

STATE CRIME LABORATORY

Enabling Laws

Act 700 of 2007
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 operational standards.

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. Federal grants are 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.

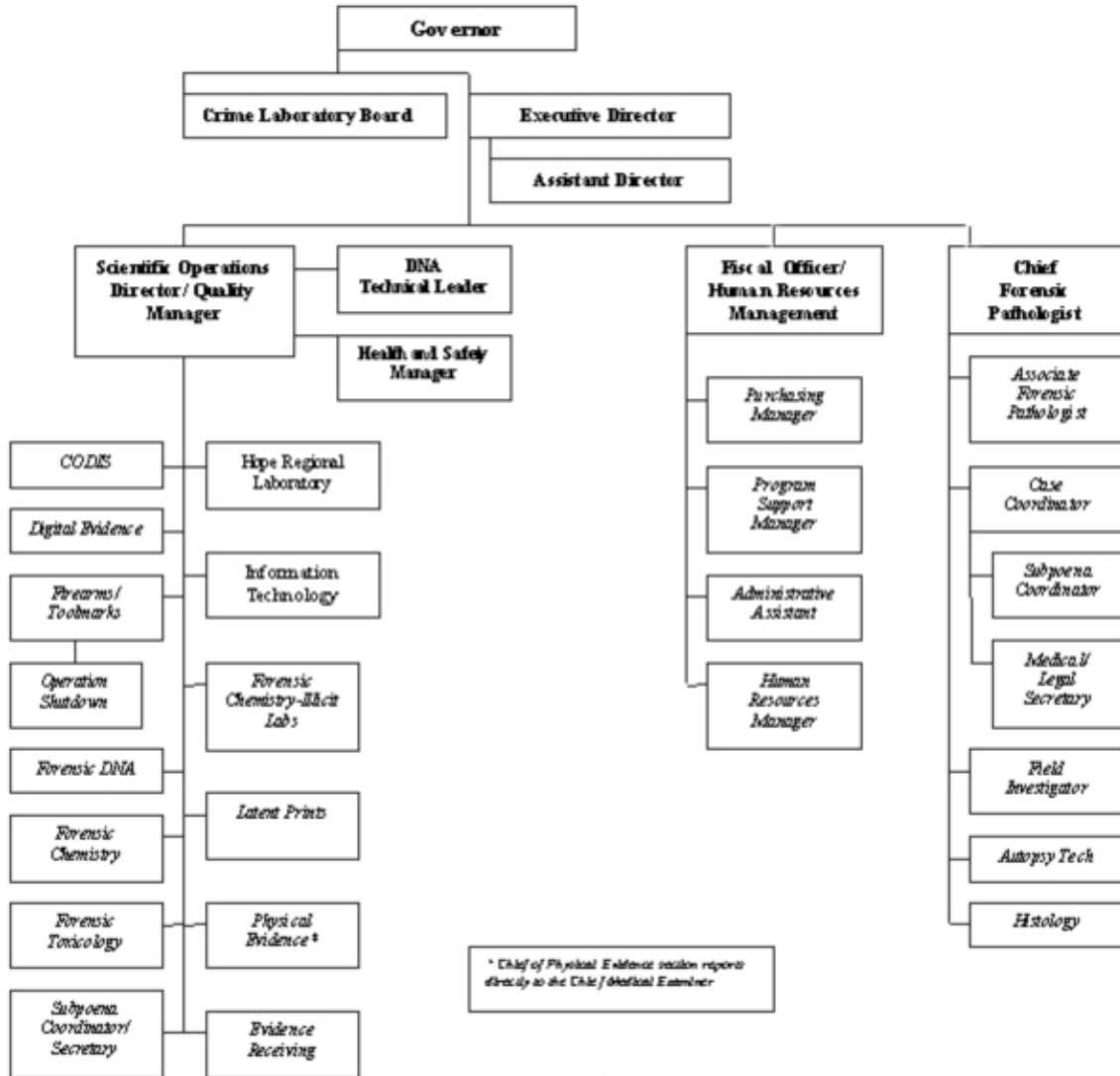
The laboratory provides forensic services at no charge to all law enforcement agencies in the State. Services provided by the laboratory include the scientific analysis of evidence, providing written reports regarding the scientific findings of the analysis, and providing expert testimony in court. As 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) for \$862,748.80/yr. 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 addition to the examination of evidence in 2007, crime laboratory personnel spent approximately 1,479 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 Corrections 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 2007, the laboratory received 25,634 cases/submissions. Of these cases/submissions there were 37,122 requests for analysis. One case can require multiple types of examinations that can require testing from our various sections in the laboratory such as Toxicology, DNA, Latent Prints, Firearms, Drugs, Histology, and Physical Evidence. The Medical Examiners section alone completed a total of 1,113 autopsies.



