

# STATE CRIME LABORATORY

## Enabling Laws

Act 1794 of 2005  
A.C.A. §12-12-301 et seq.

## History and Organization

The State Crime Laboratory was created by Act 517 of 1977 to provide forensic scientific support to the criminal justice system. Act 383 of 1991 created a Crime Laboratory Board that is comprised of eight members and meets once a quarter. The Board has the authority to employ and terminate the Chief Medical Examiner. An Executive Director appointed by the Governor provides the day to day administration of the laboratory.

The State Crime Laboratory is a complex agency that is in a continuous state of change depending upon the needs of law enforcement. The Agency is complex in that the operations of the laboratory require the most intricate relationship between science and the law. As science provides changes in methodology requiring the latest in scientific equipment for analysis of evidence, the law demands an accounting of each process. To satisfy this demand, the laboratory completed the accreditation process in December 2004 to become ASCLD/Lab accredited which holds the laboratory to higher standards regarding the operations of the laboratory.

Funding for the laboratory is provided through general revenue allocated from the Miscellaneous Agencies Fund Account. Some funding for laboratory operations comes through the Administrative Office of the Courts and is derived from the Special State Assets Forfeiture Fund. At one time, the laboratory used funding from federal grants through the Bureau of Justice Administration for supplies, equipment purchases, and the funding of positions to assist in the State's war on illicit methamphetamine laboratories. Those grants are no longer in effect and this loss of funding has been absorbed by the laboratory. Federal funding is also utilized to support the Forensic Biology Section by providing funds for outsourcing convicted offender cases and additional scientific instruments. A special revenue fund derived from fees charged to convicted offenders is used to partially support the Forensic Biology Section.

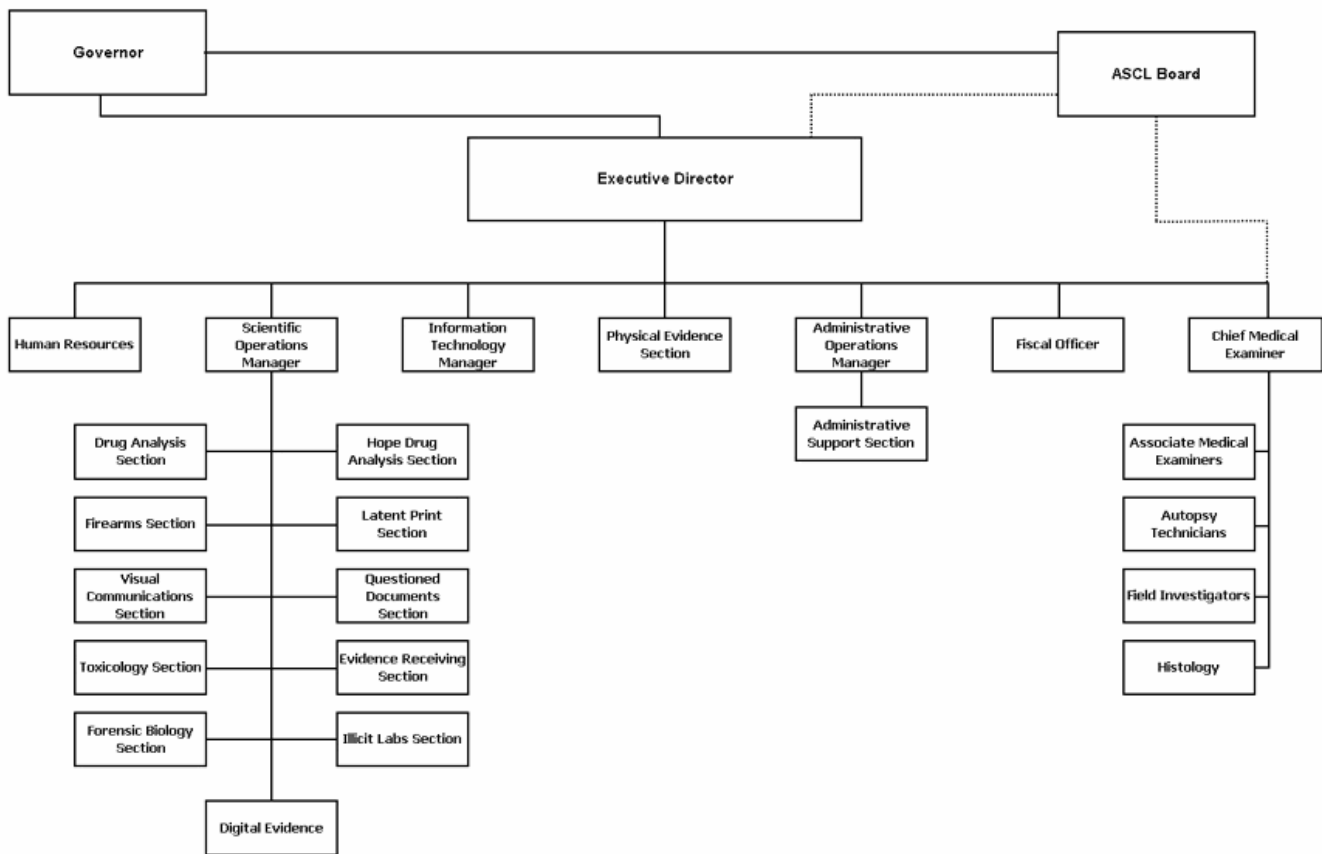
The laboratory provides forensic services at no charge to all law enforcement agencies in the State. Services provided by the laboratory include the scientific analysis of evidence, providing written reports regarding the scientific findings of the analysis, and providing expert testimony in court. As law enforcement officers are better trained in crime investigation, more arrests are made causing additional demands to be placed on the resources of the laboratory.

