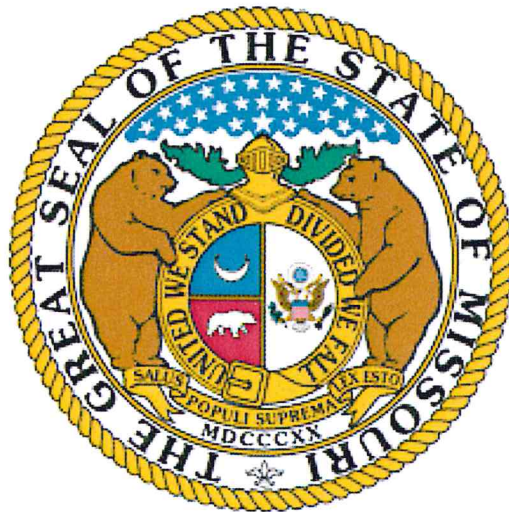


State of Missouri
Department of Public Safety

Crime Laboratory Review Commission



2015 Annual Report

March 2016

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FOREWARD

The Missouri Crime Laboratory Review Commission (hereafter “Commission”) was established within the Department of Public Safety to provide independent review of any state or local Missouri crime laboratory receiving state-administered funding. In addition, the Commission is tasked with assessing the capabilities and needs of Missouri’s crime laboratories, as well as their ability to deliver quality forensic services in a timely manner to the law enforcement agencies in the state of Missouri.

The 2015 Annual Report is a comprehensive report summarizing the activities of the Commission during calendar year 2015.

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SUMMARY OF ACTIVITIES

The Missouri Crime Lab Review Commission (hereafter “Commission”) was established in 2009, pursuant to House Bill 62, within the Department of Public Safety to provide independent review of any state or local Missouri crime laboratory receiving state-administered funding.

Pursuant to 690.059 RSMo, the Commission shall have the power to:

- (1) Assess the capabilities and needs of Missouri crime laboratories, as well as their ability to deliver quality forensic services in a timely manner to law enforcement agencies in the state of Missouri;
- (2) Authorize independent external investigations into allegations of serious negligence or misconduct committed by employees or contractors of a crime laboratory substantially affecting the integrity of forensic results. The commission shall solicit input and guidance from any appropriate expert as it deems necessary in the investigation process;
- (3) Appoint members to inspection or investigative teams to assist in carrying out the duties described in subdivisions (1) and (2) of this subsection;
- (4) Issue reprimands to crime laboratories and to employees or contractors of crime laboratories found to be negligent or engaging in misconduct in the execution of their responsibilities;
- (5) Make recommendations for changes in procedure of crime laboratories found to be negligent in the execution of their responsibilities; and
- (6) Issue reports to the director of the department of public safety summarizing any findings of negligence or misconduct of a crime laboratory or an employee or contractor of a crime laboratory and making recommendations regarding revocation or suspension of grant funding that the commission deems warranted.

During the 2015 calendar year, the Commission convened nine (9) meetings.

One matter of business involved a report of findings regarding a complaint filed in 2014 by The Midwest Innocence Project alleging an employee of the St. Louis Metropolitan Police Department Crime lab violated laboratory policies by not conducting and not relying on a

required microscopic sperm search test when he analyzed the evidence and subsequently testified to the results in the Mary Bell case. Secondly, the letter alleged that the employee falsely reported his findings omitting exculpatory results from his final laboratory report, and his report and testimony regarding ABO blood typing of evidence did not accurately reflect his test results. The letter asserted that if the allegations are true, they substantially affected the integrity of the forensic results and contributed to a conviction, which was later overturned.

Based on the allegations and review of the evidence, the Commission found that insufficient evidence existed to substantiate that the Crime Laboratory or its employee committed negligence or misconduct that substantially affected the integrity of the forensic results. This decision was issued in January of 2015.

The Commission also conducted site visits to the following crime laboratories:

1. Missouri State Highway Patrol GHQ Crime Lab – 2/13/2015

The Missouri State Highway Patrol (MSHP) system is comprised of 8 laboratory locations: GHQ – Jefferson City, Troop B – Macon, Troop C – Park Hills, Troop D – Carthage, Troop D – Springfield, Troop E – Cape Girardeau, Troop G – Willow Springs, and Troop H – St. Joseph. The MSHP system includes a total of 109 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: Drug Chemistry, Toxicology, Biology (including Individual Characteristics Database), Trace Evidence, Firearms/Toolmarks (including Impression Evidence), and Latent Prints.

The MSHP GHQ Crime Lab specifically has 46 laboratory personnel and is accredited in the following disciplines: 1.0 - Drug Chemistry, 2.0 - Toxicology, 3.0 - Biology, 4.0 - Trace Evidence, 5.0 - Firearms/Toolmarks, 6.0 - Latent Prints, and 10.0 - Other – Impression Evidence (footwear/tires). The accreditation was issued on September 8, 2011 and expires September 7, 2016.

