**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**DEPARTMENT OF FORENSIC SCIENCES**



**Fiscal Year 2017**

**Performance Oversight Hearing**

Testimony of

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Director

Before the

Committee on Committee on the Judiciary & Public Safety

Council of the District of Columbia

The Honorable Charles Allen, Chairman

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Good afternoon, Chairman Allen, members, and staff of the Committee on the Judiciary & Public Safety. My name is Jenifer Smith, and I am the Director of the Department of Forensic Sciences. Thank you for inviting me to testify on behalf of Mayor Muriel Bowser in today’s hearing to discuss the activities and accomplishments of the Department of Forensic Sciences in Fiscal Year 2017.

Mayor Bowser’s Fiscal Year 2017 Budget reflected our deep commitment to DC values by making investments that will provide all residents of the District of Columbia with the opportunity to succeed. We remain focused each day on creating pathways to the middle class by investing in education, affordable housing, infrastructure, public safety, and people.

I am pleased to report on the progress that the Department of Forensic Sciences (DFS) has made over the past year utilizing the enhanced resources provided by Mayor Bowser in her efforts to provide safer streets for DC citizens and visitors. This is my opportunity to recognize the efforts that have been made at DFS over the past two fiscal years; efforts to engage our customers, improve our timeliness, maintain our quality, build towards the future, and help create a safer, stronger DC.

When the Mayor visited DFS at the beginning of this year, she acknowledged tremendous improvements at the “crime lab” and its role in the reduction of violent crime and property crimes in DC. At DFS, we have demonstrated that Stronger Science means Safer Streets.

The progress that has occurred has only been possible due to the Mayor’s serious commitment to provide resources to the Department since taking office three years ago. In addition to the “state of the art” laboratories, DFS now has sufficient resources to meet the demands of our critical stakeholders. Our facilities are second to none, providing exceptional laboratories and workspaces, but this alone cannot accomplish the work of DFS. Our labs and offices are filled with capable and dedicated scientists and staff who strive daily to deliver high-quality and reliable forensic science services to critical stakeholders. I would be remiss if I did not mention the women and men who have led their teams forward through the necessary improvements to achieve many of our substantial accomplishments.

Under the management of Chief Operating Officer Yi-Ru Chen, our Directorate Operations & Agency Management team performs several critical functions, including procurement of supplies and equipment, hiring staff, assuring health and safety awareness, and compliance and maintenance of IT infrastructure support of vital DFS databases and information systems. In FY17, her team worked closely with DCHR to fill 46 vacancies, always ensuring that our hiring practices encouraged appropriate recruitment, unbiased selection, and efficient placement. This effort included over 180 interviews conducted for over 70 positions posted, and 17 new position descriptions that were reclassified to ensure its relevancy to our employees and new recruits.

Three years ago, DFS had no IT infrastructure in place to track critical movement of evidentiary items. Today, the Forensic Technology Unit (FTU) ensures that several Laboratory Information Systems (LIMS) are supported and streamlined. The unit customized the DFS Dashboard to track key performance indicators and workload measures that indicate the overall vitality of the laboratory units. This allows for closer scrutiny of each DFS unit’s performance. Also of note, in FY17, the Health and Safety team collaborated with the Homeland Security and Emergency Management Agency (HSEMA) to update the DFS Continuity of Operations Plan (COOP) to ensure some continuity of services, even in the event of inaccessibility to the Consolidated Forensic Laboratory. Additionally, DFS is now fully integrated into the District-wide Continuity of Operations Plan.

An experienced team of in-house, quality professionals and training specialists led by Deputy Director Brittany Graham, provides oversight of all DFS units to ensure quality-driven results and that the DFS workforce is highly trained and skilled in delivering appropriate forensic and public health scientific programs. In FY17, the training program delivered over 2,220 hours of instruction for all three divisions, covering numerous discipline-specific topics for DNA, firearms, fingerprint examiners, and public health lab scientists. Of note in FY17, Deputy Director Graham’s team supported the successful certification of several DFS crime scene scientists by the International Association for Identification (IAI)*.* IAI is the world's oldest and largest forensic organization. Sixteen crime scene scientists participated in the IAI Certification Test Prep Course, then successfully passed certification exams in either Crime Scene Investigator (level 1) or Crime Scene Analyst (level 2).

