

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE**



Budget Oversight Hearing on

The Department of Forensic Sciences

Testimony of
Dr. Francisco J. Díaz
Interim Director

Before the
Committee on the Judiciary and Public Safety
Council of the District of Columbia
The Honorable Brooke Pinto, Chairperson

April 4, 2024
11:00 am
Room 500

Good afternoon, Chairperson Pinto, Council members, and staff of the Committee on the Judiciary & Public Safety. I am Francisco J. Diaz, the Interim Director of the Department of Forensic Sciences (DFS). Thank you for inviting me to testify on behalf of the Honorable Mayor Muriel Bowser to discuss the proposed Fiscal Year 2025 (FY25) budget for the Department of Forensic Sciences.

The Mayor's FY25 budget proposal, a Fair Shot: Strategic Investments and Shared Sacrifice, makes investments that are strategic, prudent, and focused on ensuring a safer and stronger Washington, DC.

DFS is a critical component in protecting the health and safety of District residents and the public at large. We are a forensic and public health agency that provides services to law enforcement, public health, and investigative agencies including: the Metropolitan Police Department (MPD), the Office of the Chief Medical Examiner (OCME), the Office of the Attorney General (OAG), DC Health (DOH), the Fire and Emergency Medical Services Department (FEMS), and other local and federal partners. Our mission is to provide high-quality, timely, accurate, and reliable forensic science services using best practices and the best available technology, with a focus on unbiased science and transparency, toward the goal of enhancing public health and safety.

With the successful re-accreditation of two of the Forensic Science Laboratory's (FSL) scientific units—Forensic Biology and Forensic Chemistry—DFS has continued to deliver on our mission, and we are steadfast on attaining accreditation in the Latent Fingerprint Unit. I am proud to share that during the past fiscal year we successfully maintained certifications for our public health laboratory and continued providing services through the crime scene sciences division. Mayor Bowser's FY25 Budget for DFS prepares the agency to continue the level of services provided to the District, and leverage the wealth of scientific and technical expertise of DFS staff to help deliver a safer, stronger D.C. With your support, the FY25 budget will allow DFS to continue to:

- Maintain American National Standards Institute (ANSI) National Accreditation Board (ANAB) accreditation and other mandatory certifications while continuing to meet the remainder of the statutory mandates set out in the Department of Forensic Sciences Act of 2011.
- Ensure a qualified workforce through efficient hiring and continual training.
- Continue to provide quality, timely, and accurate forensic, crime scene processing, and public

health services to District residents, visitors, and stakeholders.

The Mayor's FY25 proposed operating budget for the DFS is \$36M and funds 222 Full-Time Employees (FTEs). The Mayor's proposed capital budget for DFS is \$0.5M for a total proposed FY25 budget of \$36.5M. The operating budget has three components: local, federal, and private grant funds. The local budget represents \$34.6M and funds 213 FTEs. The federal grant budget represents \$455K and funds zero FTEs. The private grant budget totals \$929K and funds nine FTEs.

The proposed budget supports the following organizational components: Forensic Science Laboratory (FSL) division, Public Health Laboratory (PHL) division, Crime Scene Sciences (CSS) division, as well as agency administration and operations, consisting of quality assurance, training and development, legal, performance management, human resources, resource allocation, health and safety, and information technology support.

The Mayor's FY25 proposed budget will support increased productivity levels of forensic testing expected by our stakeholders in accordance with our accrediting body standards. Under the FY25 budget, funding for personnel, training, equipment, instruments, reagents, analysts, and forensic outsourcing will ensure that DFS continues to play its vital role in driving down violent crime and keeping our communities safe.

As we continue our mission in providing forensic and scientific services as a partner of the District's public safety and justice community, I would like to share a few key updates achieved during the previous fiscal year from each of our programs, as well as plans for FY25 which will be realized with the approval of the Mayor's FY25 budget proposal.

Forensic Science Laboratory

The Forensic Science Laboratory (FSL) was designed to provide scientific examinations and analysis of physical evidence, providing these services to District Government and neighboring federal agencies. Due to the loss of accreditation, all forensic testing continued to be outsourced to external laboratories while the agency worked diligently toward re-accreditation. In December 2023, the FSL underwent an external assessment of the Forensic Biology Unit (FBU) and Forensic Chemistry Unit (FCU) conducted by the ANAB, resulting in the identification of zero nonconformities and

restoration of accreditation for the two units. Furthermore, the FSL has since begun the re-accreditation process to have the Latent Fingerprint Unit (LFU) fully operational in the very near future.

To date in Fiscal Year 2024 (FY24), the FSL has received over 2,000 service requests from stakeholders, including the Metropolitan Police Department, United States Attorney's Office, and the Office of the Attorney General, with monthly requests averaging similar volume as prior fiscal years.

To date in FY24, the FBU received Federal Bureau of Investigations (FBI) authorization for access to the Combined DNA Index System (CODIS) database, in which the unit has successfully reviewed and uploaded 140 cases, a process that is instrumental in identifying suspects and closing criminal cases in the District. For instance, due to a CODIS database entry and hit, in February 2024, a suspect was identified, arrested, and charged in two sexual assault while armed cases that occurred in the District in 2009 and 2023, from the DNA collected from the victim's Physical Evidence Recovery Kit (PERK) by the DFS Sexual Assault Kit Initiative (SAKI) Team. In addition to resuming activities in-house since the unit's re-accreditation earlier this fiscal year, the FBU has continued to work with external laboratories in outsourcing casework, effectively triaging homicides, sexual assaults, and carjackings.