2. Independence Police Department Crime Lab – 3/19/2015

The Independence Crime Lab includes a total of 9 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: Controlled Substances, Latent Prints, Crime Scene, and Firearms/Toolmarks (firearm function tests and barrel measurement only). The accreditation was issued on January 8, 2011 and expires January 7, 2016.

3. Kansas City Police Department Crime Lab – 3/20/2015

The Kansas City Crime Lab includes a total of 75 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: 1.0 – Drug Chemistry, 2.0 – Toxicology, 3.0 – Biology, 4.0 – Trace Evidence, 5.0 – Firearms/Toolmarks, 6.0 – Latent Prints, 8.0 – Crime Scene, 9.0 – Digital & Multimedia Evidence, and 10.0 – Other - Impression Evidence (footwear/tires) and Serial Number Restoration. The accreditation was issued on September 3, 2014 and expires September 2, 2018.

4. St. Louis Metropolitan Police Department Crime Lab – 4/16/2015

The St. Louis Metro Crime Lab includes a total of 69 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: 1.0 – Drug Chemistry, 3.0 – Biology, 5.0 – Firearms/Toolmarks, 6.0 – Latent Prints, 8.0 – Crime Scene, and 10.0 – Other – Serial Number Restoration. The accreditation was issued on November 16, 2012 and expires on November 15, 2017.

5. St. Charles County Police Department Crime Lab – 4/17/2015

The St. Charles County Crime Lab includes a total of 5 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: 1.0 – Drug Chemistry, 2.0 – Toxicology, 3.0 – Biology, 4.0 – Trace Evidence, 5.0 – Firearms/Toolmarks, and 10.0 – Other – Serial Number Restoration. The accreditation was issued on February 28, 2014 and expires on February 27, 2019.

6. St. Louis County Police Department Crime Lab – 4/17/2015

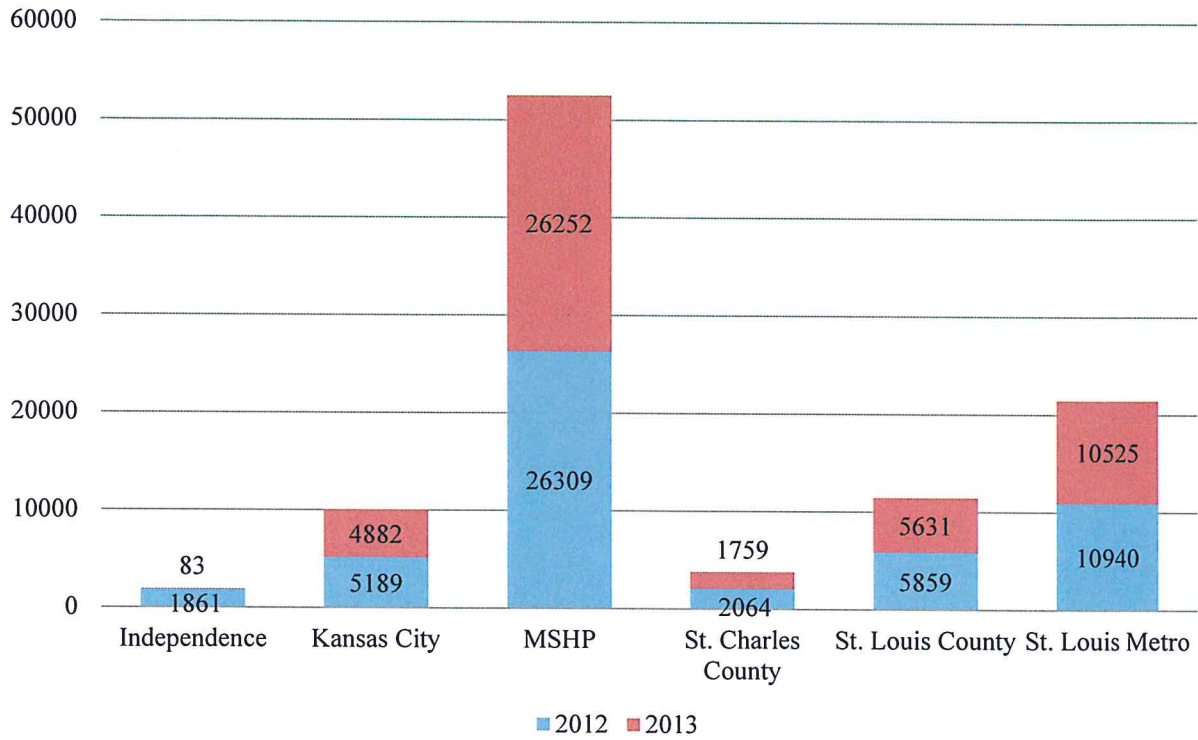
The St. Louis County Crime Lab includes a total of 33 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: 1.0 – Drug Chemistry, 3.0 – Biology, 4.0 – Trace Evidence, 5.0 – Firearms/Toolmarks, and 10.0 – Other – Serial Number Restoration. The accreditation was issued on July 11, 2015 and expires on July 10, 2019.

