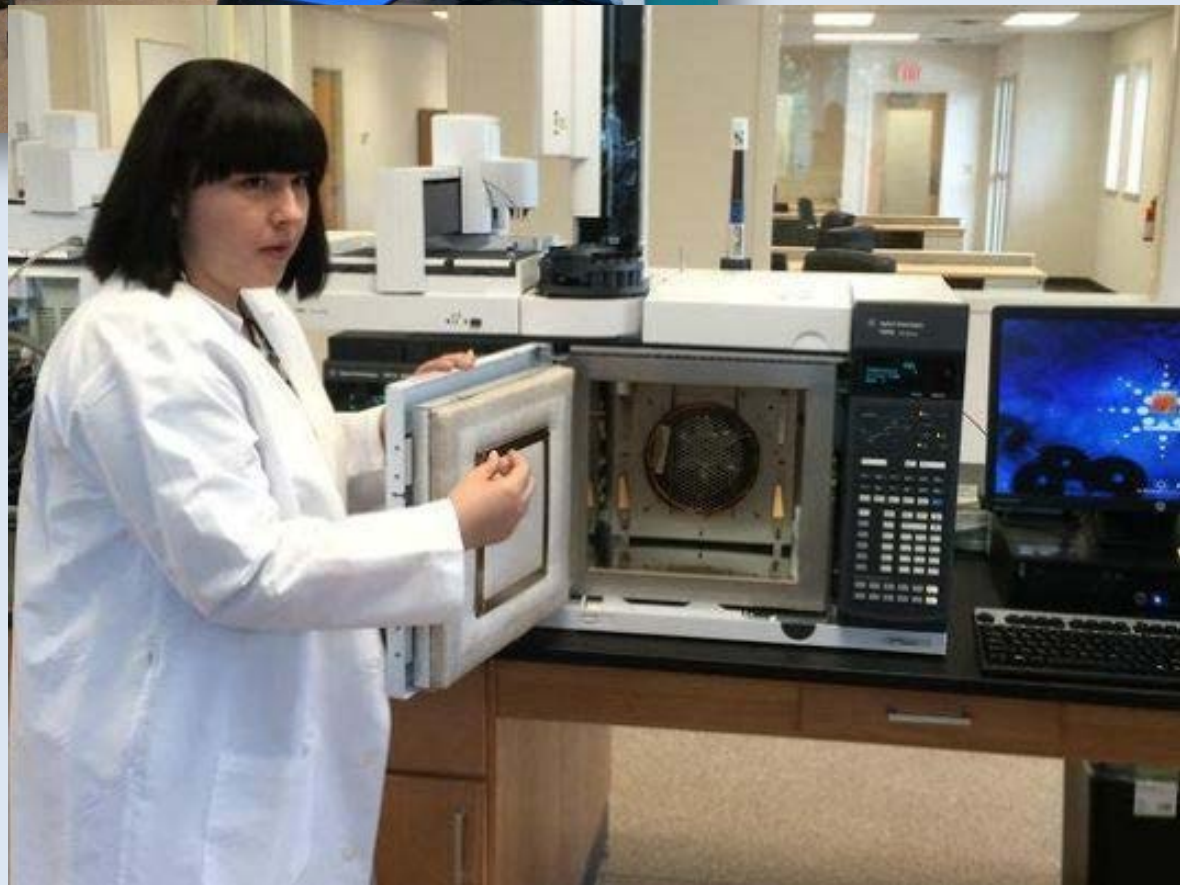
Stop Work Notifications

Continuous Process Improvements



Summer  
2015

Western  
Toxicology  
Open House





# DNA Renovated Lab Space





# DNA Renovated Office Space



Original floor plan housed 8 scientists.  
New floorplan tripled our space to 24 scientists.