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. The 85th General Assembly provided new funding to the Crime Lab by authorizing a special revenue stream which allowed additional

analysts to be hired and additional scientific equipment to be purchased. The 86th General Assembly allowed continued funding which has resulted in a substantial decrease in the backlog and a decrease in the turnaround time of cases. In July of 2005 the laboratory had a backlog of 16,080 cases. As of July of 2008, the laboratory's backlog was 1,779 cases.

The Crime Lab received accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) in December of 2004. This accreditation not only holds the laboratory to a higher standard of operation, which requires the monitoring of each section's personnel, training, quality and timeliness of work performed, but also makes the laboratory eligible for federal grant funding. Due to the laboratories accreditation status, we have secured \$2,070,549.00 in federal funding (2005-2007) which has been crucial in allowing the laboratory to stay current with scientific advancements in technology. Without laboratory accreditation, all casework testing, testimony and laboratory credibility across Arkansas would be jeopardized.

We are requesting one new position - an Associate Medical Examiner. The State Crime Lab Medical Examiner's office is accredited by NAME (National Association of Medical Examiners). Under their guidelines each of our four Associate Medical Examiners can perform no more than 250 autopsies per calendar year. The Chief Medical Examiner is allowed to perform no more than 200 autopsies per calendar year, but must spend a significant portion of his time reviewing autopsy findings, coroner consultations and other administrative duties.

Approximately 30% of all autopsies performed in Arkansas are for homicide cases. These autopsies are more labor intensive and require more time than others. After each autopsy is performed the doctor must not only dictate notes but perform a series of technical and administrative reviews prior to release of the final autopsy report.

For the last 5 years we have performed over 1,100 autopsies each year and project 1,250 autopsies/cases by end of 2008. One additional Associate Medical Examiner position will help keep us in compliance with NAME.

Appropriation 498: State Operations

We are requesting unfunded appropriation in Capital Outlay to use in paying sales tax on new vehicles purchased by the state vehicle acquisition fund.

Appropriation 788: DNA Section Special

We are requesting to move 14 current positions from Appropriation 498: General Revenue to this appropriation. These positions work directly in the Combined DNA Index System (CODIS) and should be paid from the special revenue collected from fees of offenders required to pay for testing. We are also requesting professional fee appropriation to cover the costs of proficiency testing and capital outlay to purchase equipment needed to process the additional cases being analyzed by the DNA Section.

Appropriation 1ED: Federal Operations

We are requesting additional appropriation for Operating Expenses and Conference and Travel expenses. We are also requesting new Capital Outlay appropriation to use for purchasing equipment. Funding will be made available through the United States Department of Justice.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
STATE CRIME LABORATORY

FOR THE YEAR ENDED JUNE 30, 2006

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	52	60	112	92 %
Black Employees	0	9	9	7 %
Other Racial Minorities	1	0	1	1 %
Total Minorities			10	8 %
Total Employees			122	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	2007-2008		2008-2009		2008-2009		2009-2010					2010-2011						
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
1ED Crime Lab-Federal	328,374	0	1,493,188	0	1,493,188	0	672,022	0	1,790,855	0	1,790,855	0	672,022	0	1,790,855	0	1,790,855	0
1VM Equipment	726,709	0	750,000	0	750,000	0	750,000	0	750,000	0	750,000	0	750,000	0	750,000	0	750,000	0
498 Crime Lab State	8,699,895	134	9,871,953	139	10,554,782	147	10,437,432	139	9,628,716	126	9,628,716	126	10,601,112	139	9,784,029	126	9,784,029	126
4HT Video Testify Treasury	49,297	0	165,115	0	210,692	0	165,115	0	165,115	0	165,115	0	165,115	0	165,115	0	165,115	0
788 DNA Special	718,709	1	733,862	1	733,361	1	736,671	1	2,026,054	15	2,026,054	15	737,690	1	2,039,663	15	2,039,663	15
Total	10,522,984	135	13,014,118	140	13,742,023	148	12,761,240	140	14,360,740	141	14,360,740	141	12,925,939	140	14,529,662	141	14,529,662	141

