

State Notes

TOPICS OF LEGISLATIVE INTEREST

Summer 2010



Update Brief: State Crime Lab Needs Being Addressed By Bruce R. Baker, Fiscal Analyst

As first reported in the Senate Fiscal Agency's January/February 2009 issue of *State Notes*, the Michigan State Police Forensic Science Division has faced a considerable challenge in providing timely crime lab services to local law enforcement agencies. The efforts by the Division to achieve this mission was affected greatly when, in 2008, the State assumed responsibility for the forensic laboratory needs of the City of Detroit, as the City closed its locally funded and operated facility, which had been functional since 1927. This closure placed a significant strain on the entire Michigan State Police Laboratory system consisting of locations in Lansing, Northville, Grayling, Grand Rapids, Sterling Heights, Bridgeport, and Marquette, by adding 20.0% in additional cases to an already stressed State caseload with a considerable existing backlog. In addition to the unknown impact facing the State in taking over the Detroit casework, the uncertainty of whether it would be able to continue to maintain an Upper Peninsula crime lab during difficult economic times has added to the challenge.

To address the challenge from the Detroit lab closure, several resources within the Department needed to be increased, including laboratory scientists, equipment (with associated maintenance costs), and laboratory space. As a practical matter, the Department had to assign casework from Detroit to existing regional State labs, primarily those in Northville and Sterling Heights, although all State labs were affected.

To provide the additional resources needed, the Legislature has appropriated considerable additional funding for the State labs since the closure of Detroit's lab. Initial enacted funding for the Michigan State Police Forensic Science Division for FY 2007-08 was \$26.0 million Gross, with \$21.5 million coming from State resources. This amount has risen to \$40.2 million Gross, with \$34.5 million coming from State resources for FY 2009-10, a Gross increase of \$14.2 million or 53.0% and an increase in funding from State resources of \$13.0 million or 60.0%. This has enabled the Department to create and fill 52 new positions (a 23.0% increase in staff) to deal with the additional caseloads. Table 1 shows the distribution of laboratory-related positions in 2007 and 2010, indicating that the Northville laboratory (with 33 new hires) and the Sterling Heights laboratory (with 13 new hires) have borne the major burden in assuming the new cases.

Table 1

Forensic Science Division Laboratory Positions		
	2007	2010
Michigan State Police Central Administration.....	8	9
Lansing Laboratory	73	76
Northville Laboratory	34	67
Grayling Laboratory	19	19
Grand Rapids Laboratory	4	4
Sterling Heights Laboratory	25	38
Bridgeport Laboratory	24	25
Marquette Laboratory	8	9
Total Positions	229	281
Positions added specifically to address Detroit caseload: 52		

Source: Michigan State Police

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This bolstering of laboratory resources has resulted in a significant increase in productivity. In FY 2007-08, the number of cases completed by State labs was 80,300. For FY 2009-10, that number is expected to reach 93,992, an increase of 17.1% in cases completed. The disciplines that had the biggest increase in completed cases included the bomb squad (114.9%), firearms (111.6%), polygraph (35.9%), biology/DNA (24.4%), and questioned documents (20.5%).

Despite all the efforts to address increased caseloads, the enormity of the problem posed by the Detroit lab closure is demonstrated by the fact that the overall caseload backlog actually has increased from 5,147 in 2007 to the current level of 12,300. Plus this figure does not include 10,500 rape evidence kits never analyzed by the Detroit Lab and the subject of a sample analysis and subsequent study by Michigan State University. The Department has done what it can to address the problem with its current strategies, including parceling out some work to private labs and sending Detroit cases to regional labs that are now filled to capacity with existing personnel and equipment. The other resource, mentioned previously as one needing to be increased in order to address the caseload problem, is laboratory space. The Department has run out of space at its current stable of regional labs to house the necessary number of scientists and equipment to ensure adequate, timely, and accredited completion of its caseload.

The general consensus among those in the field of law enforcement is that to solve the problem, a new State-run lab, large enough and with enough personnel and equipment to handle area caseloads, should be created within the City of Detroit. Current fiscal constraints on State and local finances make this a difficult goal to achieve. There have been many options explored to house such a proposed facility, but perhaps the most likely option is the recent action by the Detroit City Council approving the purchase and renovation of the 400,000 square-foot former MGM Grand Detroit casino building for use as the new headquarters for the Detroit Police and Fire Departments. The proposal calls for the building also to be used to house a State crime lab run by the Michigan State Police. Negotiations are ongoing between the City and the State as to which would bare what costs and what the relationship would be between the two political entities. If this project became a reality and the necessary equipment and personnel to use this space were provided, the State might be able to eliminate the problematic laboratory backlog for both the Detroit area and other jurisdictions throughout the State.

The other problem facing the State lab system is the uncertainty of whether a regional Upper Peninsula lab at Marquette could be continued. For many years the lab was housed in a historical building leased by the State from a local historical society. When the society chose to end the arrangement two years ago, the State Police found a temporary solution by leasing a facility that had been previously used as a U.S. Fish and Wildlife Service facility. The building has been adequate for some evidence analysis, but since it was not designed for many lab procedures, a number of portable laboratory "pods", or trailers, have been used, on loan from the Federal government. With the Federal government looking to reacquire its portable labs and the State having difficulty in locating another facility in the area, the future has looked problematic for the State's northern-most regional lab.

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Recent action by the Legislature has addressed this problem, however, with the enactment of Public Act 111 of 2010, which provides \$2.5 million in General Fund/General Purpose funds for the State purchase and renovation of the currently leased 28,600 square-foot facility in Marquette. Of the \$2.5 million, \$900,000 is appropriated for the purchase price of the building and \$1.6 million is for required building conversion costs. The acquisition and conversion of this property would allow the Department to return the portable laboratory "pods" to the Federal government, prevent the potential shifting of Upper Peninsula crime lab needs to the Michigan State Police Grayling Lab, take some pressure off other regional Michigan State Police labs currently dealing with additional cases due to the closure of the Detroit Police Crime Lab, and permit the following functions/disciplines to be housed at the Marquette property: firearms, polygraph, controlled substances, fingerprint analysis, bomb squad, trace evidence, crime scene response, and DNA analysis (potential). The local radio unit associated with the Michigan Public Safety Communications System and the State Police 8th District Headquarters, both currently housed at other Marquette locations, also are likely to be housed at the newly purchased facility.