# Human Capital

Salaries and Training

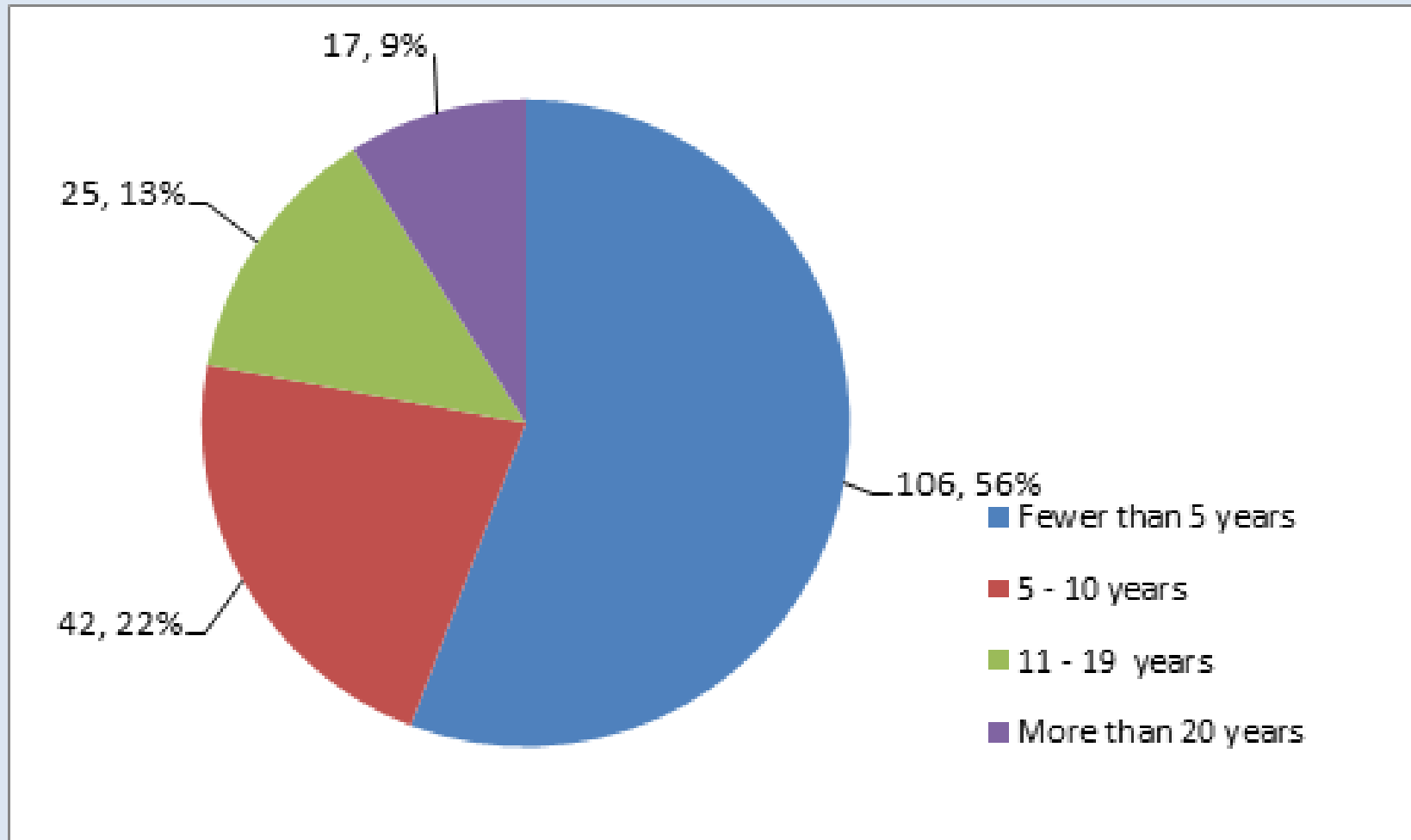
# Forensic Scientist Market Adjustment

\$1,023,635 R

- Provides funds for a **market-based salary adjustment** for Forensic Scientists employed in the State Crime Laboratory.

**Incorporated into budget bill**  
**Signed by Gov. 9/18/15**  
**Distributed in November**  
**paychecks**

# Crime Laboratory Demographics



56 hired since 7/1/2014 (34 in 2015). Retained 51.