Funding Sources		%		%		%		%		%		%		%		%	
Fund Balance	4000005	4,423,419	28.7	4,877,130	28.0	4,424,726	26.3	4,424,726	24.6	4,424,726	24.6	5,028,277	28.6	3,750,573	21.5	3,750,573	21.5
General Revenue	4000010	6,633,677	43.1	6,840,811	39.2	7,256,441	43.1	7,256,441	40.4	7,256,441	40.4	7,417,812	42.1	7,417,812	42.5	7,417,812	42.5
Federal Revenue	4000020	328,374	2.1	1,493,188	8.6	672,022	4.0	1,790,855	10.0	1,790,855	10.0	672,022	3.8	1,790,855	10.3	1,790,855	10.3
Special Revenue	4000030	3,429,790	22.3	3,605,000	20.7	3,897,188	23.2	3,897,188	21.7	3,897,188	21.7	3,904,736	22.2	3,904,736	22.4	3,904,736	22.4
Cash Fund	4000045	7,866	0.1	11,088	0.1	7,000	0.0	7,000	0.0	7,000	0.0	7,000	0.0	7,000	0.0	7,000	0.0
Merit Adjustment Fund	4000055	0	0.0	34,639	0.2	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Transfer State Admn of Justice	4000570	576,988	3.7	576,988	3.3	576,988	3.4	576,988	3.2	576,988	3.2	576,988	3.3	576,988	3.3	576,988	3.3
Total Funds		15,400,114	100.0	17,438,844	100.0	16,834,365	100.0	17,953,198	100.0	17,953,198	100.0	17,606,835	100.0	17,447,964	100.0	17,447,964	100.0
Excess Appropriation/(Funding)		(4,877,130)		(4,424,726)		(4,073,125)		(3,592,458)		(3,592,458)		(4,680,896)		(2,918,302)		(2,918,302)	
Grand Total		10,522,984		13,014,118		12,761,240		14,360,740		14,360,740		12,925,939		14,529,662		14,529,662	

Appropriation 788 - FY09 Budget amount for Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium.

Appropriation 4HT - Original source of grant was a one-time award from the Science and Technology Authority. Revenue reflects interest earned on this award.

The difference of \$158,115 between FY10 ending fund balances and FY11 beginning fund balances is attributed to unfunded appropriation in Appropriation 4HT.

Agency Position Usage Report

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
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	
149	118	19	137	12	20.81 %	148	125	12	137	11	15.54 %	148	122	18	140	8	17.57 %

Analysis of Budget Request

Appropriation: 1ED - Crime Lab-Federal

Funding Sources: FCL - State Crime Lab Federal

This federally funded appropriation provides for outsourcing backlog DNA casework. This allows our analysts to process current DNA cases which keeps our backlog at a minimum. This appropriation also provides funds to use for training purposes for each analyst as well as the medical examiners. This training is required for the Agency to maintain its accreditation status. It also provides overtime for analysts that work in screening evidence for biological fluids prior to the actual DNA testing.

The Agency's Change Level requests total \$1,118,833 each year and reflect the following:

- Operating Expenses increase in the amount of \$65,000 each year for the increased costs of laboratory supplies.
- Conference and Travel Expenses increase in the amount of \$53,833 each year for meals and lodging costs associated with Agency staff travel for training.
- Reallocation in the amount of \$21,161 from Operating Expenses to Conference and Travel Expenses to properly classify conference and seminar expenditures.
- Capital Outlay of \$1,000,000 each year for replacement and purchase of additional laboratory equipment.