7. Missouri State Highway Patrol Troop D – Springfield Crime Lab – 5/21/2015

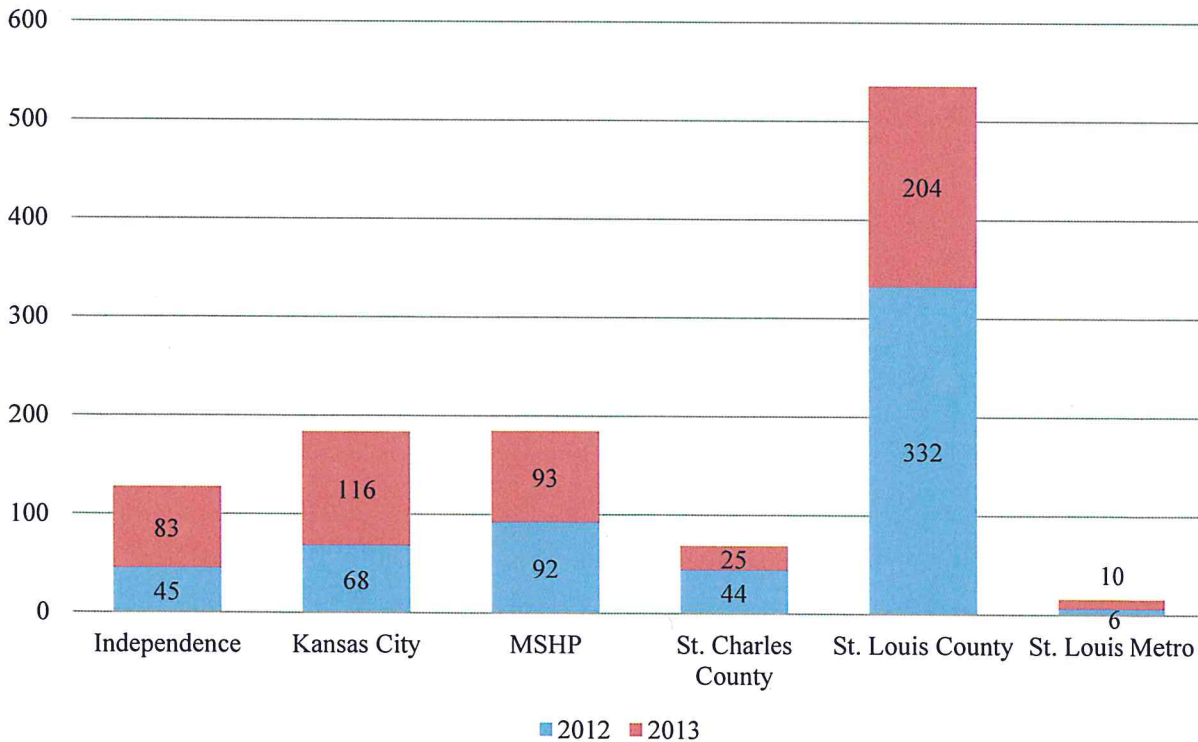
The MSHP Troop D - Springfield Crime Lab includes a total of 31 employees (including analysts, technicians, supervisors, directors, and clerical support) and is accredited in the following disciplines: 1.0 - Drug Chemistry, 2.0 - Toxicology, 3.0 - Biology, 4.0 - Trace Evidence, 5.0 - Firearms/Toolmarks, 6.0 - Latent Prints, and 10.0 - Other – Impression Evidence (footwear/tires). The accreditation was issued on September 8, 2011 and expires September 7, 2016.

The following are statistics collected from the crime lab surveys collected in 2014 and used during the 2015 site visits:

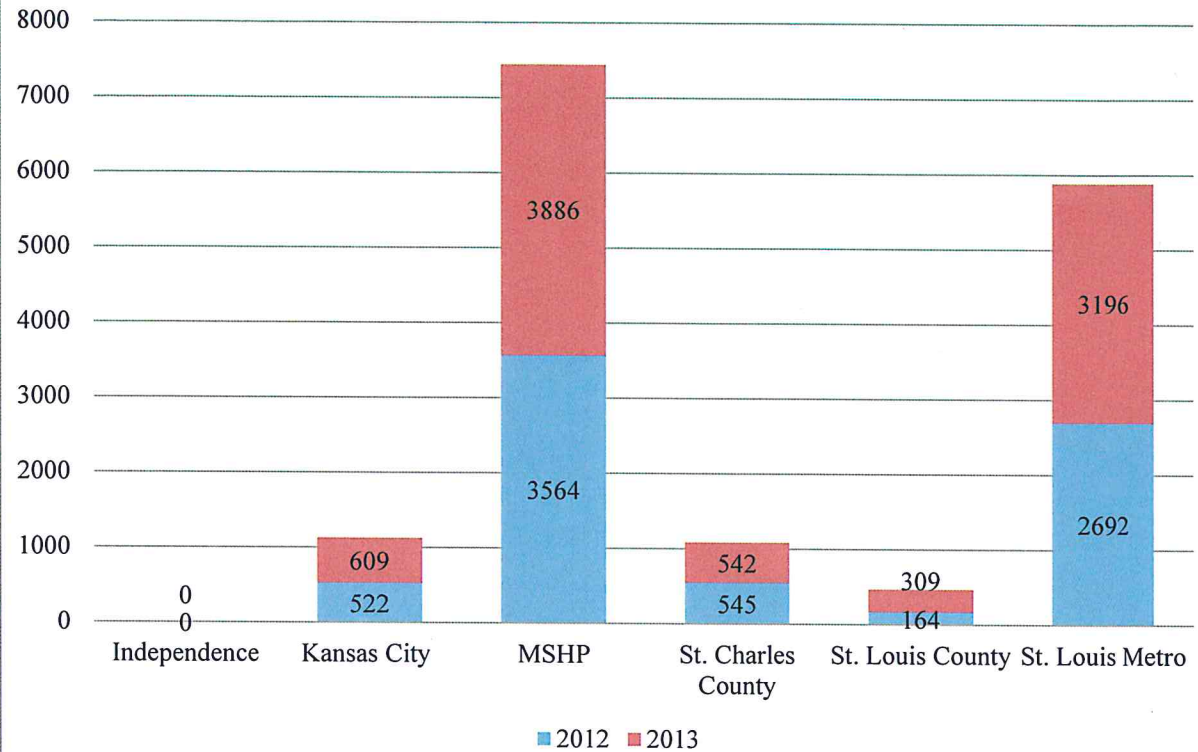
Total Cases Analyzed



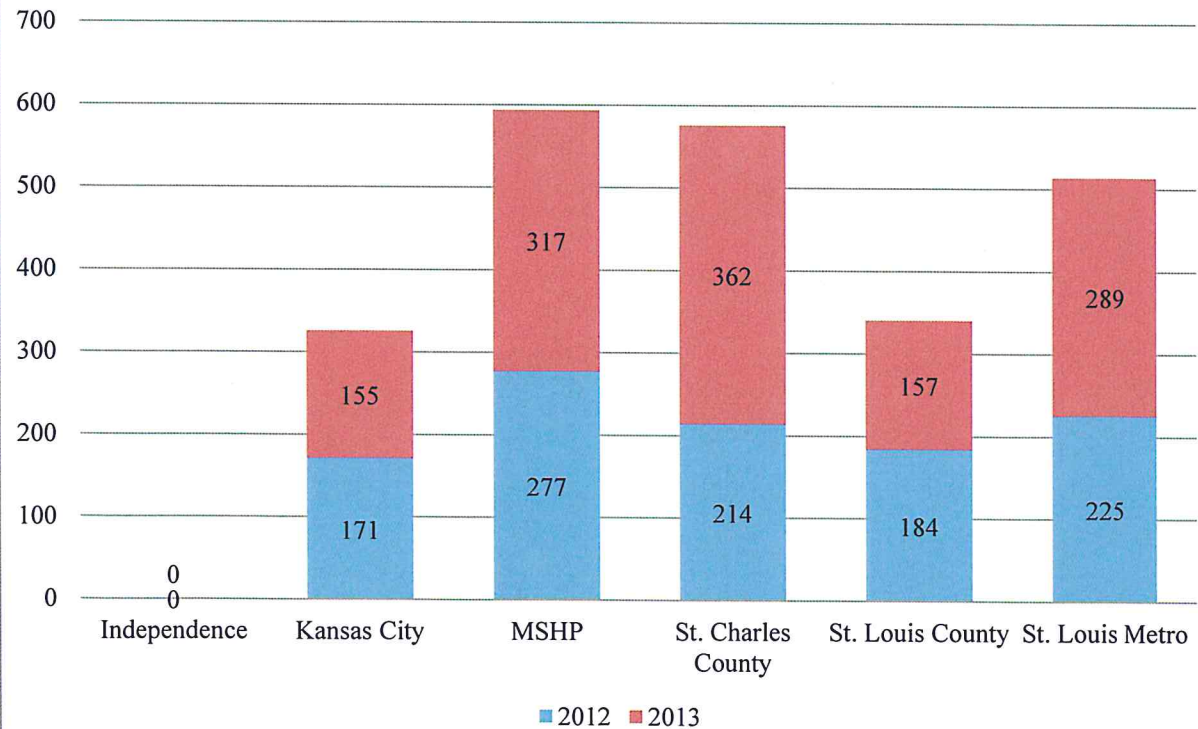
Drug Cases Turnaround (Days)