# Training since 7/1/2014

## 43 Complete/28 in Training

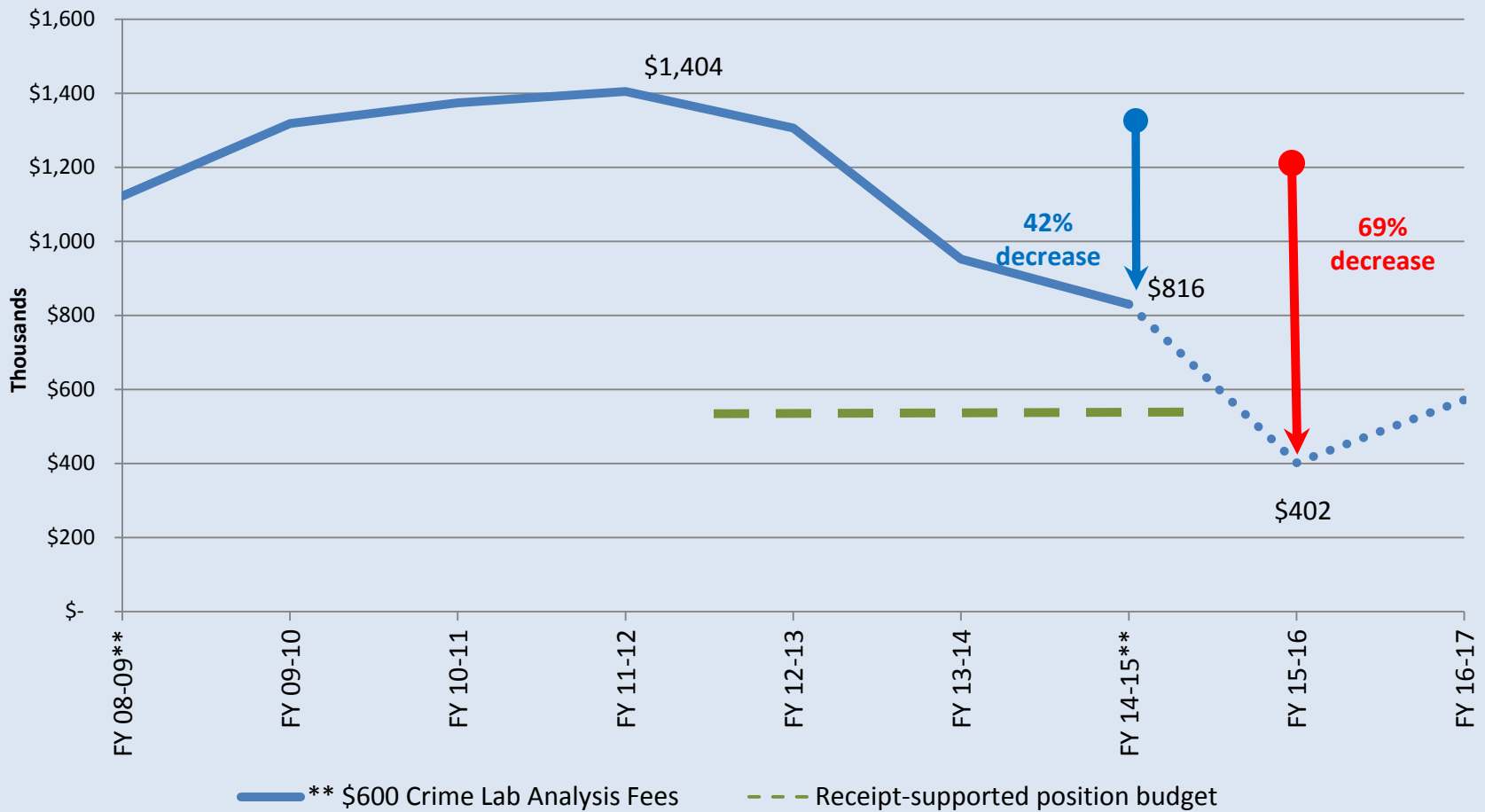
- Forensic Biology (Serology & DNA)
  - 7 completed Serology; 4 completed DNA
  - 14 in training
- Toxicology (BAC & Blood Drug)
  - 19 completed training (West – 8; Raleigh 7; Triad – 4)
  - 9 in training (West – 6; Raleigh – 3)
- Drug Chemistry (Controlled Substances)
  - 13 completed training (West – 2; Raleigh – 8; Triad – 3)
  - 5 in training (West – 3; Raleigh – 2)

