

Law Enforcement Consolidation Task Force

FORENSIC SUBJECT MATTER EXPERTS TEAM REPORT

NOVEMBER 2011

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Forensic Subject Matter Experts Team Report

November 2011

CONTENTS

EXECUTIVE SUMMARY	1
BACKGROUND	2
MISSION STATEMENTS	2
MAJOR FORENSIC OR LABORATORY FUNCTIONS.....	2
Florida Department of Environmental Protection (DEP)	2
Florida Department of Agriculture and Consumer Services (AG)	3
Florida Fish and Wildlife Conservation Commission (FWC)	4
Division of State Fire Marshal, Bureau of Forensic Fire and Explosive Analysis (SFM)	4
Florida Department of Law Enforcement (FDLE)	4
EFFICIENCY OPPORTUNITIES	5
CONSOLIDATION OPPORTUNITIES.....	5
RECOMMENDATIONS	5

Law Enforcement Consolidation Task Force
Forensic Subject Matter Experts Team Report

EXECUTIVE SUMMARY

The *Forensic Subject Matter Experts Team* was established and consisted of the following agencies:

- Florida Department of Law Enforcement (FDLE) – Director Vickie Garner (Team Leader)
- Florida Department of Environmental Protection (DEP) – Asst. Director Greg Gibson and Timyn Rice
- Florida Department of Agriculture and Consumer Services (AG) – Major Bob Johnson
- Florida Fish and Wildlife Conservations Commission (FWC) – Major Curtis Brown and Rett Boyd
- Division of State Fire Marshal (SFM) – Chief Carl Chasteen
- Florida Highway Patrol (FHP) – Major Ryan Burchell
- Hillsborough County Sheriff’s Office – Major J.R. Burton

The scope of work for the *Forensic Subject Matter Experts Team* was to evaluate each entity’s forensic and/or laboratory functions related to their statutory/constitutional authority and/or agency mission. This report details the *Forensic Subject Matter Experts Team* methodology, evaluation, analysis, results and recommendations.

A series of meetings were held with subject matter expert teams to gather information related to the agencies’ organization, structure, forensic services and laboratory functions, mission statements and other relevant data. The information was compiled using a template provided by the task force and a matrix was developed to allow for a side-by-side view of the information for each agency. The *Investigations and Forensic Subject Matter Experts Teams* created a matrix that contained the following information: mission statement, staffing, structure, jurisdiction, investigations and forensics. The matrix was used for discussion and it served as starting point for narrowing the scope to agencies where possible efficiencies and overlaps may exist. The *Forensic Subject Matter Experts Team* did not continue to use a matrix after initial discussions.

Although five state agencies have laboratories that provide forensic services, the services offered are unique to each agency in support of that agency’s mission and statutory or constitutional authority. The *Forensic Subject Matter Experts Team* did not identify any duplication or overlapping services offered by the laboratories.

Law Enforcement Consolidation Task Force
Forensic Subject Matter Experts Team Report

BACKGROUND

Senate Bill 2160 was signed by the Governor on May 26, 2011. Among other things, this bill created the *Law Enforcement Consolidation Task Force*, responsible for reviewing all state law enforcement operations, evaluating duplicate efforts and identifying functions that are appropriate for possible consolidation. The task force shall report to the Legislature any recommendations and plans developed by the task force by December 31, 2011. Any plan submitted should include recommendations on the methodology to be used to achieve any state law enforcement consolidation recommended by the task force by June 30, 2013. The task force expires June 30, 2012.

This task force is comprised of state agencies that have a law enforcement component and subject matter expert teams were established to expedite and facilitate the evaluation process. Each team will submit a report with recommendations to the task force for discussion and incorporation in the final report by the task force.

The scope of work for the *Forensic Subject Matter Experts Team* was to evaluate each entity's forensic and/or laboratory functions related to their statutory/constitutional authority and/or agency mission. The goals of the *Forensics Subject Matter Experts Team* were to:

- Identify any overlapping forensic services.
- Recommend possible efficiencies in forensic and/or laboratory services.