The Quality Team successfully led the Department through several external audits of the Forensic Science Laboratory Division (FSL) and the Public Health Laboratory Division (PHL). All FSL units continue to maintain ISO/IEC 17025:2005 accreditation in critical disciplines. Additionally, the Forensic Biology Unit successfully passed external National DNA Standard audits and, for the second year in a row, received no findings. The PHL successfully demonstrated compliance with the Centers for Medicare & Medicaid Services’ Clinical Laboratory Improvement Amendments (CLIA) regulatory guidelines, as well as CDC’s Division of Select Agents and Toxins (DSAT).

Deputy Director Graham led the DFS effort for educational outreach and conducted several programs to help create the next generation of public service scientists. As a former educator, I know the importance of engaging students as early as possible and exposing them to jobs in real world laboratories. At DFS, we have made a conscious effort to open our labs and initiate partnerships with schools and universities so that, through immersive experiences like internships, students can experience the realities of working in a laboratory. In FY17, we expanded our internship program and established high school internships to allow DC students enrolled in STEM programs to intern within the Department. Five students from McKinley Tech High School were embedded into the public health laboratory during their final senior semester. DFS is dedicated to “home growing” DC scientists.

Under the leadership of Director Karen Wiggins, DFS continued to see dramatic improvement in services within the Forensic Science Laboratory Division (FSL). Two and half years ago, DFS opened up communications with our stakeholders and threw out old policies and practices that prevented engagement with these critical customers. FY16, FSL’s Forensic Intelligence Unit (FIU) was established to ensure that DFS remains scientifically independent but not disengaged from our critical customers. FIU conducts weekly and bi-weekly meetings with investigators from MPD and attorneys from OAG and USAO to discuss evidence and case prioritization. These meetings with critical stakeholders ensure that FSL is balancing customers’ routine versus urgent investigative needs. This past year, all units within the FSL demonstrated a greater efficiency and improved the time it takes to deliver results. FSL exceeded their key performance measures target to complete 50 percent of homicide and priority cases within 60 days in both the Firearms Examination Unit (FEU) and the Latent Fingerprint Unit (LFU). For four straight quarters, firearms examiners exceeded this goal and completed over 83 percent of these cases within 60 days. Equally impressive, the latent fingerprint examiners completed over 95 percent of their priority cases within 60 days. Throughout the year, latent fingerprint examiners worked a total of 2,308 cases with an average turnaround time (TAT) of 13 days. In FY17, firearms examiners reported on 450 cases with an average TAT of 11 days.

In FY17, the Forensic Biology Unit received 265 sexual assault kits. Out of the 265 kits received, 238 kits were tested at DFS, either in house (200) or by contractors (38). The remaining 27 kits were not tested at DFS due to the following factors: assault happened outside of DC (2), survivor declined police services after initial transfer to the lab (22), and the United States Attorney Office sent kit for outsourced testing (3). The average turnaround time for testing sexual assault kits was 68.5 days. The majority of kits (231) were completed within 90 days. However, due to the inability to receive permission to consume from attorneys, seven kits exceeded the 90 day TAT outlined in SAVRAA, varying from 92 days to 176 days. DNA testing was conducted on 1,096 additional cases. The majority of these cases were processed by external laboratories; however, 202 cases were handled internally with an average turnaround time of 42 days. Using their new approach to mixture interpretation, DNA analysts found that they are more likely to discern CODIS-worthy DNA profiles from complex mixtures, a vast improvement from their previous manual mixture deconvolution procedure.

In FY17, DFS established the Digital Evidence Unit (DEU) to increase the District’s investigation testing capabilities concerning a wide variety of cybercrimes and fraud. DEU conducts advanced and highly specialized computer forensic investigations and analyses, data recovery, and electronic discovery from digital media, to include a wide variety of mobile computer devices, cell phones, and skimmers. In addition, DEU increased their caseload by working 321 cases with an average turnaround time of 5 days.