# Fiscal Resources

Unfunded Mandates

2011 Forensic Science Act

# DOJ Receipts for \$600 Crime Lab Fees



# 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

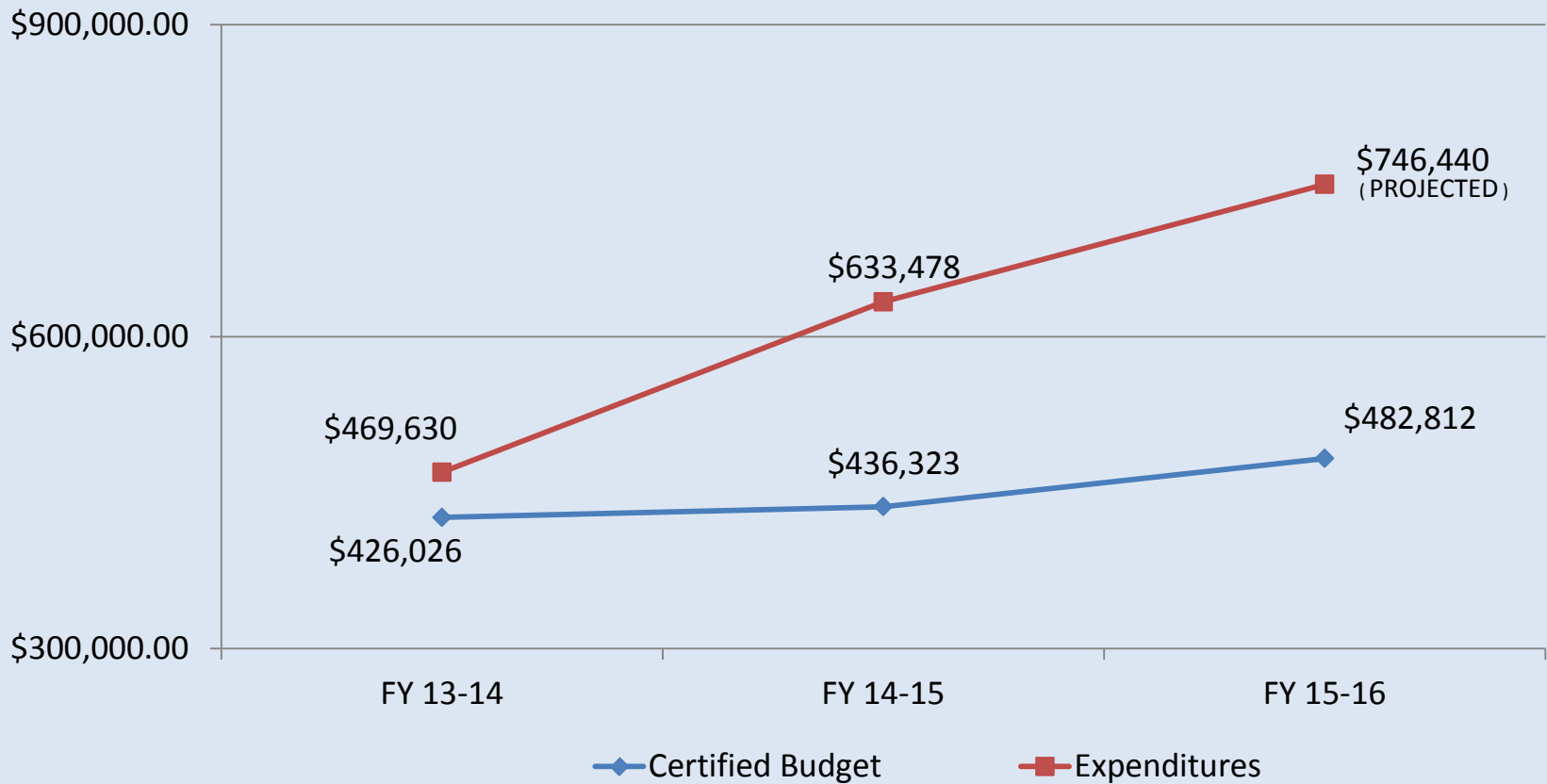


# Scientific Equipment

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

# Scientific Supplies

## Certified Budget Vs. Expenditures



# DOJ Budget Requests

- Toxicology Outsourcing (non-recurring)
- Critical Lab Operating Costs & Equip.
- Receipt Shortfall and Unfunded Statutory Mandates
- Adjust DNA Fee
- Establish Crime Lab Special Revenue Reserve Fund

# Skin in the Game

Transparency and Accountability

# North Carolina State Crime Laboratory

Department of Justice

Raleigh

## Laboratory Report

TO:

DATE:

July 8, 2014

CRIME LAB NO.:

SBI FILE NO.:

AGENCY FILE NO.:

EXAMINED BY:

DATE OF OFFENSE:

May 13, 2014

LOCATION:

TYPE OF CASE:

Murder

SUBJECT(S):

(Victim)

**ITEM(S) SUBMITTED BY**

**ON JULY 3, 2014:**

# Western Regional Crime Lab

NORTH CAROLINA

DEPARTMENT OF JUSTICE

Larry T. Justus Western Justice Academy, Edneyville, NC



*Tuesday, March 31, 2015*





*Monday, January 4, 2016*





*Monday, January 11, 2016*





*Saturday, January 30, 2016*



*Saturday, January 30, 2016*



*Monday, February 8, 2016*

*Overall*





*Monday, February 8, 2016*

*Future Drug Lab*



*Monday, February 8, 2016*

*Forensic Range*

# Conclusion and Questions

North Carolina State Crime Laboratory  
North Carolina Department of Justice

Director John Byrd [jbyrd@ncdoj.gov](mailto:jbyrd@ncdoj.gov)  
<http://ncdoj.gov/crime-lab.aspx>