The laboratory facility, which occupies approximately 69,879 square feet, is located at #3 Natural Resources Drive in Little Rock. A storage facility located adjacent to the laboratory occupies 5,500 sq. ft. These facilities are rented from the Arkansas Building Authority (ABA) and, effective July 1, 2007, the rent on the laboratory facility will increase from \$11.50/sq.ft. to \$12.00/sq.ft. due to increases in utility costs. This results in an increase from \$789,632.70 to \$838,548.80 per year. The rent for the storage facility will remain unchanged at \$24,200/yr. The total rental cost to the

laboratory is \$862,748.80/yr. which is a \$48,915.30 increase from the previous biennium. This rental payment absorbs approximately 50% of the laboratory's annual Maintenance & Operations budget and decreases substantially the amount left for the day-to-day operations of the laboratory. In past years in order to guarantee sufficient Maintenance & Operations funding to complete the fiscal year, funds have been drawn from special revenue sources to make quarterly rental payments.

In addition to the examination of evidence in 2005, crime laboratory personnel spent approximately 2,200 hours in the various courts throughout the State. Laboratory analysts are in demand as instructors for courses being taught at the Arkansas Law Enforcement Training Academy, the Black River Training Academy, the Game and Fish Commission's training program, Arkansas State Police training programs, emergency room staffs throughout the State and for the Criminal Justice Institute. Analysts have developed and provided training to Department of Correction's and Department of Community Correction's personnel for the collection of DNA samples from inmates. Evidence Receiving Technicians routinely train law enforcement officers in the proper procedures for packaging evidence.

During 2005, the laboratory received 23,163 cases in which there were 23,952 submissions containing 66,882 items of evidence. A total of 1,152 autopsies were completed which is an increase of 49 from the previous year.



## **Agency Commentary**

The State Crime Laboratory is tasked with providing local, county, state, and, to some extent, federal law enforcement agencies in this State with forensic science services on evidence submitted and providing scientific reports and expert testimony in court regarding that evidence. The analysis of the evidence is to be made in an unbiased, accurate, and timely manner to insure that the defendant's right to a speedy trial is not hampered and the administration of justice is not overly delayed. These services are provided at no cost to the submitting agency. In previous years, a backlog of cases and an increasing caseload prohibited the Crime Lab from processing evidence in a timely manner. However, the 85th General Assembly provided new funding to the Crime Lab by authorizing a special revenue stream which has allowed additional analysts to be hired and additional scientific equipment to be purchased. This has resulted in a substantial decrease in the backlog and a decrease in the turnaround time of cases.

As a result of the decrease in the case backlog, no new positions are requested for the 2007-2009 biennium. However, twelve unfilled positions from the previous biennium need be restored to be available should the case load and backlog increase in the future. Additional funding in Maintenance & Operations is needed to offset the increased use of supplies required to complete the additional cases being worked by new analysts. The appropriation in the DNA Special Fund should be increased to cover the costs of supplies and equipment needed to process the additional cases being analyzed by the Forensic Biology Section.