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		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Personal Services Matching	5010003	1,411	11,307	11,307	10,201	10,201	10,201	10,201	10,201	10,201
Overtime	5010006	16,824	54,493	54,493	54,493	54,493	54,493	54,493	54,493	54,493
Operating Expenses	5020002	22,134	111,161	111,161	111,161	155,000	155,000	111,161	155,000	155,000
Conference & Travel Expenses	5050009	85,967	96,167	96,167	96,167	171,161	171,161	96,167	171,161	171,161
Professional Fees	5060010	180,800	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	21,238	820,060	820,060	0	1,000,000	1,000,000	0	1,000,000	1,000,000
Total		328,374	1,493,188	1,493,188	672,022	1,790,855	1,790,855	672,022	1,790,855	1,790,855
Funding Sources										
Federal Revenue	4000020	328,374	1,493,188		672,022	1,790,855	1,790,855	672,022	1,790,855	1,790,855
Total Funding		328,374	1,493,188		672,022	1,790,855	1,790,855	672,022	1,790,855	1,790,855
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		328,374	1,493,188		672,022	1,790,855	1,790,855	672,022	1,790,855	1,790,855

Change Level by Appropriation

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

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	672,022	0	672,022	100.0	672,022	0	672,022	100.0
C01	Existing Program	1,118,833	0	1,790,855	266.5	1,118,833	0	1,790,855	266.5
C04	Reallocation	0	0	1,790,855	266.5	0	0	1,790,855	266.5

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	672,022	0	672,022	100.0	672,022	0	672,022	100.0
C01	Existing Program	1,118,833	0	1,790,855	266.5	1,118,833	0	1,790,855	266.5
C04	Reallocation	0	0	1,790,855	266.5	0	0	1,790,855	266.5

Justification

C01	The Agency is requesting additional appropriation for Operating Expenses and Conference and Travel Expenses to provide for anticipated federal grant awards and new Capital Outlay appropriation to use for purchasing equipment. Funding will be made available through the United States Department of Justice.
C04	Reallocation of Resources in the amount of \$21,161 from Operating Expenses to Conference and Travel Expenses (Conference and Seminar Fees) to properly classify these expenditures.

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.

Agency Request is for Base Level. Purchases of equipment are contingent upon funding available from the Special State Asset Forfeiture Fund.

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	2007-2008	2008-2009	2008-2009	2009-2010			2010-2011		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Crime Lab Equip/Pur/Replace 5900046	726,709	750,000	750,000	750,000	750,000	750,000	750,000	750,000	750,000
Total	726,709	750,000	750,000	750,000	750,000	750,000	750,000	750,000	750,000
Funding Sources									
Fund Balance 4000005	1,379,872	1,234,372		1,084,372	1,084,372	1,084,372	1,084,372	1,084,372	1,084,372
Special Revenue 4000030	581,209	600,000		750,000	750,000	750,000	750,000	750,000	750,000
Total Funding	1,961,081	1,834,372		1,834,372	1,834,372	1,834,372	1,834,372	1,834,372	1,834,372
Excess Appropriation/(Funding)	(1,234,372)	(1,084,372)		(1,084,372)	(1,084,372)	(1,084,372)	(1,084,372)	(1,084,372)	(1,084,372)
Grand Total	726,709	750,000		750,000	750,000	750,000	750,000	750,000	750,000

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) member 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 supports primary operations for the Arkansas State Crime Laboratory. It is funded by General Revenue through the Miscellaneous Agencies Fund (HUA), a portion of uniform filing fees collected in circuit court (A.C.A. § 16-10-313) and through a fund transfer from the Administration of Justice Fund.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study as well as the recommendation for the transition of two unclassified positions to classified. Current unclassified positions reflect similar adjustments in line item salaries. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member stipend payments and career service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Agency's Change Level requests total (\$808,716) in FY10 and (\$817,083) in FY11 and reflect the following:

- Regular Salaries and Personal Services Matching decreases total \$600,447 in FY10 and \$608,814 in FY11. Of the 147 authorized positions for this appropriation, 8 were not budgeted in FY09 due to funding limitations, 14 positions are being requested to be transferred to the DNA Section - Special (Appropriation 788) and 1 new position, Crime Lab Associate Medical Examiner, is requested. The 14 positions transferred to the DNA Section - Special work directly in the Combined DNA Index System (CODIS) section and should be paid from the special revenue collected from fees of offenders required to pay for testing. The Crime Lab Associate Medical Examiner position is needed to handle the increasing number of autopsies performed annually by the Crime Lab and to remain accredited by the National Association of Medical Examiners.
- Operating Expenses decrease in the amount of \$218,269 each year through a Reallocation of Resources from this appropriation to DNA Section - Special (Appropriation 788) for rent of facilities.
- Conference and Travel Expenses decrease in the amount of \$15,000 each year through a Reallocation of Resources from this appropriation to DNA Section - Special (Appropriation 788) for meals and lodging.

- Reallocation of Resources in the amount of \$1,150 from Operating Expenses to Conference and Travel Expenses to properly classify Conference and Seminar Fees expenditures.
- Capital Outlay of \$25,000 each year in appropriation only to pay sales tax on new vehicles purchased for the Agency.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 498 - Crime Lab State

Funding Sources: HUA - Miscellaneous Agencies Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010 Base Level	2009-2010 Agency	2009-2010 Executive	2010-2011 Base Level	2010-2011 Agency	2010-2011 Executive
Regular Salaries	5010000	5,538,762	6,223,895	6,424,565	6,568,049	6,120,805	6,120,805	6,705,602	6,251,217	6,251,217
#Positions		134	139	147	139	126	126	139	126	126
Personal Services Matching	5010003	1,629,740	1,693,648	1,925,807	1,914,973	1,761,770	1,761,770	1,941,100	1,786,671	1,786,671
Operating Expenses	5020002	1,447,794	1,820,095	1,820,095	1,820,095	1,600,676	1,600,676	1,820,095	1,600,676	1,600,676
Conference & Travel Expenses	5050009	11,822	70,600	70,600	70,600	56,750	56,750	70,600	56,750	56,750
Professional Fees	5060010	37,251	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	34,526	0	250,000	0	25,000	25,000	0	25,000	25,000
Total		8,699,895	9,871,953	10,554,782	10,437,432	9,628,716	9,628,716	10,601,112	9,784,029	9,784,029

Funding Sources										
Fund Balance	4000005	422,462	616,481		1,966	1,966	1,966	0	11,679	11,679
General Revenue	4000010	6,633,677	6,840,811		7,256,441	7,256,441	7,256,441	7,417,812	7,417,812	7,417,812
Special Revenue	4000030	1,683,249	1,805,000		1,805,000	1,805,000	1,805,000	1,805,000	1,805,000	1,805,000
Merit Adjustment Fund	4000055	0	34,639		0	0	0	0	0	0
Transfer State Admn of Justice	4000570	576,988	576,988		576,988	576,988	576,988	576,988	576,988	576,988
Total Funding		9,316,376	9,873,919		9,640,395	9,640,395	9,640,395	9,799,800	9,811,479	9,811,479
Excess Appropriation/(Funding)		(616,481)	(1,966)		797,037	(11,679)	(11,679)	801,312	(27,450)	(27,450)
Grand Total		8,699,895	9,871,953		10,437,432	9,628,716	9,628,716	10,601,112	9,784,029	9,784,029

Change Level by Appropriation

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

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	10,437,432	139	10,437,432	100.0	10,601,112	139	10,601,112	100.0
C01	Existing Program	180,668	1	10,618,100	101.7	184,887	1	10,785,999	101.7
C04	Reallocation	(233,269)	0	10,384,831	99.5	(233,269)	0	10,552,730	99.5
C05	Unfunded Appropriation	25,000	0	10,409,831	99.7	25,000	0	10,577,730	99.8
C07	Agency Transfer	(781,115)	(14)	9,628,716	92.3	(793,701)	(14)	9,784,029	92.3

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	10,437,432	139	10,437,432	100.0	10,601,112	139	10,601,112	100.0
C01	Existing Program	180,668	1	10,618,100	101.7	184,887	1	10,785,999	101.7
C04	Reallocation	(233,269)	0	10,384,831	99.5	(233,269)	0	10,552,730	99.5
C05	Unfunded Appropriation	25,000	0	10,409,831	99.7	25,000	0	10,577,730	99.8
C07	Agency Transfer	(781,115)	(14)	9,628,716	92.3	(793,701)	(14)	9,784,029	92.3