MISSION STATEMENTS

The mission statements for each agency represented in the *Forensic Subject Matter Experts Team* reflect their statutory/constitutional authority. Within the forensic and laboratory functions, all agencies operate under different standards consistent with their unique mission. Two agencies' laboratories have similar but unique forensic functions: Florida Department of Law Enforcement and Division of State Fire Marshal, Bureau of Forensic Fire and Explosive Analysis.

MAJOR FORENSIC OR LABORATORY FUNCTIONS

This section of the report details the results of evaluating each laboratory's forensic functions.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)

The Florida Department of Environmental Protection has both field and laboratory forensic components that are dedicated to the successful investigation and prosecution of environmental crimes. The Bureau of Emergency Response (BER) has forensic specialists who provide support through the collection of evidentiary samples (often hazardous) from air, soil, water, and waste. The BER forensic

Law Enforcement Consolidation Task Force
Forensic Subject Matter Experts Team Report

specialists are highly trained individuals who use specialized field testing equipment, sampling equipment, and personal protective equipment in the course of their duties. The samples are analyzed at DEP's Central Laboratory in Tallahassee.

The Central Laboratory has a new secure intake facility for handling hazardous materials. The Chemistry Section provides analysis of air, water, soils, sediments, and wastes for a variety of contaminants including pesticides, PCBs, heavy metals, petroleum, volatile organics, semi-volatile organics, corrosives, flammables, etc. The Biology Section has the capability to evaluate environmental impacts to biological communities and aquatic systems. Many of the analytical tests required to prove environmental crimes cases are not available through any other state laboratory. DEP's Bureau of Laboratories is accredited through the National Environmental Laboratories Accreditation Conference.

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (AG)

The Department of Agriculture and Consumer Services has seven laboratories within four divisions that conduct examinations and analysis specific to the respective mission of the division. The Bureau of Agricultural Environmental Laboratories conducts chemical, physical and biological analyses of commercial feed; agricultural, vegetable and flower seed; commercial fertilizer; agricultural liming materials; and pesticide formulations sold in the state to assure compliance with label guarantees for all active ingredients, nutrients, components and properties. The laboratory is accredited through the National Environmental Laboratories Accreditation Conference.

The Bureau of Diagnostic Laboratories provides scientific expertise in the detection and investigation of animal diseases which affect health and the animals. The laboratory is accredited by the American Association of Veterinary Laboratory Diagnosticians.

The Bureau of Food Laboratories uses physical, microbiological, chemical, immunological and molecular methods to analyze food processed and sold in Florida to assure a safe and wholesome food supply. The laboratory is accredited by the American Association of Laboratories Accreditation. The Bureau of Chemical Residue Laboratory is responsible for the chemical analysis of food products to determine the presence of chemical contaminants or residues in or on human food. The Dairy Compliance Monitoring Section performs regulatory analysis of all milk, milk products and frozen desserts to ensure the products are wholesome, produced under sanitary conditions, and are correctly labeled.

The Bureau of Petroleum Inspection analyzes the quality of gasoline, alternative fuels, kerosene, diesel and fuel oil to ensure consumers are being offered quality products. The Bureau of Weight and Measures Metrology Laboratory maintains the state's primary standards of mass, length and volume, and provides calibration services to the commercial measurement industry, scientific and law enforcement laboratories, manufacturers, and the aerospace and technology industries to protect Florida's buyers and sellers.

Law Enforcement Consolidation Task Force
Forensic Subject Matter Experts Team Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC)

Evidence of many FWC-related crimes must be recovered and submitted to FWC's Forensic Laboratory. The Forensic Laboratory provides scientifically sound forensic and crime scene investigative support to FWC law enforcement officers and investigators in matters requiring the identification of biological specimens and their remains. The laboratory provides identification techniques for fish and wildlife species through remains such as bones, tissues, fish scales, and hairs; forensic photography; and biochemical and DNA identification for hundreds of fish and wildlife species. Six forensic liaisons and one biologist staff the program and provide expert witness testimony.

