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To Examine the State of Forensic Science in the United States

U.S. House of Representatives

Judiciary Committee

Subcommittee on Crime, Terrorism, Homeland Security, and Investigations

3:00 pm

RHOB 2141

Mr. Chairman and members of the Committee, my name is Matthew Gamette and I am the Laboratory System Director for the Idaho State Police Forensics Services Laboratories with three multi-discipline forensic laboratories and 44 employees. I am also the Chair of the Consortium of Forensic Science Organizations that represents six major forensic organizations and over 21,000 practitioners.

Approximately 95% of the forensic work in the country is done by state and local forensic science service providers (FSSPs) like my laboratories. Requests for service and analysis are exponentially increasing and the funding is steadily decreasing for most forensic disciplines. From 2011-2015 the number of Heroin submissions to my laboratory increased 586%. In roughly the same period the CDC reported a national increase of 248% in drug poisoning deaths attributed to Heroin. In Idaho alone the number of deaths attributed to Heroin in that period increased 1100%. Labs around the country are being overwhelmed with cases involving Heroin, synthetic drugs, Marijuana, and other drugs of abuse. The Maryland Medical Examiner's office workload has increased 300% since 2014. Because of the associated increase in autopsies per pathologist, the Maryland Medical Examiner's office is in danger of a downgrade in its accreditation. Federal legislation and funding has largely addressed treatment and enforcement, but resources have not been allocated for labs, coroners, and medical examiners to deal with this Heroin epidemic.

Other disciplines are also seeing increased requests. In Idaho latent print case submissions are up 80% and drugged driving submissions are up 88% over the last two years. Nation-wide there are over 3.8 million requests each year for forensic examinations in support of the criminal justice system. Not surprisingly, there are case backlogs all over the country. Labs can't develop new methods fast enough and can't afford equipment to keep up with emerging drugs. The delay in analyzing evidence creates delays in the criminal justice system, affecting speedy trials rights of defendants.

These caseloads, backlogs and personnel shortages are only estimated for major state and local laboratories. There is still no estimate of how many FSSPs exist in the country. The Bureau of Justice Statistics surveys 409 larger laboratories on a regular basis, but the number of small latent print and identification units, digital forensics laboratories, and other one or two- person forensic practitioner operations is still unknown. The shortfalls I report on today are surely greater than we can now calculate.

Many years ago, the community itself pushed to adopt more robust international accreditations standards, and last year the Attorney General recognized the importance of accreditation for crime laboratories in a directive she published that all federal labs would be accredited by 2020. While 99% of state labs are accredited, many of the smaller operations are not. The most frequent obstacles to accreditation is the cost. The Maryland Medical Examiner's office spent \$54 million on facility needs to meet accreditation requirements. It costs my laboratory hundreds of thousands of dollars each year in positions, training, and quality assurance to meet all the stringent quality and management criteria.

Training and ongoing education is another imperative for laboratory personnel. Training in most laboratory disciplines can take several years and cost the laboratory hundreds of thousands of dollars to train a single examiner. Training is also a desperate need in the areas of forensic nursing and forensic pathology. It is extremely difficult to recruit and retain the number of medical doctors/pathologists needed to perform forensic autopsies.

The Paul Coverdell granting program is critical for FSSPs. Each year we encourage DOJ and the White House to include Coverdell in their budget recommendations. It is extremely disappointing that with the critical needs in forensic science, this funding has not been recommended in the President's budget for quite some time. Fortunately, Congress has stepped in with Coverdell funding in support of forensic science. Coverdell is one of the only federal granting programs for medical examiners and many laboratory disciplines. While we are extremely grateful for the funding, so much more could be done with a fully appropriated Coverdell program. We encourage you to fund Coverdell to the full authorization amount.

The Department of Justice reported that 125 excellent requests were made last year for Coverdell competitive funding that were not able to be fulfilled due to a lack of funding. Over 14 million dollars in needed instrumentation and training from mostly state and local labs could not be funded to support the criminal justice system in the country. Even a very small investment in the federal budget could make a huge difference in this community.

We believe more input is needed from the state and local practitioners to high level decision makers at the DOJ to communicate the outcome opportunities and challenges of the federal granting programs. Sometimes small changes in a granting program can have huge unintended impacts and consequences on state and local practitioners. We believe that even more substantive conversations are needed with DOJ and Congress regarding forensic operational needs, research needs, technology transfer, and impacts of DOJ policy on state and local labs. More resources are needed, more state and local issues must be discussed, and ultimately more federal leadership is needed for forensic science practice in the United States.