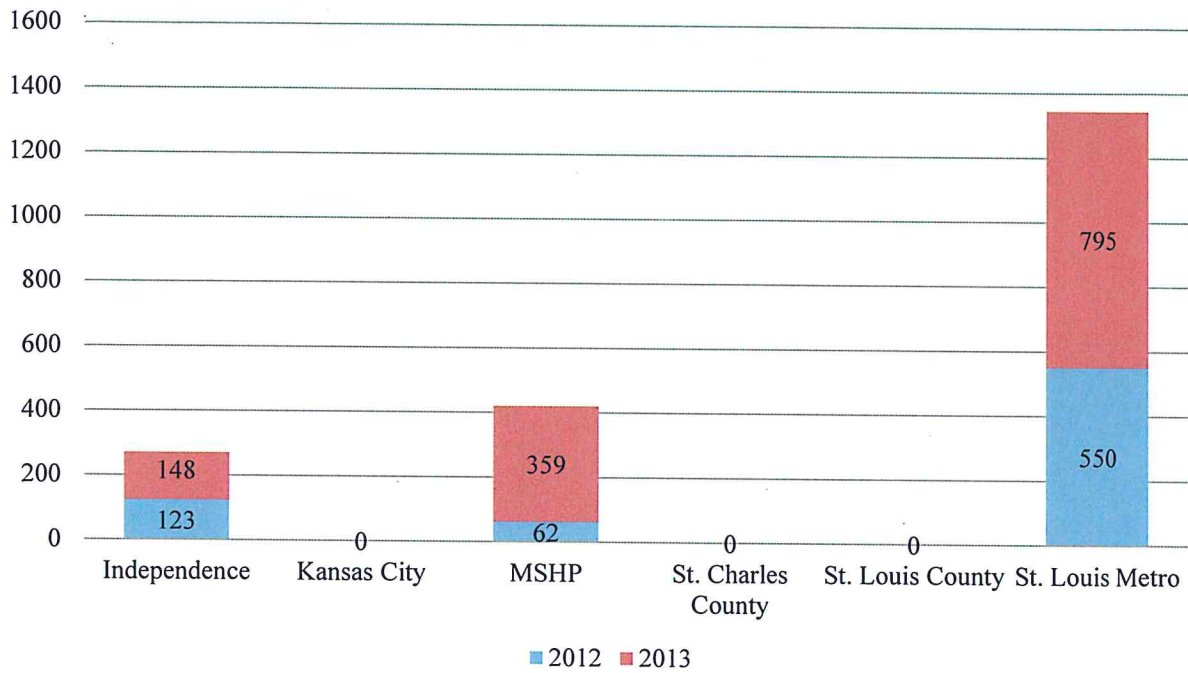
DNA Case Backlog



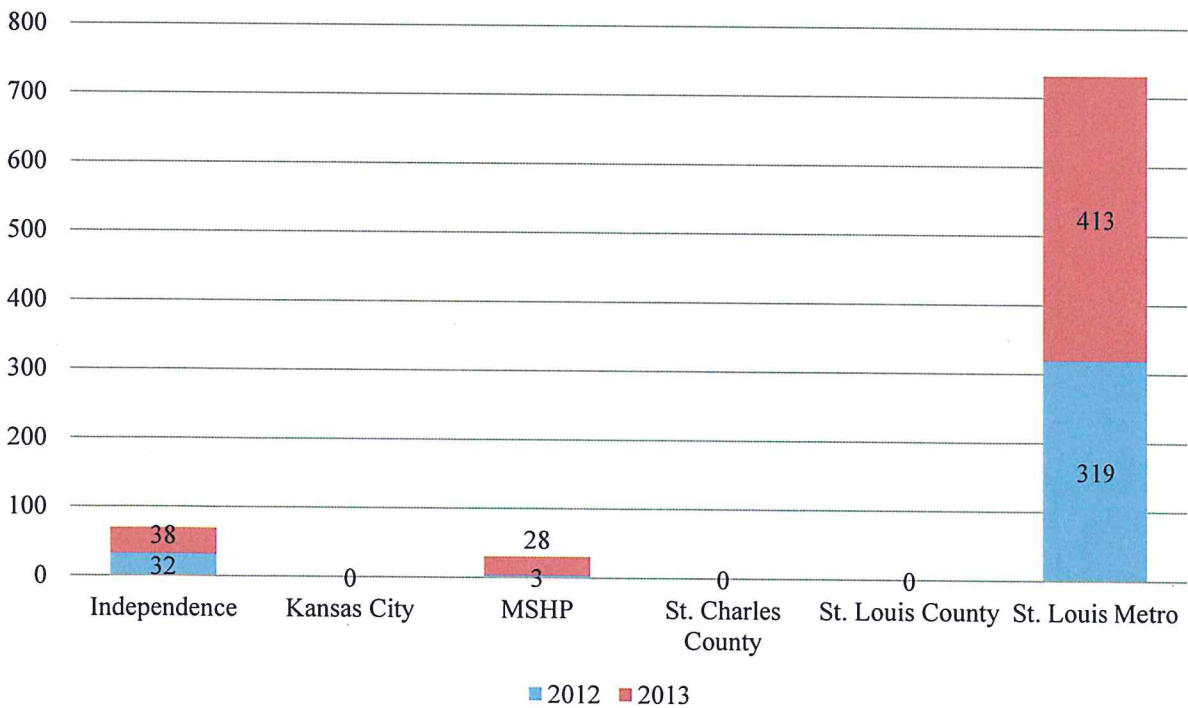
DNA Turnaround Time (Days)



