

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Forensic Sciences



Fiscal Year 2017 Budget Oversight Hearing

Testimony of
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Director

Before the

Committee on the Judiciary

Council of the District of Columbia

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John A. Wilson Building
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Good Morning Chairperson McDuffie, members and staff of the Committee. I am Dr. Jenifer Smith, the Director of the Department of Forensic Sciences. I am pleased to testify before you today in support of Mayor Muriel Bowser's Fiscal Year 2017 Budget, entitled "Giving District Residents a Fair Shot." As Mayor Bowser recently testified before the Council, key investments in her proposed budget are geared toward making life better in the District. Ensuring the safety of DC residents and visitors requires the collective efforts of several key agencies to include the Department of Forensic Sciences. The ability to provide accurate and timely forensic results to employees of the Public Defenders Service, Metropolitan Police Department, United States Attorney's Office, or the District's Attorney General's Office is a key ingredient for these critical stakeholders to perform their duties to ensure a Safer and Stronger DC.

Today I am pleased to share that Mayor Bower's Fiscal Year 2017 Budget submission for the Department of Forensic Sciences includes additional resources that will help achieve a Safer, Stronger DC. This budget will allow me to:

- appropriately address the multiple statutory mandates within the legislation that established the Department of Forensic Sciences;
- provide high-quality, timely, accurate and reliable forensic science services with the use of best practices and best available technology;
- maintain continued accreditation;
- ensure a qualified workforce through efficient hiring and continual training;
- provide discovery documentation to critical stakeholders for court procedures;
- and begin civilianization of crime scene specialists in order to return sworn officers to their street duties.



For the record, the Mayor's proposed FY17 budget for the Department of Forensic Sciences is \$24,076,399, and funds 195.25 Full Time Employees (FTE). The proposed budget has three components: local, intra-district, and federal grant funds. The local budget represents \$22,879,234 and funds 187 FTEs. The intra-district budget represents \$821,275, and funds 3.25 FTEs. The federal grant budget represents \$375,890, and funds 5 FTEs. The proposed budget supports the four DFS Divisions:

- Forensic Science Laboratory, representing a total of 66.25 FTEs, including the Forensic Biology Unit, Latent Fingerprints Unit, Firearms Examination Unit, Forensic Chemistry Unit, and the Forensic Intelligence Unit;
- Public Health Laboratory, representing a total of 18 FTEs, including the Microbiology Unit, Chemistry Unit, Virology Unit, and the Molecular Diagnostics Unit;
- Crime Scene Sciences, representing a total of 78 FTEs, including the Crime Scene Sciences Unit, and the Central Evidence Unit; and the
- Agency Management Division, representing a total of 33 FTEs – consisting of quality assurance, training and development, legal affairs, performance management, human resources, resource allocation, health and safety, and our information technology support.

Before delving into specifics, I would like to briefly discuss previous FY15 and FY16 activities that provided a foundational support to the Mayor's proposed FY17 Budget. Soon after my appointment in mid-July 2015, I worked closely with my senior staff to fill gaps and address recommendations identified by the Mayor's internal review of the Department. These recommendations concerned issues beyond those affecting DNA testing, extending to infrastructure gaps, testing inefficiencies and management misalignments. At that time, the majority of the DFS senior management positions were vacant and the remaining managers took on additional duties and helped me begin to "right size" the organization. We conducted a



review of the responsibilities of all management positions and assessed the caseloads of the all units within the Department. These assessments led to realignment, or repurposing of positions and deactivation or creation of units. The need for a Laboratory Information Management Systems (LIMS) was determined to be a critical infrastructure gap and funding was directed towards procurement and implementation of LIMS. In addition to the need to outsource DNA testing, we determined that contractor support was needed to address increasing caseloads and productivity inefficiencies in the Latent Fingerprint and Firearms Examination Units. Additionally, during the summer, the need to civilianize the crime scene workforce was identified.

Throughout the early Fall of 2015, the Administration worked closely with the budget office and the Council and, this November, DFS received \$8 million in one-time funding and support to hire 50.75 additional term employees. Entitled the “Safer, Stronger DC plan”, this funding commitment from the Mayor and the Council helped the Department to:

- support the implementation of LIMS;
- begin to address case backlogs in the Latent Fingerprint and Firearms Units;
- hire additional civilians as term crime scene specialists;
- reduce turn-around -times associated with the testing of evidence from sexual assaults through out-sourcing;
- and reinstate DNA testing on February 18, 2016

The majority of supplemental positions, 37 FTEs, were added to expand our civilian Crime Scene Sciences Division, so that we can respond to crime scenes for evidence collection, a duty we currently share with MPD crime scene investigation officers. Two FTEs were added to the Forensic Biology laboratory and three additional FTEs were identified to create a Forensic Intelligence Unit that will coordinate evidence identification for forensic examination with all



contributors and stakeholders, process and track evidence related requests and provide statistics on service requests, evidence submissions, turnaround times and workflow efficiencies.