Justification

C01	The Agency is requesting one new position – an Associate Medical Examiner. There are currently one Chief Medical Examiner and four Associate Medical Examiners. The State Crime Lab Medical Examiner's office is accredited by NAME - National Association of Medical Examiners. Under NAME guidelines, each of our four Associate Medical Examiners can perform no more than 250 autopsies per calendar year. The Chief Medical Examiner is allowed to perform no more than 200 autopsies per calendar year in addition to spending a significant portion of his time reviewing autopsy findings, coroner consultations and performing other administrative duties. Approximately 38% of all autopsies performed at the Arkansas State Crime Laboratory are for homicides or unknown causes of death. These autopsies are more labor intensive and require more time than others. After each autopsy is performed, the doctor must dictate notes for a report to be issued. Once the report is typed, the pathologist of record and two additional pathologists review it and make any changes before the final autopsy report is issued. Over 1,100 autopsies have been performed in each of the last 5 years and 1,250 autopsies/cases are projected for the current year. One additional Associate Medical Examiner position will help keep the Medical Examiner's Office in compliance with NAME and help ensure that each autopsy receives the proper amount of time/attention.
C04	(1) Operating Expenses decrease in the amount of \$218,269 each year through a Reallocation of Resources from this appropriation to DNA Section - Special (Appropriation 788) for rent of facilities. (2) Conference and Travel Expenses decrease in the amount of \$15,000 each year through a Reallocation of Resources from this appropriation to DNA Section - Special (Appropriation 788) for meals and lodging. (3) Reallocation of Resources in the amount of \$1,150 from Operating Expenses to Conference and Travel Expenses to properly classify Conference and Seminar Fees expenditures.
C05	The Agency is requesting \$25,000 each year in unfunded capital appropriation. This is to be used for paying sales tax on new/replacement vehicles.
C07	Transfer 14 current positions from this Appropriation to the DNA Section - Special Appropriation. These positions work directly in the Combined DNA Index System (CODIS) and should be paid from the special revenue collected from fees of offenders required to pay for testing.

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 one-time 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 is to minimize the time spent by Laboratory Forensic Examiners driving to courts in all areas of the state. Interest received on this fund balance is the only current revenue stream.

Agency Request is for Base Level.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2009-2010			2010-2011		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	49,297	165,115	210,692	165,115	165,115	165,115	165,115	165,115	165,115
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
Total		49,297	165,115	210,692	165,115	165,115	165,115	165,115	165,115	165,115
Funding Sources										
Fund Balance	4000005	195,458	154,027		0	0	0	0	0	0
Cash Fund	4000045	7,866	11,088		7,000	7,000	7,000	7,000	7,000	7,000
Total Funding		203,324	165,115		7,000	7,000	7,000	7,000	7,000	7,000
Excess Appropriation/(Funding)		(154,027)	0		158,115	158,115	158,115	158,115	158,115	158,115
Grand Total		49,297	165,115		165,115	165,115	165,115	165,115	165,115	165,115

Original source of grant was a one-time award from the Science and Technology Authority. Revenue reflects interest earned on this award.

Analysis of Budget Request

Appropriation: 788 - DNA Special

Funding Sources: SDN - DNA Detection Fund

This appropriation provides for personal services 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.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Agency's Change Level requests total \$1,289,383 in FY10 and \$1,301,973 in FY11 and reflect the following:

- Regular Salaries and Personal Services Matching increases totaling \$781,114 in FY10 and \$793,704 in FY11 for 14 positions to be transferred to this appropriation from State Operations (Appropriation 498). These positions work directly in the CODIS Section and should be paid from the special revenue collected from fees of offenders required to pay for testing.
- Operating Expenses increase in the amount of \$217,769 each year through a Reallocation of Resources to this appropriation from State Operations (Appropriation 498) in the amount of \$218,269 for rent of facilities and from Operating Expenses to Conference & Travel in the amount of \$500 to properly classify expenses.
- Conference and Travel Expenses increase in the amount of \$15,500 each year through a Reallocation of Resources to this appropriation from State Operations (Appropriation 498) in the amount of \$15,000 for meals and lodging and from Operating Expenses to Conference & Travel in the amount of \$500 to properly classify expenses.
- Reallocation of Resources in the amount of \$500 from Operating Expenses to Conference and Travel Expenses (Conference and Seminar Fees) to properly classify these expenditures.
- Professional Fees increase in the amount of \$25,000 each year to cover the costs of proficiency testing for lab analysts.
- Capital Outlay in the amount of \$250,000 each year to purchase equipment needed to process the increasing number of cases being analyzed by the DNA section.

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			2010-2011		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010 Base Level	2009-2010 Agency	2009-2010 Executive	2010-2011 Base Level	2010-2011 Agency	2010-2011 Executive
Regular Salaries	5010000	31,004	35,742	34,700	37,332	635,138	635,138	38,190	646,599	646,599
#Positions		1	1	1	1	15	15	1	15	15
Personal Services Matching	5010003	10,539	10,869	11,410	12,088	195,396	195,396	12,249	197,544	197,544
Operating Expenses	5020002	673,295	678,751	678,751	678,751	896,520	896,520	678,751	896,520	896,520
Conference & Travel Expenses	5050009	3,871	8,500	8,500	8,500	24,000	24,000	8,500	24,000	24,000
Professional Fees	5060010	0	0	0	0	25,000	25,000	0	25,000	25,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	250,000	250,000	0	250,000	250,000
Total		718,709	733,862	733,361	736,671	2,026,054	2,026,054	737,690	2,039,663	2,039,663
Funding Sources										
Fund Balance	4000005	2,425,627	2,872,250		3,338,388	3,338,388	3,338,388	3,943,905	2,654,522	2,654,522
Special Revenue	4000030	1,165,332	1,200,000		1,342,188	1,342,188	1,342,188	1,349,736	1,349,736	1,349,736
Total Funding		3,590,959	4,072,250		4,680,576	4,680,576	4,680,576	5,293,641	4,004,258	4,004,258
Excess Appropriation/(Funding)		(2,872,250)	(3,338,388)		(3,943,905)	(2,654,522)	(2,654,522)	(4,555,951)	(1,964,595)	(1,964,595)
Grand Total		718,709	733,862		736,671	2,026,054	2,026,054	737,690	2,039,663	2,039,663

FY09 Budget amount for Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium.

Change Level by Appropriation

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

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	736,671	1	736,671	100.0	737,690	1	737,690	100.0
C01	Existing Program	275,000	0	1,011,671	137.3	275,000	0	1,012,690	137.3
C04	Reallocation	233,269	0	1,244,940	169.0	233,269	0	1,245,959	168.9
C07	Agency Transfer	781,114	14	2,026,054	275.0	793,704	14	2,039,663	276.5

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	736,671	1	736,671	100.0	737,690	1	737,690	100.0
C01	Existing Program	275,000	0	1,011,671	137.3	275,000	0	1,012,690	137.3
C04	Reallocation	233,269	0	1,244,940	169.0	233,269	0	1,245,959	168.9
C07	Agency Transfer	781,114	14	2,026,054	275.0	793,704	14	2,039,663	276.5

Justification

C01	The Agency is requesting Professional Fees to cover the costs of proficiency testing and Capital Outlay to purchase equipment needed to process the additional cases being analyzed by the DNA Section.
C04	(1) Operating Expenses increase in the amount of \$218,269 each year through a Reallocation of Resources to this appropriation from State Operations (Appropriation 498) for rent of facilities. (2) Conference and Travel Expenses increase in the amount of \$15,000 each year through a Reallocation of Resources to this appropriation from State Operations (Appropriation 498) for meals and lodging. (3) Reallocation of Resources in the amount of \$500 from Operating Expenses to Conference and Travel Expenses to properly classify Conference and Seminar Fees expenses.
C07	The Agency is requesting to move 14 current positions from State Operations (Appropriation 498) to this appropriation. These positions work directly in the Combined DNA Index System (CODIS) and should be paid from the special revenue collected from fees of offenders required to pay for testing.