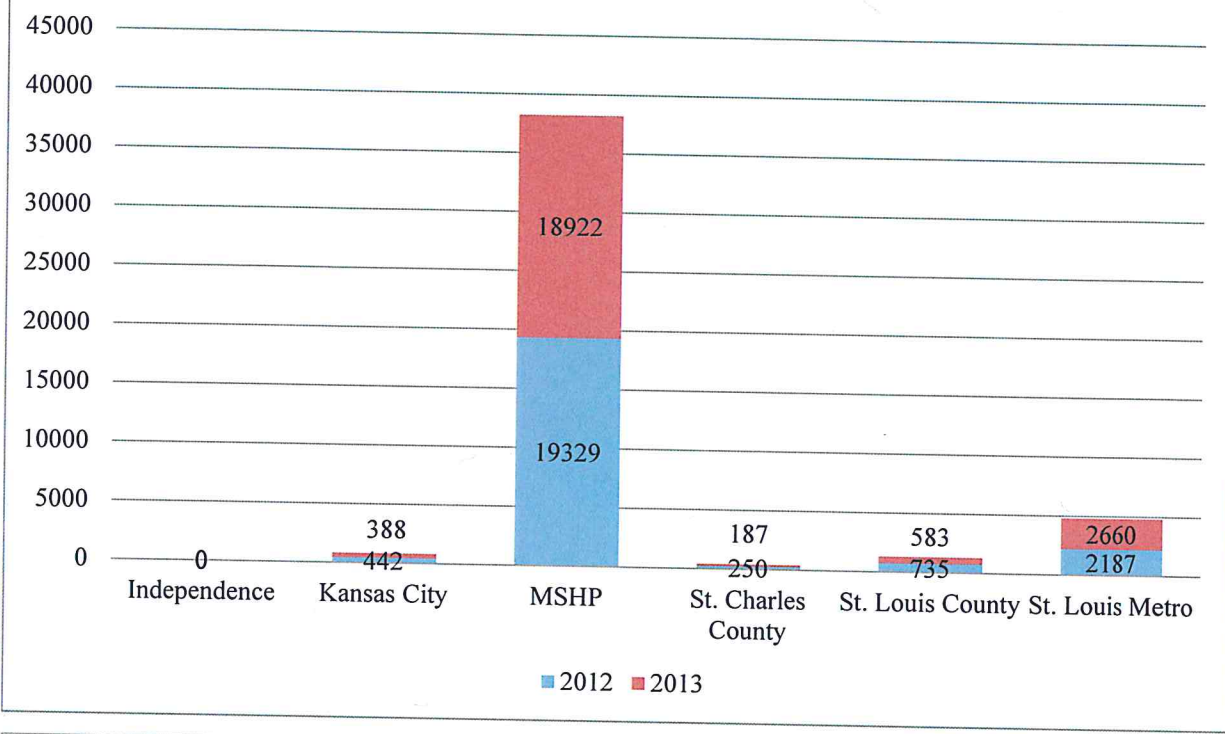
Integrated Automated Fingerprint Identification System (IAFIS) Prints Entered