The Crime Lab received accreditation by the American Society of Crime Laboratory Directors (ASCLD) in December 2004. This accreditation holds the laboratory to a higher standard of operation which requires the monitoring of each section's personnel, training, and productivity to ensue that all Crime Lab functions are compliant with ASCLD requirements. Annual training needs must be met, thus requiring additional funding for training, conference fees, and travel.

The increase in costs of gasoline, postage, and compressed gases will require additional funds. The opening of the Drug Lab in Hope has created the need for additional funding in the areas of telephone costs and utilities.

Additional funding will be needed to handle the annual costs of operating JusticeTrax, the new laboratory information management system currently being installed, as well as to allow for the replacement of outdated equipment and software.

The Video Testimony Project is being implemented to decrease the amount of time analysts spend traveling to and from court, waiting to testify, and testifying in court. Plans are in place to install equipment in several high volume locations throughout the State. Additional funding to the IT budget will be necessary to cover the monthly maintenance costs associated with this project.

During FY05 and FY06, the Crime Lab paid \$813,832.50 in rent each year to Arkansas Building Authority (ABA) for the Crime Lab building. Due to insufficient funding in Maintenance & Operations to cover the rent and supplies, the laboratory used funds from two special revenue accounts to pay the rent for four quarters of those two fiscal years. Because of this, the Maintenance & Operations budget does not reflect the true expense of rent. Due to the rising costs of utilities, ABA will be raising the annual rent to \$862,748.80 which will be an increase of \$48,915.30.

## Audit Findings

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
STATE CRIME LABORATORY  
FOR THE YEAR ENDED JUNE 30, 2004

Findings	Recommendations
None	None

## Employment Summary

	Male	Female	Total	%
White Employees	54	61	115	91 %
Black Employees	0	11	11	9 %
Other Racial Minorities	1	0	1	0 %
			Total Minorities	9%
			Total Employees	100 %

## Publications

### A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

## Department Appropriation Summary

		Historical Data					Agency Request and Executive Recommendation								
Appropriation		2005-2006		2006-2007		2006-2007		2007-2008				2008-2009			
		Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
1ED	Crime Lab-Federal	254,983	2	748,137	0	1,113,168	1	941,842	0	941,842	0	941,842	0	941,842	0
1VM	Equipment	411,173	0	650,000	0	650,000	0	750,000	0	750,000	0	750,000	0	750,000	0
498	Crime Lab State	7,803,131	122	9,244,426	133	10,958,420	144	10,427,997	144	10,054,197	144	10,429,680	144	10,055,880	144
4HT	Video Testify Treasury	0	0	210,692	0	0	0	210,692	0	210,692	0	210,692	0	210,692	0
730	Crime Lab-Hope Drug	119,545	2	207,184	3	229,878	3	252,778	4	208,292	3	252,778	4	208,292	3
788	DNA Special	119,349	1	131,365	1	130,715	1	731,735	1	731,735	1	731,735	1	731,735	1
<b>Total</b>		<b>8,708,181</b>	<b>127</b>	<b>11,191,804</b>	<b>137</b>	<b>13,082,181</b>	<b>149</b>	<b>13,315,044</b>	<b>149</b>	<b>12,896,758</b>	<b>148</b>	<b>13,316,727</b>	<b>149</b>	<b>12,898,441</b>	<b>148</b>

Funding Sources			%		%		%		%		%		%		
Fund Balance	4000005	1,795,784	14.7	3,548,717	23.7			3,768,939	22.5	3,768,939	24.2	3,608,687	21.5	3,608,687	23.1
General Revenue	4000010	6,076,630	49.6	6,311,237	42.2			7,656,427	45.8	6,541,954	41.9	7,864,806	46.9	6,750,333	43.1
Federal Revenue	4000020	254,983	2.1	748,137	5.0			941,842	5.6	941,842	6.0	941,842	5.6	941,842	6.0
Special Revenue	4000030	2,755,078	22.5	3,235,000	21.6			3,235,000	19.3	3,235,000	20.7	3,235,000	19.3	3,235,000	20.7
Cash Fund	4000045	217,513	1.8	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0
DFA Motor Vehicle Acquisition	4000184	30,630	0.2	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0
M & R Sales	4000340	8,628	0.1	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0
Special State Asset Forfeiture	4000465	540,664	4.4	540,664	3.6			540,664	3.2	540,664	3.5	540,664	3.2	540,664	3.5
Transfer St Admn of Justice	4000570	576,988	4.6	576,988	3.9			576,988	3.6	576,988	3.7	576,988	3.5	576,988	3.6
Total Funds		12,256,898	100.0	14,960,743	100.0			16,719,860	100.0	15,605,387	100.0	16,767,987	100.0	15,653,514	100.0
Excess Appropriation/(Funding)		(3,548,717)		(3,768,939)				(3,404,816)		(2,708,629)		(3,451,260)		(2,755,073)	
Grand Total		8,708,181		11,191,804				13,315,044		12,896,758		13,316,727		12,898,441	