To date in FY24, the FCU also resumed in-house casework, with 20 seized drug cases completed and 35 in progress. The FCU has participated in the National Institute of Justice's (NIJ) Whitebox Interlaboratory Study, which is a program established for research and evaluation of analytical schemes used by forensic chemistry labs throughout the United States to determine the efficacy of such schemes. Additionally, in partnership with OCME and the DC Fusion Center (DCFC), the FCU issued a DC Carfentanil Intelligence Bulletin with the goal of rapidly informing public health entities, first responders, and law enforcement agencies of drug supply changes occurring in the District.

To date in FY24, the LFU has continued the outsourcing of casework to its current contractor with no Automate3d Fingerprint Identification System (AFIS) backlog. The LFU has undergone significant performance gap assessments and rigorous training in preparation of the second phase of the FSL re-accreditation process to bring the unit back online. Additionally, the LFU has had two of

its scientists achieve the International Association of Identification (IAI) certification, a distinguished credential in the field of fingerprint analysis that will be a key asset for when the unit reopens to conduct casework in-house.

To continue to support the District with these tremendous gains the FSL has achieved, the FY25 budget includes continued funding of critical laboratory staff, \$3.1M for continued outsourcing support, and \$627K for agency-wide training to maintain accreditation and support the re-accreditation process for the LFU, as well as optimal capability as the division ramps up in-house testing and analysis.

Public Health Laboratory

The Public Health Laboratory (PHL) provides testing of biological and chemical samples that relate to public health and safety, such as infectious diseases, hazardous chemicals, or biological contamination, up to and including biological or chemical terrorist attacks.

In FY24 to date, the PHL has performed 12,784 clinical and surveillance tests, encompassing influenza, rabies, foodborne illnesses, wastewater surveillance, surveillance for biothreat agents and a variety of other public health threats. The division provided testing support to District hospitals for ten cases relating to recent measles exposures at DC area airports, provided testing support for seven suspected Norovirus cases, and continues to provide Mpox testing for the District. The PHL is currently working with the Centers for Disease Control and Prevention (CDC) to support additional testing efforts in the United States in response to the ongoing outbreak of clade 1 Mpox in the Democratic Republic of the Congo.

Under the Mayor's FY25 proposed budget, the PHL reduces its reliance on grant funding and moves toward sustainability of critical laboratory services for the District of Columbia. The Mayor's FY25 proposed budget funds 12 FTEs and provides \$875K to fund critical laboratory supplies required for testing. This budget will allow the laboratory to recruit and retain technical positions that require specialized training and requirements (i.e. security clearance, vaccinations) as well as ensure the capacity to rapidly respond when surge testing is required as demonstrated during the pandemic.

Crime Scene Sciences Division

The Crime Scene Sciences Division (CSS) is responsible for the collection, analysis, processing, and preservation of evidence found associated with a crime scene, which is critical to solving crimes in the District.

In Q1 of FY24, the CSS processed 1,585 crime scenes, collecting nearly 16,000 pieces of evidence for preservation and testing. In Quarter 2 (Q2) of FY24, DFS began the process of working with the District's Office of Contracting and Procurement (OCP) to vet and procure consulting services to assist the CSS division in obtaining accreditation for the first time. The agency plans to follow the successful path used by the FSL in regaining its accreditation. DFS intends to hire a consultant to perform a gap analysis to identify nonconformances and opportunities for improvement, create a timeline for addressing any findings, and assist with implementing corrective actions to help prepare the CSS division for pursuing accreditation in the crime scene discipline.

The Mayor's FY25 proposed budget supports three FTEs to hire additional crime scene scientists in alignment with the commitment to ensuring a safer, stronger DC.

Agency Operations

The Mayor's FY25 proposed budget ensures continuation of essential and critical administrative and support services functions, such as human resources, information technology, communications and outreach, forensic intelligence analysis, operations, budget, procurement, and performance management, and employee health and safety services.

And in the agency's continued pursuit of re-accrediting the FSL in full, DFS has continued to implement recommendations identified in the December 2021 SNA International report, the latest of which includes ongoing collaboration with Evolve Forensics and Forensic, Analysis, Consulting, and Training (FACT) for independent assessment and readiness of the LFU in preparation for re-accreditation.

The Mayor's FY25 proposed Capital Improvements Plan (CIP) of \$0.5M provides critical funding to ensure that the agency has the instruments and equipment required for forensic testing and analysis as well as the IT infrastructure to support the needs of a technology forward agency.

In closing I would like to reiterate the Mayor's FY25 budget, A Fair Shot: Strategic Investments and Shared Sacrifice, makes investments in public safety that improve readiness, response, and resilience ensuring a safer and stronger Washington, DC.

As such, I would like to thank Mayor Bowser, City Administrator Donahue, and the staff for their ongoing support of DFS and the effort they put into developing the proposed FY25 budget. I would also like to thank Deputy Mayor Appiah, her staff, and our public safety partners who also continue to support DFS. Thank you, Chairperson, and your staff, for the continued oversight and support of DFS. Finally, I would like to thank the remarkable staff at DFS for their continued support and commitment to build back better as we work toward re-accreditation. We appreciate the opportunity to share our achievements and plans for continued improvement in the coming year and look forward to continuing to work with the Committee. This concludes my testimony. I welcome your questions.