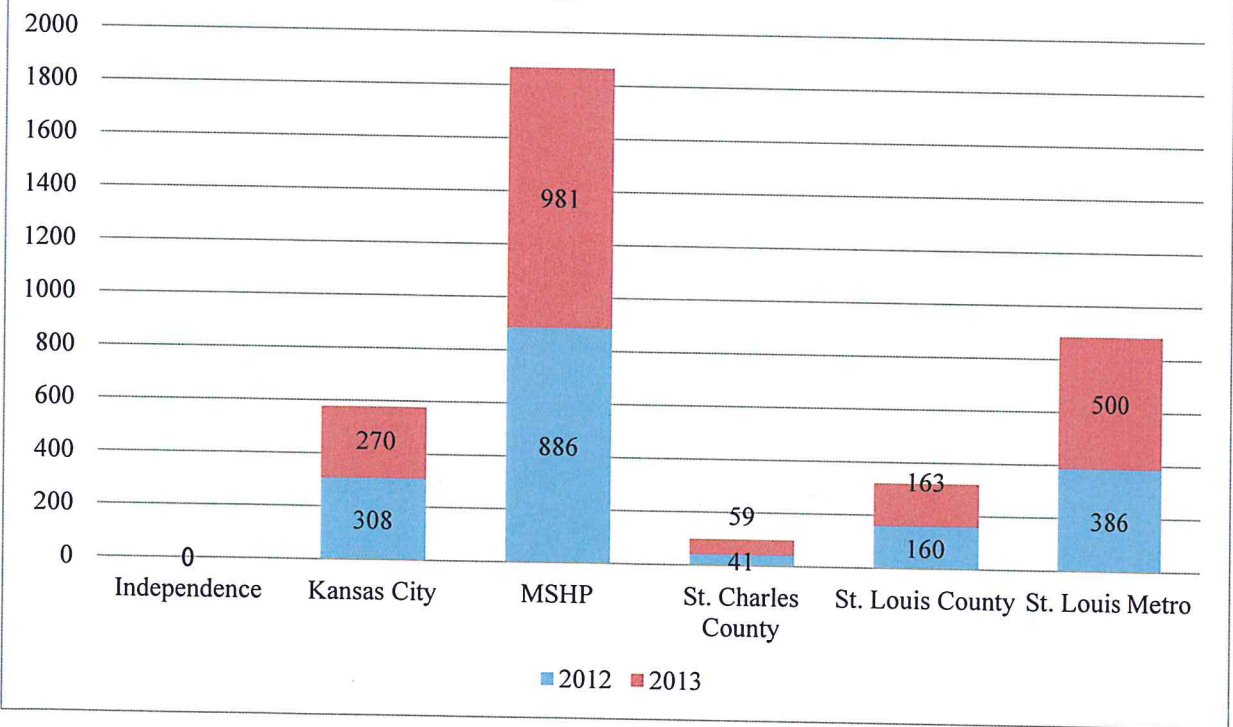
Integrated Automated Fingerprint Identification System (IAFIS) "Hits"



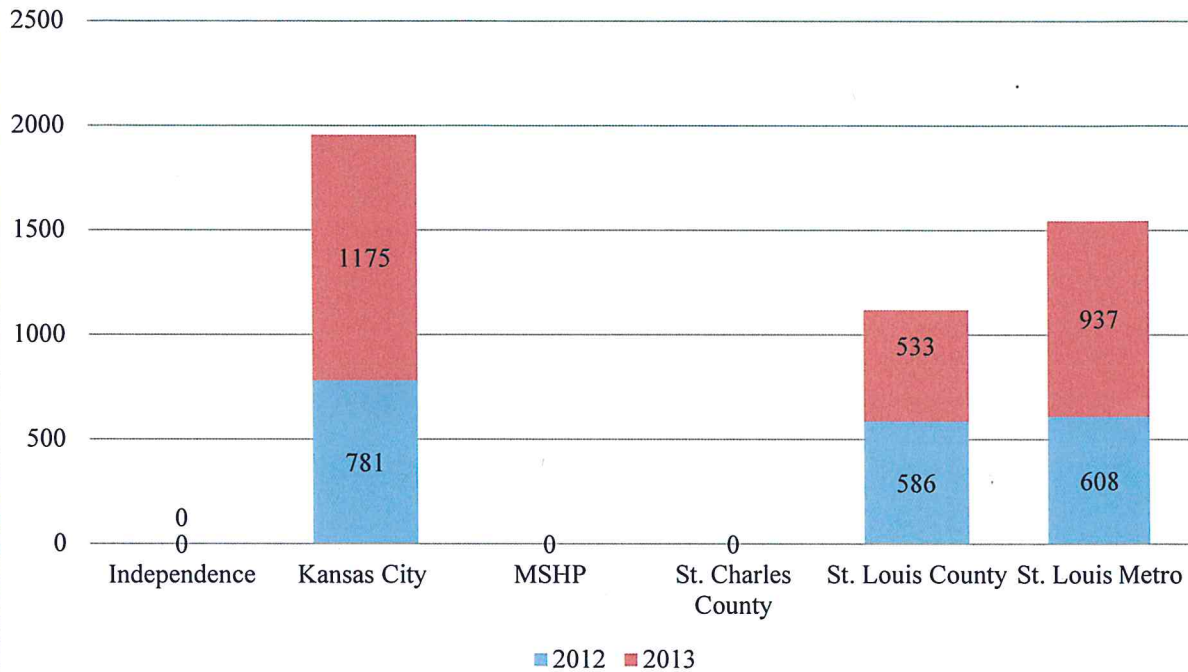
Combined DNA Index System (CODIS) Profiles Entered