FY07 Budgeted amount exceeds the Authorized amount for Video Testify account (4HT) due to transfer from DFA Cash Holding Account. FY07 Budgeted amount exceeds the Authorized amount for DNA Special account (788) due to increase in retirement rate. Differences in Fund Balances in FY08 and FY09 are due to unfunded Executive Recommendations.

**Agency Position Usage Report**

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
124	106	3	109	15	14.52%	149	126	0	126	23	15.44%	149	127	10	137	12	14.77%

## **Analysis of Budget Request**

**Appropriation:** 1ED - Crime Lab-Federal

**Funding Sources:** FCL - State Crime Lab Federal

This federally funded appropriation provides three (3) Forensic Chemist positions that are utilized by the State Crime Lab in the investigation and dismantling of illicit methamphetamine labs. Due to the highly toxic nature of the chemicals used in the manufacture of methamphetamine, extreme care must be taken in collecting the chemicals at the lab sites and strict Environmental Protection Agency guidelines must be followed in dismantling and disposing of the chemicals.

Change Levels requested by the Agency reflect increases for anticipated federal funding of supplies, training and outsourcing of DNA Convicted Offender cases for analysis and restoration of \$341,842 in Capital Outlay each year of the biennium to purchase equipment for DNA analysis and testing.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 1ED Crime Lab-Federal  
**Funding Sources:** FCL - State Crime Lab Federal

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	64,967	0	176,994	0	0	0	0	0	0
<b>#Positions</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Personal Services Matching 5010003	20,844	0	51,920	0	0	0	0	0	0
Operating Expenses 5020002	34,727	60,218	60,218	60,218	103,833	103,833	60,218	103,833	103,833
Conference & Travel Expenses 5050009	55,147	36,167	36,167	36,167	96,167	96,167	36,167	96,167	96,167
Professional Fees 5060010	17,015	309,910	309,910	309,910	400,000	400,000	309,910	400,000	400,000
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	62,283	341,842	477,959	0	341,842	341,842	0	341,842	341,842
<b>Total</b>	<b>254,983</b>	<b>748,137</b>	<b>1,113,168</b>	<b>406,295</b>	<b>941,842</b>	<b>941,842</b>	<b>406,295</b>	<b>941,842</b>	<b>941,842</b>
<b>Funding Sources</b>									
Federal Revenue 4000020	254,983	748,137		406,295	941,842	941,842	406,295	941,842	941,842
Total Funding	254,983	748,137		406,295	941,842	941,842	406,295	941,842	941,842
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	254,983	748,137		406,295	941,842	941,842	406,295	941,842	941,842

FY06 Budget amount exceeds the FY07 Authorized amount in Conference and Travel Expenses due to a transfer from the DFA-Miscellaneous Federal Grant Holding Account.



## Change Level by Appropriation

**Appropriation:** 1ED-Crime Lab-Federal  
**Funding Sources:** FCL - State Crime Lab Federal

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	406,295	0	406,295	100.0	406,295	0	406,295	100.0
C01	Existing Program	535,547	0	941,842	231.8	535,547	0	941,842	231.8

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	406,295	0	406,295	100.0	406,295	0	406,295	100.0
C01	Existing Program	535,547	0	941,842	231.8	535,547	0	941,842	231.8

### Justification

C01	Anticipated federal funds for lab supplies, training, and outsourcing DNA Convicted Offender cases for analysis.
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## **Analysis of Budget Request**

**Appropriation:** 1VM - Equipment

**Funding Sources:** SCE - Crime Lab Equipment Fund

This appropriation is funded by special revenue generated from forfeitures of funds and property derived through court proceedings taken in cases involving the illegal manufacture and/or distribution of narcotics. The Arkansas State Crime Laboratory receives twenty percent (20%) of all forfeitures over the first \$20,000 of forfeitures per county, per year. This appropriation is utilized to purchase equipment and replacement equipment for the regional drug labs.