The remaining FTEs were assigned to the Agency Management Division that support quality assurance, accreditation, training, employee health and safety, human resource management, performance tracking, and resource allocation.

At the beginning of FY16, the additional FTEs from the “Safer, Stronger DC plan” increased the DFS vacancy rate from 20% to 42%, thus making reduction of the vacancies a top priority in the Department. Through the diligent work of DFS and DCHR we are hiring talented personnel to fill these positions. We have reduced our vacancy rate down from 42% in October to 24% today. Ultimately, we anticipate that the majority of the remaining new positions will be filled by the end of June.

The supplemental funding was also used for outsourcing DNA testing in order to address requests during the self-suspension within the Forensic Biology Unit. This allowed testing of sexual assault kits, required by the Sexual Assault Victims’ Rights Amendment Act, to continue. We focused our effort into decreasing the backlog of sexual assault kits by developing a more efficient process of outsourcing the work. Since my appointment in July we have been able to decrease the average number of days needed to process a sexual assault kit from 123.5 days to 63 days.

The Forensic Science Laboratory utilized the supplemental funding for contractors to help reduce case backlogs, increase entries and examination verifications associated with intelligence databases, and ensure efficient turn-around times in the Firearms Examination and the Latent Fingerprints Units. In July of 2015 the Latent Fingerprints Unit had 247 backlogged priority cases with requests for analysis. With the funding provided by the Mayor, additional contractors were brought in to the unit and this priority backlog has been reduced to 140 cases, or



nearly half. Similarly, firearm examiner contractors were hired to assist the Firearms Examination Unit. These contractors working with the three (3) qualified examiners within the unit have completed priority homicide and assault cases to ensure timely criminal justice proceedings and implemented individual training plans to ensure course completion of three (3) firearms examiner trainees by November 2016. In addition, the contractor presence has allowed for an increase in NIBIN entries, lead alerts and hits.

Now speaking specifically to the Mayor's proposed FY17 budget for the Department, this proposed budget reflects her commitment to continue the Safer, Stronger DC plan and supports the positive trajectory of DFS. The Mayor's proposed "Safer, Stronger DC" enhancement for FY17 of \$6,501,363 and 50.75 FTEs sustains the critical work we have started. The enhancement also includes an additional \$1,503,778 and 7.0 new FTEs for DFS to hire more firearms and fingerprint examiners and support staff to keep pace with the needs of our public safety stakeholders and to support our mission. The resources allocated to the agency in this proposed budget will be critical to continuing the changes initiated in FY16.

In this FY17 budget proposal, we have made changes to the budget structure to allow streamlined management and oversight of budgets and spending. Among the three major divisions, activities formerly outlined in FY16 will be efficiently organized into two activities in each Division in FY17. Specifically, the Forensic Science Laboratory Division and Public Health Laboratory Division will each have Administrative/Support Services and Laboratory Services as the only two activities. For Crime Scene Sciences Division, two activities include Administrative/Support Services and Evidence Handling. Further, upon reviewing the management structure I inherited, and acting on recommendations from the internal review of DFS concerning oversight of quality and training, I consolidated the responsibilities of two



Deputy Director positions into one. I decided not to fill the vacant Deputy Director position in FY16, thus allowing for a reduction in the FY17 proposed budget.

The proposed budget reflects efficiencies we will have in FY17 with implementation of changes the budget supports. The reinstatement of DNA testing this year and the additional forensic scientists in the Forensic Biology Unit, allows us to reduce the amount of funding needed in FY17 budget for outsourcing DNA testing. Also, as a result of the additional FTEs for the Firearms Examination and Latent Fingerprints Units, we have reduced the FY17 budget for contractors in those units. DFS has addressed the onboarding needs of new employees in FY16, purchasing all the additional computers, communication devices, personal protective equipment, and Crime Scene response vehicles and equipment. By conducting an internal six-week training program for the new Crime Scene Scientists we will minimize training costs for these individuals in FY17. We reviewed our usage of our three existing agency wide fleet and identified one leased vehicle that we will no longer keep. We revisited the need to maintain an additional Bio Safety Level 3(BSL3) facility as our Public Health Laboratory “Continuity of Operations” (COOP) site. The site has been repurposed as a training location and we are developing a Memoranda of Agreement with Maryland State Public Health Laboratory to use their facility for our COOP. We will fill the Public Health Laboratory Director position in the next few months, eliminating the need for that contractor support in the FY17 budget.

In conclusion, I would like to thank the Mayor and her staff for the generous support given to the Department. I would like to acknowledge the public and our stakeholders. I am very grateful for their patience and support in the Department’s actions over the past 12 months. I would like to recognize and thank all of the employees of the Department for their untiring efforts to make the District a safer city. Finally, The Council and this Committee, led by you, Chairperson McDuffie, have been key allies, and I appreciate your continued efforts to ensure



our agency is appropriately staffed and adequately funded to support our mission to provide high-quality, timely, accurate, and reliable forensic science services with the use of best practices and best available technology.

Thank you for the opportunity to testify today and I look forward to answering any questions the Committee may have.