In FY17, FSL fully utilized three critical national intelligence databases: National Integrated Ballistic Information Network (NIBIN), Automated Fingerprint Identification System (AFIS), and Combined DNA Index System (CODIS). In FY17, FEU enrolled 4,108 casings into NIBIN, which led to 256 investigative hits. LFU entered 9,250 latent fingerprints into the AFIS database, which led to 1,558 investigative hits. FBU entered 419 DNA profiles into CODIS, which led to 153 CODIS hits. Information from these databases provided new leads to investigators to identify perpetrators, link crime scenes together, and identify sources of gun crimes for immediate disruption, investigation, and prosecution.

In FY17, the Crime Scene Sciences Division continued to move toward completing the civilianization of crime scene processing for the District. Crime Scene Sciences Unit (CSSU) personnel responded to 4,924 scenes and processed over 34,000 evidentiary items. Their average response time to the scene was 27 minutes and their average report TAT was 26 days, a decrease in TAT from 54 days during fiscal year 2016. The Central Evidence Unit (CEU), which is responsible for the secure intake, storage, and maintenance of evidence and property submitted to DFS, took custody of 69,652 items of evidence. CEU personnel have also dramatically reduced the amount of evidence stored at DFS. Working closely with their partners at MPD’s Evidence Control Branch (ECB), CEU relocated more than 10,000 items, including firearms and other evidence, to permanent storage at ECB, freeing up critical temporary storage space at DFS. Additionally, the CSS provided oversight for the formation and training of 78 DFS scientists that make up the OCME/DFS Joint Mass Fatality Response Team.

Under the direction of Dr. Anthony Tran, the Public Health Laboratory (PHL) conducts testing of public health significance and acts as the local extension of testing capabilities provided by the Centers for Disease Control and Prevention (CDC). In FY17, PHL performed over 3,000 test procedures including influenza subtyping, rabies testing, arbovirus screening, and testing for foodborne outbreaks. Working closely with DOH, PHL continued the District’s mosquito surveillance program for the viruses that mosquitos carry, testing 530 mosquito pools for West Nile, dengue, chikungunya, and Zika viruses. Additionally, we provided Zika, chikungunya, and dengue molecular testing in a timely manner for nearly 800 patients.

PHL is a member of the National Laboratory Response Network (LRN) for the detection of bio and chemical terrorism. As a Tier I Laboratory, PHL has both the competency and capacity to test for Category A biological terrorism (BT) agents, as well as detect any emerging diseases. In FY17, the FBI submitted 25 environmental samples for testing to PHL. All results were returned well within the critical turnaround time.

A major FY17 initiative for PHL was the establishment of the Forensic Chemistry Unit (FCU). In 2018, the Drug Enforcement Administration (DEA) will transition the responsibility of analyzing controlled substances to DFS. Due to efforts made this past fiscal year, the FCU will be well-prepared to take over the analysis of all controlled substances for the district. In FY17, FCU developed and implemented numerous procedures to test for all major categories of controlled substances such as heroin, cocaine, and methamphetamine, as well as drugs that are more difficult to detect such as synthetic cannabinoids, cathinones, and opioids. FCU participated in several studies, including examination of syringes provided by the OCME in suspected synthetic opioid deaths. During these studies, FCU chemists identified a new compound, methoxyacetyl fentanyl. This version of fentanyl had never been seen within the drug supply. In FY17, FCU analyzed over 100 exhibits for stakeholders including OCME, DOC, and MPD. By the end of the fiscal year, FCU successfully participated in an external pre-audit inspection in preparation for an ISO17025 audit by the ANSI-ASQ National Accreditation Board (ANAB) that occurred this past January. On Feb 13, 2018, DFS received word from ANAB that accreditation of the forensic chemistry program had been granted.

With that, I would like to acknowledge Mayor Bowser and her staff for their continuous and generous support of DFS as we strive to realize her vision of a safer, stronger DC. Also, I would like recognize Deputy Mayor Donahue, his staff, and our public safety partner department leaders who continue to support DFS. I must also acknowledge the untiring efforts of the women and men who work within the offices and laboratories of DFS and whose stronger science has led to safer streets.

In closing, I’d like to thank you for your leadership and support. We appreciate the opportunity to share our accomplishments and plans for continuous improvement and look forward to continuing to work with the Committee. This concludes my testimony. My staff and I are happy to address your questions at this time.