The Agency is requesting an additional \$100,000 each year in appropriation should funds be available from the Special State Assets Forfeiture Fund during the 2007-2009 biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 1VM Equipment  
**Funding Sources:** SCE - Crime Lab Equipment Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Crime Lab Equip/Pur/Replace	5900046	411,173	650,000	650,000	650,000	750,000	750,000	650,000	750,000	750,000
<b>Total</b>		411,173	650,000	650,000	650,000	750,000	750,000	650,000	750,000	750,000
<b>Funding Sources</b>										
Fund Balance	4000005	1,157,100	1,377,156		1,362,156	1,362,156	1,362,156	1,347,156	1,247,156	1,247,156
Special Revenue	4000030	631,229	635,000		635,000	635,000	635,000	635,000	635,000	635,000
<b>Total Funding</b>		1,788,329	2,012,156		1,997,156	1,997,156	1,997,156	1,982,156	1,882,156	1,882,156
Excess Appropriation/(Funding)		(1,377,156)	(1,362,156)		(1,347,156)	(1,247,156)	(1,247,156)	(1,332,156)	(1,132,156)	(1,132,156)
<b>Grand Total</b>		411,173	650,000		650,000	750,000	750,000	650,000	750,000	750,000

## Change Level by Appropriation

**Appropriation:** 1VM-Equipment  
**Funding Sources:** SCE - Crime Lab Equipment Fund

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	650,000	0	650,000	100.0	650,000	0	650,000	100.0
C01	Existing Program	100,000	0	750,000	115.3	100,000	0	750,000	115.3

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	650,000	0	650,000	100.0	650,000	0	650,000	100.0
C01	Existing Program	100,000	0	750,000	115.3	100,000	0	750,000	115.3

### Justification

C01	Increase requested to purchase additional equipment and replace outdated instruments.
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## **Analysis of Budget Request**

**Appropriation:** 498 - Crime Lab State

**Funding Sources:** HUA - Miscellaneous Agencies Fund

The Arkansas State Crime Laboratory was created by Act 517 of 1977, to provide forensic and scientific support to the criminal justice system in Arkansas. The Executive Director of the State Crime Lab is appointed by the Governor. Act 383 of 1991, created the State Crime Laboratory Board, made up of eight (8) members, including the Dean of the UAMS College of Medicine and seven (7) members appointed by the Governor with confirmation of the Senate. The Board members' terms are for seven (7) years. The Board has the authority to employ and remove the State Medical Examiner.

The Arkansas State Crime Laboratory provides complete forensic laboratory services and corroborative testimony for the State's law enforcement and criminal justice community to assist in the apprehension and conviction of individuals involved in criminal cases.

This appropriation is the primary operating account for the Arkansas State Crime Laboratory. It is funded primarily by general revenue through the Miscellaneous Agencies Fund (HUA), a transfer of funding from the Administration of Justice Fund and other special revenues dedicated to the agency.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. The Base Level request of \$5,757,959 each year of the biennium for Regular Salaries does include board member Stipend payments. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Agency is requesting the restoration of eleven (11) positions used to meet daily workloads. In addition, \$250,000 in Operating Expenses is requested for the maintenance and operation of the Video Testifying Project originally funded from a grant. Also included is appropriation to maintain the Justice Trax system, the new agency information management system. A rent increase of \$49,000 each year is also requested, along with additional expenses for fuel, supplies and equipment.

The Executive Recommendation provides for the restoration of eleven (11) positions, the rent increase of \$49,000 each year funded from new general revenue and appropriation only in Capital Outlay for equipment.