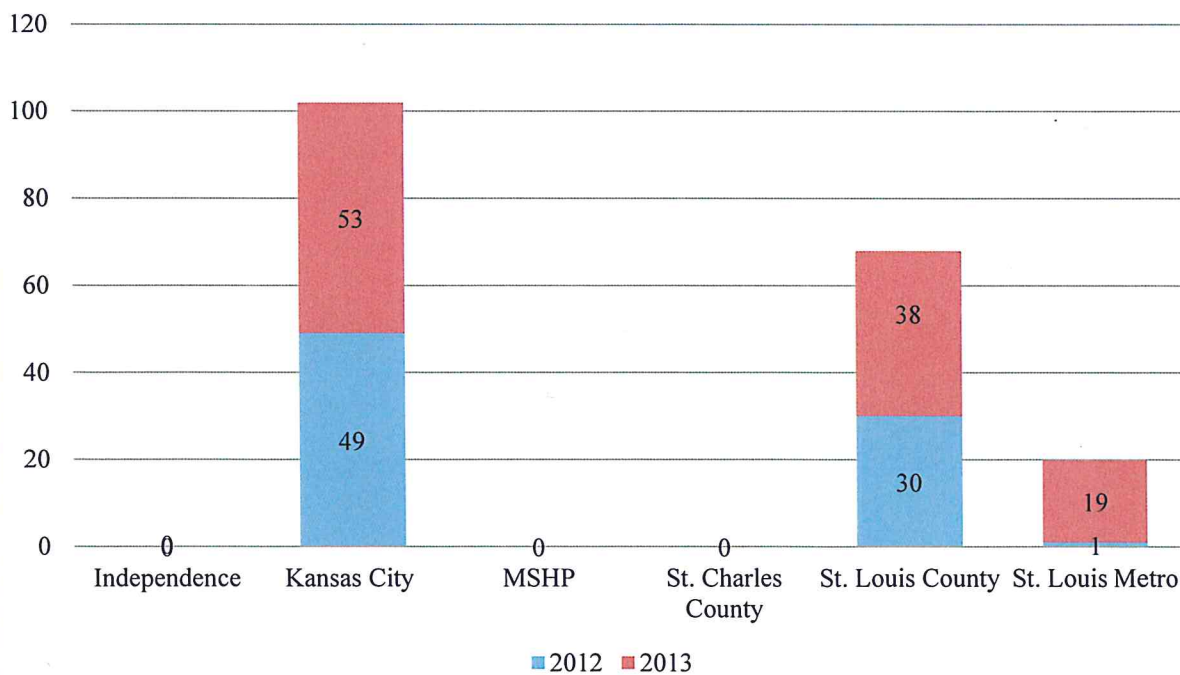
Combined DNA Index System (CODIS) Investigations Aided



National Integrated Ballistic Information Network (NIBIN) Images Entered



National Integrated Ballistic Information Network (NIBIN) "Hits"



On August 21, 2015, the Commission met with the crime laboratory directors (or their representatives) in Jefferson City, MO to gather feedback about the site visits that had been conducted during the year and recommendations for future activities. During this meeting, the Commission decided it would schedule two (2) site visits each year - one in the Spring and one in the Fall - and schedule one (1) annual meeting with the crime laboratory directors in the Summer.

RECOMMENDATIONS

1) The Need for Better Communication and Coordination Between Missouri Crime Laboratories, Law Enforcement, and Prosecuting Attorneys

The Commission identified the need to improve communication and coordination between Missouri's crime laboratories, law enforcement, and prosecuting attorneys to help the state's labs make the most efficient and effective use of their limited resources while making real progress toward the long-term reduction of testing backlogs.

Progress on this issue will require 1) law enforcement agencies that submit evidence analysis requests to more precisely identify the investigative questions that forensic analysis of submitted items may help answer in the factual context of each case; 2) better communication between law enforcement, prosecutors, and laboratories at the inception of major cases to more effectively "triage" submitted evidence and make reasoned and targeted requests for analysis of the most probative items of evidence in light of case context; 3) ongoing communication between prosecutors and laboratories after criminal charges have been filed to facilitate timely supplemental analysis requests as contested issues and case theories evolve; 4) timely notification by prosecuting attorneys to laboratories that cases in which evidence was submitted for analysis have been disposed of by declination of charges, dismissal, or other judicial disposition; and 5) regular meetings between top management of crime laboratories and their regional customers to discuss ways in which to enhance the overall ability of Missouri's crime laboratories to most efficiently and effectively deliver high quality outputs to the criminal justice system.

The Commission believes that the statewide and consistent implementation of these five recommendations will help maximize available resources while improving the timeliness and quality of laboratory services.

2) The Need for More Funding to Reduce the Backlog and Assist With Case Triage

The Commission identified the need for additional funding for Missouri's crime laboratories to reduce case backlogs and assist with case triage. Additional funding will enable crime laboratories to more effectively process backlogged cases. While limited federal funding is available to reduce DNA backlogs, sustainable funding is needed to address the backlogs in other forensic disciplines such as firearms, drugs and toxicology. Funding to improve communication and coordination between submitting agencies, prosecutors, and laboratories when evidence is submitted from major cases will enable laboratories to better evaluate requests for forensic analysis.

The Commission believes that additional funding for backlog reduction and case triage will improve the effectiveness and timeliness of the forensic services provided by Missouri's crime laboratories.