DIVISION OF STATE FIRE MARSHAL, BUREAU OF FORENSIC FIRE AND EXPLOSIVE ANALYSIS (SFM)

The State Fire Marshal of Florida is one of only three State Fire Marshals in the United States to have their own laboratory dedicated to the forensic analysis of evidence from fires and explosions. The laboratory is accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board – *International* Program in the discipline of Trace Evidence (categories of testing: Explosives, Analysis of Unknowns, and Fire Debris). The chemistry section provides analysis of fire debris to determine the presence and identity of any ignitable liquids; explosives debris and residues to identify chemical components of the explosives; and non-drug chemicals recovered from clandestine laboratories. No other State of Florida laboratory provides these services to law enforcement.

The laboratory also provides imaging services to the SFM by analyzing videos tied to a fire scene investigation or attempting to recover information from damaged equipment. The laboratory also serves as the central repository for all digital photos from the Bureau of Fire and Arson Investigations. Analysts also provide expert witness testimony.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE)

FDLE has seven crime laboratories located in Daytona Beach, Ft. Myers, Jacksonville, Orlando, Pensacola, Tallahassee and Tampa. The FDLE crime laboratories provide timely, expert and professional examination of evidentiary materials to aid in the investigation, prosecution and/or exclusion of criminal offenses throughout the state. Analysts also provide expert witness testimony. All laboratories are accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board – *International* Program. Services are provided in nine disciplines: Biology/DNA, Chemistry, Crime Scene, Digital Evidence, Firearms, Latent Prints, Questioned Documents, Toxicology and Trace Evidence (categories of testing: Paint, Glass, Gunshot Residue, Fibers & Textiles, and General Physical & Chemical Analysis). FDLE also houses Florida's DNA Database, which contains more than 775,000 DNA profiles from convicted offenders and qualified arrestees. The vast majority of evidence submitted to FDLE laboratories for analysis is from criminal justice agencies other than FDLE.

The biology sections screen items of evidence to identify the presence or absence of bodily fluids, which will be analyzed to develop DNA profiles of victims or subjects. The chemistry sections utilize

Law Enforcement Consolidation Task Force
Forensic Subject Matter Experts Team Report

various scientific methodologies and instruments to determine the presence or absence of controlled substances in plant material, powders, tablets, capsules, liquids, and smoking devices. The crime scene sections respond to requests for examinations of major crime scenes, where they document, collect, and preserve physical evidence for laboratory analysis. The digital evidence sections use specialized skills to recover data and deleted files from computers and other digital media. The firearms sections perform examinations to identify/exclude bullets, cartridge cases, and shot shells from suspect weapons; identify/eliminate tool marks with a suspect tool; provide distance determinations from the examination of clothing and/or tissue; restore obliterated serial numbers; and image cartridge cases and bullets for entry and search in the National Integrated Ballistics Information Network (NIBIN). The latent prints sections examine evidence submitted to determine the presence of latent palm and finger prints. Identifiable prints are compared to identify individuals. The latent prints section also examines tire and shoe track evidence to determine if impressions collected at a crime scene match a submitted tire or shoe. The questioned documents section examines documents to compare handwriting of known origin to identify authorship, identify office machines to determine a source, and restore erased, obliterated and indented writing to establish the estimated date of preparation. The toxicology sections analyze samples of blood and urine for the presence or absence of alcohol and other drugs of abuse. The trace evidence sections typically analyze microscopic items of evidence. These examinations include paint/polymers, glass, fibers, fracture match, and bulb filaments.

EFFICIENCY OPPORTUNITIES

The *Forensic Subject Matter Experts Team* identified no efficiency opportunities. Each laboratory provides unique services. The traditional crime laboratories operated through FDLE and SFM are members of the Florida Association of Crime Laboratory Directors and routinely communicate with the five county run crime laboratories on common issues the laboratories may encounter. When FDLE receives a request for forensic services not offered by FDLE, the Department routinely refers the requestor to the appropriate federal, state, local or private laboratory.

CONSOLIDATION OPPORTUNITIES

The *Forensic Subject Matter Experts Team* identified no consolidation opportunities. Each laboratory provides unique services.

RECOMMENDATIONS

The *Forensic Subject Matter Experts Team* has no recommendations for efficiencies or consolidation at this time. The *Forensic Subject Matter Experts Team* will further review or study any recommendations proffered by the *Law Enforcement Consolidation Task Force*.