In summary, the Executive Recommendation for new general revenue above the Base Level is:

- \$49,000 each year for the increase in rent

## Appropriation Summary

**Appropriation:** 498 Crime Lab State  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	4,929,711	5,757,959	6,132,543	5,757,959	6,089,129	6,089,129	5,757,959	6,089,129	6,089,129
<b>#Positions</b>	<b>122</b>	<b>133</b>	<b>144</b>	<b>133</b>	<b>144</b>	<b>144</b>	<b>133</b>	<b>144</b>	<b>144</b>
Personal Services Matching 5010003	1,404,717	1,664,830	1,704,340	1,729,414	1,844,431	1,844,431	1,731,097	1,846,114	1,846,114
Operating Expenses 5020002	1,401,628	1,689,822	1,689,822	1,689,822	2,112,622	1,738,822	1,689,822	2,112,622	1,738,822
Conference & Travel Expenses 5050009	9,736	68,100	68,100	68,100	68,100	68,100	68,100	68,100	68,100
Professional Fees 5060010	24,779	63,715	63,715	63,715	63,715	63,715	63,715	63,715	63,715
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	32,560	0	1,299,900	0	250,000	250,000	0	250,000	250,000
<b>Total</b>	<b>7,803,131</b>	<b>9,244,426</b>	<b>10,958,420</b>	<b>9,309,010</b>	<b>10,427,997</b>	<b>10,054,197</b>	<b>9,310,693</b>	<b>10,429,680</b>	<b>10,055,880</b>
<b>Funding Sources</b>									
Fund Balance 4000005	0	529,417		206,696	206,696	206,696	0	0	0
General Revenue 4000010	5,957,085	6,104,053		6,284,662	7,403,649	6,333,662	6,493,041	7,612,028	6,542,041
Special Revenue 4000030	1,218,553	1,700,000		1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000
DFA Motor Vehicle Acquisition 4000184	30,630	0		0	0	0	0	0	0
M & R Sales 4000340	8,628	0		0	0	0	0	0	0
Special State Asset Forfeiture 4000465	540,664	540,664		540,664	540,664	540,664	540,664	540,664	540,664
Transfer St Admn of Justice 4000570	576,988	576,988		576,988	576,988	576,988	576,988	576,988	576,988
<b>Total Funding</b>	<b>8,332,548</b>	<b>9,451,122</b>		<b>9,309,010</b>	<b>10,427,997</b>	<b>9,358,010</b>	<b>9,310,693</b>	<b>10,429,680</b>	<b>9,359,693</b>
Excess Appropriation/(Funding)	(529,417)	(206,696)		0	0	696,187	0	0	696,187
<b>Grand Total</b>	<b>7,803,131</b>	<b>9,244,426</b>		<b>9,309,010</b>	<b>10,427,997</b>	<b>10,054,197</b>	<b>9,310,693</b>	<b>10,429,680</b>	<b>10,055,880</b>

## Change Level by Appropriation

**Appropriation:** 498-Crime Lab State  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>9,309,010</b>	<b>133</b>	<b>9,309,010</b>	<b>100.0</b>	<b>9,310,693</b>	<b>133</b>	<b>9,310,693</b>	<b>100.0</b>
C01	Existing Program	808,987	11	10,117,997	108.6	808,987	11	10,119,680	108.6
C02	New Program	310,000	0	10,427,997	112.0	310,000	0	10,429,680	112.0

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>9,309,010</b>	<b>133</b>	<b>9,309,010</b>	<b>100.0</b>	<b>9,310,693</b>	<b>133</b>	<b>9,310,693</b>	<b>100.0</b>
C01	Existing Program	745,187	11	10,054,197	108.0	745,187	11	10,055,880	108.0
C02	New Program	0	0	10,054,197	108.0	0	0	10,055,880	108.0

### Justification

C01	The increase is needed to cover rising cost of medical liability insurance, necessary supplies, dental examinations, and to pay for the outsourcing on Toxicology samples to decrease the backlog of cases which will allow for more timely death certificates and autopsy reports; and to replace outdated instruments that are difficult to maintain with more technologically advanced instruments. Agency is requesting an additional \$49,000 each year to cover the increased costs of rent of facilities. Agency is also requesting the following positions be restored to assist with daily operations of the lab: 3 Forensic Biologist, 2 Forensic Toxicologist, 3 Forensic Chemist, 1 Administrative Assistant and 2 Subpoena Coordinators.
C02	Agency is requesting \$250,000 each year in Maintenance and Operations to fund the Video Testifying project. The Crime Lab received a grant that was used to purchase the equipment and set it up in various counties throughout the State. They currently have this operating in Washington and Benton counties and are currently talking to Pulaski, Sebastian, Jefferson and Garland counties about adding the service there. The goal is to minimize the time spent by State Crime Laboratory Forensic Examiners traveling to and from court and waiting to testify in all areas of the State. Agency is also requesting \$60,000 each year to use in maintaining the Justice Trax system. This is the new laboratory information management system currently being installed. This system will link and manage all aspects of the daily operations of the Crime Lab.

