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News

Backlogged crime labs to see even more cases

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By Ann Zaniewski, Journal Register News Service

State police will take on caseload from Detroit labs shut down recently.

The Michigan State Police processes crime scene evidence at its seven laboratories for law enforcement agencies across the state.

Those labs, which handle about 70 percent of what are classified as the state's most serious crimes, are notoriously backlogged, with police departments sometimes waiting several months or more for the results of important tests. As of Oct. 1, about 10,000 cases were considered backlogged, meaning they have waited more than 30 days to be processed.

State police expect a 25 percent increase in the number of cases their labs process after taking on the Detroit Police Department's cases. The Detroit Police Department's firearms unit was shut down in May and the rest of its crime lab shut down last month after a state police audit revealed a high error rate in a random sampling of cases and subpar quality control practices.

Some local police officials are concerned that the state taking on Detroit's caseload will mean they'll have to wait longer for criminal cases to reach a resolution.

Still waiting

While some police agencies have their own crime labs, many don't have the technology to conduct advanced tests, so analysis at Michigan State Police labs is needed. The Oakland County Sheriff's Office has a crime lab where firearm, fingerprint, blood spatter, drug and other evidence is analyzed. It does not conduct DNA, serology or trace evidence analysis.

With forensic evidence often needed to bring charges against a criminal, police say a long wait for testing to be complete can negatively impact public safety.

Last year, the governor and Legislature approved cutting the state police forensic science division as part of a budget deal to reduce the state's deficit. Two state police labs — in Marquette and Sterling Heights — were slated to close but were saved through a supplemental budget appropriation, said state police spokeswoman Shanon Akans.

When news of the crime labs' planned closure spread, Lake Orion Police Chief Jerry Narsh, then the president of the county's police chiefs association, petitioned lawmakers to keep the labs open. Now, police are anxiously waiting to see how the closure of the Detroit Police Department's crime lab — the only other full-service crime lab in the state — will affect them.

Detroit crime lab

In May, former Detroit police chief Ella Bully-Cummings ordered the firearms unit of the Detroit crime lab closed after the Detroit crime lab said casings collected as evidence in a double homicide came from one weapon. The state police later determined two different weapons were used.

State police were asked to conduct an audit and released preliminary results in September, finding a 10 percent error rate in a random sampling of cases and subpar quality control compliance at the lab. The entire lab was shut down.

Detroit Police Sgt. Alan Quinn said it's unclear whether Detroit's lab will reopen.

Akans said the state police, which has been handling Detroit's firearms evidence since spring, expects a 25 percent increase in its casework as it takes on all of Detroit's forensic evidence analyses. He said as state police officials continue to analyze the full impact on the agency, they're hoping to minimize the impact on other police agencies who use the state police labs, with a goal of those agencies noticing no change in the service they now receive.

She said officials are looking at increased outsourcing of some tests such as DNA, hiring contract workers and finding ways to save money, such as by having forensic specialists testify for trials via video rather than have them travel to courthouses.

State police officials are talking now with the state's budget office to see if it can receive additional funding, Akans said. The state police's forensic science division has a \$30 million annual budget.

Three of the state police's seven labs are equipped for DNA testing. Cases are spread out among the labs to try to prevent one lab from being too overburdened. Evidence involving violent crimes is given priority.

Oakland County

Oakland County Undersheriff Michael McCabe said closure of the Detroit lab will ultimately have an "apocalyptic" ripple effect.

McCabe and other law enforcement officials recently testified about the closure in front of the state Senate's appropriations subcommittee for State Police and Military and Veterans Affairs.

"The assessment was it's going to take a lot of money and a lot of time, years even, before that lab is up and running again, whether we reopen that lab, whether we open a new one," or have the state police take over Detroit's caseload for the long term, said subcommittee chairman Sen. Valde Garcia, R-Howell.

Garcia said Detroit had been spending more than \$8 million annually on its crime lab, and that he thinks the city will help share the cost of having the state absorb its workload.

Oakland County Sheriff Michael Bouchard said a better alternative to closing Detroit would have been to have state police forensic analysts conduct a peer review with Detroit's crime lab workers to determine which specific people were problematic.

McCabe said because the Sheriff's Office crime lab has less of a backlog than the state police labs, some communities who turned primarily to the state are now increasingly seeking out its help. McCabe said the turnaround time for most of the forensic analysis conducted at the lab is 30 to 60 days — often much shorter than what agencies can expect from the state police.

Adding DNA testing to the Sheriff's Office crime lab has been a part of a long-range master plan. While Bouchard and other department officials would love to see the addition of DNA testing, it's a big expense and funding is an issue. In the face of tight financial times, the Sheriff's Office recently had to cut \$3.3 million from its \$128 million annual budget.

Bouchard said the lab is applying to gain a higher level of certification, a first step before DNA testing could be added and

something that would make the lab eligible for some federal money.

Bouchard said making DNA analysis in Oakland County a reality would likely have to involve some financial support from the state or federal government. He said neither has indicated thus far that it would financially support such an initiative.

"We'd love to add DNA," he said. "We're constantly exploring and looking for resources and talking to folks at the federal level and looking for grants.

"If there's a way to do it, we'll do it, but everything is a juggling act in budgets these days."

Bouchard said adding DNA testing to Oakland County's crime lab "would take some of the burden off the state police."

Bouchard said resources should be prioritized at the state level to ensure that the state police labs are fully funded. It's an important public safety issue, he said.

"This is not an abstract debate," he said. "This is one way we can take some very serious criminals off the street, and we rely on some of this forensic capability."

The Associated Press contributed to this report.

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