## **Analysis of Budget Request**

**Appropriation:** 4HT - Video Testify Treasury

**Funding Sources:** NCL - Video Testifying - Cash in Treasury

In FY01 the Arkansas State Crime Laboratory received a grant, in the amount of \$351,000 from the Arkansas Science and Technology Authority. This grant was to be utilized for a remote video-testifying project. The goal was to minimize the time spent by Laboratory Forensic Examiners driving to court in all areas of the State.

This appropriation request is for authority to spend the balance of a grant from the Arkansas Science and Technology Authority for a video testifying program. The Agency plans to spend the remainder of the funds during the 2007-2009 biennium.

The Executive Recommendation is the Agency Request. The expenditure of appropriation is contingent upon available funding.



## Appropriation Summary

**Appropriation:** 4HT Video Testify Treasury  
**Funding Sources:** NCL - Video Testifying - Cash in Treasury

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	0	210,692	0	0	210,692	210,692	0	210,692	210,692
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>210,692</b>	<b>0</b>	<b>0</b>	<b>210,692</b>	<b>210,692</b>	<b>0</b>	<b>210,692</b>	<b>210,692</b>
<b>Funding Sources</b>									
Fund Balance 4000005	0	217,513		0	6,821	6,821	0	0	0
Cash Fund 4000045	217,513	0		0	0	0	0	0	0
<b>Total Funding</b>	<b>217,513</b>	<b>217,513</b>		<b>0</b>	<b>6,821</b>	<b>6,821</b>	<b>0</b>	<b>0</b>	<b>0</b>
Excess Appropriation/(Funding)	(217,513)	(6,821)		0	203,871	203,871	0	210,692	210,692
<b>Grand Total</b>	<b>0</b>	<b>210,692</b>		<b>0</b>	<b>210,692</b>	<b>210,692</b>	<b>0</b>	<b>210,692</b>	<b>210,692</b>

FY06 Budget amount exceeds the FY07 Authorized amount in Operating Expenses due to a transfer from the DFA-Cash Fund Holding Account.

## Change Level by Appropriation

**Appropriation:** 4HT-Video Testify Treasury

**Funding Sources:** NCL - Video Testifying - Cash in Treasury

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	0	0	0	x	0	0	0	x
C01	Existing Program	210,692	0	210,692	x	210,692	0	210,692	x

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	0	0	0	100.0	0	0	0	100.0
C01	Existing Program	210,692	0	210,692	100.0	210,692	0	210,692	100.0

### Justification

C01	Agency received a grant from Arkansas Science and Technology Authority in 2000 to begin a video-testifying project. The Department of Information Systems is working on installing ISDN lines to the participating counties and the Crime Lab to make this project operational. Expenditures can't begin until DIS gets these lines working.
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## **Analysis of Budget Request**

**Appropriation:** 730 - Crime Lab-Hope Drug

**Funding Sources:** HUA - Miscellaneous Agencies Fund

This appropriation receives funding provided by a transfer of funds from the Special State Assets Forfeiture Fund to the Miscellaneous Agencies Fund as direct revenue to the Arkansas State Crime Laboratory. The appropriation provides for the personnel and operating expenses of the Hope Drug Lab.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Agency is requesting a Base Level of \$208,292 for both years of the biennium and restoration of an unbudgeted position.

The Executive Recommendation provides for Base Level only.

## Appropriation Summary

**Appropriation:** 730 Crime Lab-Hope Drug  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	74,290	92,663	113,018	92,663	126,017	92,663	92,663	126,017	92,663
<b>#Positions</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>3</b>
Personal Services Matching 5010003	26,100	30,748	33,087	31,856	42,988	31,856	31,856	42,988	31,856
Operating Expenses 5020002	18,745	81,273	81,273	81,273	81,273	81,273	81,273	81,273	81,273
Conference & Travel Expenses 5050009	410	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>119,545</b>	<b>207,184</b>	<b>229,878</b>	<b>208,292</b>	<b>252,778</b>	<b>208,292</b>	<b>208,292</b>	<b>252,778</b>	<b>208,292</b>
<b>Funding Sources</b>									
General Revenue 4000010	119,545	207,184		208,292	252,778	208,292	208,292	252,778	208,292
Total Funding	119,545	207,184		208,292	252,778	208,292	208,292	252,778	208,292
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	119,545	207,184		208,292	252,778	208,292	208,292	252,778	208,292

## Change Level by Appropriation

**Appropriation:** 730-Crime Lab-Hope Drug  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	208,292	3	208,292	100.0	208,292	3	208,292	100.0
C01	Existing Program	44,486	1	252,778	121.3	44,486	1	252,778	121.3

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	208,292	3	208,292	100.0	208,292	3	208,292	100.0
C01	Existing Program	0	0	208,292	100.0	0	0	208,292	100.0

### Justification

C01	Agency requests that one Forensic Chemist position not budgeted in FY07 be restored to the Hope Drug Lab Operations appropriation. This position was transferred to the main Crime Lab to help with decreasing backlog and for training purposes.
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## **Analysis of Budget Request**

**Appropriation:** 788 - DNA Special

**Funding Sources:** SDN - DNA Detection Fund

This appropriation provides for personnel and operating expenses to support the DNA database, as authorized by Act 737 of 1997, the "DNA Detection of Sexual and Violent Offenders Act", which is codified at A.C.A. §12-12-1101 et seq. Funding for this appropriation is special revenue generated by a mandatory fine of not less than \$250 for persons required to submit to a DNA sample under the provisions of this legislation. The sentencing court has the discretion to waive the fine, if in its opinion the imposition of the fine would cause undue hardship.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Agency is requesting a Base Level of \$131,735 each year and an additional Change Level request of \$600,000 each year in Operating Expenses to meet the increased activity in the DNA Section and for additional lab supplies, DNA kits, and required chemicals used with DNA testing and analysis.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 788 DNA Special  
**Funding Sources:** SDN - DNA Detection Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	32,091	33,353	33,353	33,353	33,353	33,353	33,353	33,353	33,353
<b>#Positions</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Personal Services Matching 5010003	9,917	10,761	10,111	11,131	11,131	11,131	11,131	11,131	11,131
Operating Expenses 5020002	77,341	78,751	78,751	78,751	678,751	678,751	78,751	678,751	678,751
Conference & Travel Expenses 5050009	0	8,500	8,500	8,500	8,500	8,500	8,500	8,500	8,500
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>119,349</b>	<b>131,365</b>	<b>130,715</b>	<b>131,735</b>	<b>731,735</b>	<b>731,735</b>	<b>131,735</b>	<b>731,735</b>	<b>731,735</b>
<b>Funding Sources</b>									
Fund Balance 4000005	638,684	1,424,631		2,193,266	2,193,266	2,193,266	2,961,531	2,361,531	2,361,531
Special Revenue 4000030	905,296	900,000		900,000	900,000	900,000	900,000	900,000	900,000
<b>Total Funding</b>	<b>1,543,980</b>	<b>2,324,631</b>		<b>3,093,266</b>	<b>3,093,266</b>	<b>3,093,266</b>	<b>3,861,531</b>	<b>3,261,531</b>	<b>3,261,531</b>
Excess Appropriation/(Funding)	(1,424,631)	(2,193,266)		(2,961,531)	(2,361,531)	(2,361,531)	(3,729,796)	(2,529,796)	(2,529,796)
<b>Grand Total</b>	<b>119,349</b>	<b>131,365</b>		<b>131,735</b>	<b>731,735</b>	<b>731,735</b>	<b>131,735</b>	<b>731,735</b>	<b>731,735</b>

FY07 Budgeted amount in Personal Services Matching exceeds the Authorized amount due to the increase in retirement matching rate.

## Change Level by Appropriation

**Appropriation:** 788-DNA Special  
**Funding Sources:** SDN - DNA Detection Fund

### Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	131,735	1	131,735	100.0	131,735	1	131,735	100.0
C01	Existing Program	600,000	0	731,735	555.4	600,000	0	731,735	555.4

### Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	131,735	1	131,735	100.0	131,735	1	131,735	100.0
C01	Existing Program	600,000	0	731,735	555.4	600,000	0	731,735	555.4

### Justification

C01	Agency requests an increase of \$600,000 each year in appropriation to match the increased funding for the DNA section. Changes is the law requiring that all convicted felons submit DNA samples has resulted in a shortfall of funds to purchase DNA database kits for all law enforcement agencies and has also resulted in additional costs in purchasing chemicals for DNA analysis.
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