

**DRAFT LAB SURVEY**

**TRAINING**

1. In the past 48 months, for which of the following groups (if any) did the crime laboratory conduct or otherwise participate in regularly scheduled DNA training? Please check all that apply, and include how many times these trainings are conducted per year.

<input type="checkbox"/> None	# Per Year
<input type="checkbox"/> Law Enforcement	_____
<input type="checkbox"/> Prosecutors	_____
<input type="checkbox"/> Court justices	_____
<input type="checkbox"/> Public Defenders, or other defense attorneys	_____
<input type="checkbox"/> Victim Advocates	_____
<input type="checkbox"/> SANE / SART personnel	_____
<input type="checkbox"/> Other (please describe) _____	_____
_____	

2. Has the crime laboratory ever participated in DNA training for other criminal justice professionals? Please check all that apply.

<input type="checkbox"/> None	<input type="checkbox"/> Public Defenders, or other defense attorneys
<input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Victim Advocates
<input type="checkbox"/> Prosecutors	<input type="checkbox"/> SANE / SART personnel
<input type="checkbox"/> Court justices	<input type="checkbox"/> Other (please describe) _____
	_____

3. What type of additional DNA evidence training is needed by law enforcement?

Identification of possible biological evidence

Evidence collection techniques

Evidence submission limitations (understanding probative value)

Evidence submission protocols

Understanding of analysis results

Other (please briefly explain) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. What type of additional DNA evidence training is needed by prosecutors?

Identification of possible biological evidence

Evidence collection techniques

Evidence submission limitations (understanding probative value)

Evidence submission protocols

Understanding of analysis results

Other (please briefly explain) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Who is responsible for the majority of biological evidence collected from crime scenes? (If multiple answers apply, please provide percents)

\_\_\_% Crime scene unit directly associated with the laboratory

\_\_\_% Investigating agency

\_\_\_% Other (please briefly describe) \_\_\_\_\_

6. What improvements are needed in law enforcement's submission of biological evidence for DNA analysis? Note: This question goes to quality and probative value, and not laboratory's ability to process requests. (Please select one response for each crime category)

	IMPROVEMENT NOT NEEDED	TOO MUCH EVIDENCE SUBMITTED	TOO LITTLE EVIDENCE SUBMITTED	EVIDENCE NOT COLLECTED/ SUBMITTED
MURDER				
SEX ASSAULT				
OTHER VIOLENT				
BURGLARY				

<p>1. <b>A N D S D O u r a g e n c y a n d l a w - e n f o r</b></p>								<p>7. <b>D - N O - Y E S ( p l e a s e</b></p>
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						<b>O N 9. T</b>
2. <b>O v e r a l , o u r a g e n c y i s s a t i s f i e d w i t h t h e w a y l a w - e n f o r c</b>	Our agency and <u>prosecutorial staff</u> collaborate effectively on cases involving DNA evidence.	SA	A	N	D	SD

<p>e m e n t h a n d l e s c a s e s i n v o l v i n g D N A e v i d e n c e · S A A N D S D S A</p>						
3.	Overall, our agency is satisfied with the way <u>prosecutorial staff</u> handle cases involving DNA evidence.	SA	A	N	D	SD

4.	There is a formal protocol for working with <u>prosecutors</u> on DNA evidentiary issues.	SA	A	N	D	SD
5.	There is a formal protocol for working with <u>law enforcement</u> on DNA evidentiary issues.	SA	A	N	D	SD

CODIS HITS

10. What is the protocol for reporting offender hits on the DNA database? (For NDIS hits, this question applies only when the forensic sample originated in your state’s jurisdiction.)

- Reported directly to individual detectives
- Reported to a central location at investigating agency
- Varies by jurisdiction
- Other \_\_\_\_\_

11. Are prosecutors ever notified of offender hits? (For NDIS hits, this question applies only when the forensic sample originated in your state’s jurisdiction.)

- NO
- YES (please describe the criteria) \_\_\_\_\_

12. Please report annual CODIS hits for your state (use calendar years), and the number of reference samples submitted to the laboratory for confirmation? Reference samples should be counted for the year in which the original hit occurred, regardless of the year in which it was finally submitted (ie, a reference sample submitted in 2005 for a hit that was originally reported in 2004 should be counted in the 2004 column).

	Forensic hits	Offender hits	Reference samples
2003			
2005/2004			
2006			

13. Does the laboratory ever assist in the collection of the reference samples?

- Assist law enforcement in obtaining a warrant
- Accompany law enforcement for swabbing or blood draw
- Other (please describe) \_\_\_\_\_

14. Other than through submittal of reference samples, does the laboratory receive notification (on a routine basis) at any of the following points:

- Investigation is proceeding
- Automated System
- Manual System

- Warrant for arrest has been issued \_\_\_\_\_
- Charges have been filed \_\_\_\_\_
- Trial date is set \_\_\_\_\_
- Disposition of case \_\_\_\_\_

15. When a reference sample is not submitted for a reported CODIS hit, does the laboratory have a policy of follow-up with the investigating agency?

- NO
- YES (please describe) \_\_\_\_\_

16. When a reference sample is not submitted or if the case is not further investigated, is the laboratory notified of the reasons why?

- NO
- YES Please circle below an estimate of the frequency:

<input type="checkbox"/> 1% to 10% of the time	<input type="checkbox"/> 26% to 50% of the time	<input type="checkbox"/> 76% to 100% of the time
<input type="checkbox"/> 11% to 25% of the time	<input type="checkbox"/> 51% to 75% of the time	

If the laboratory is notified, please check the most common reasons reported?

- Offender determined to not be a possible suspect
- Offender cannot be found
- Victim does not want to press charges
- Crime is no longer prosecutable (statute of limitations lapsed)
- Other (please describe) \_\_\_\_\_

17. For violent, no-suspect forensic cases, please indicate if the requesting agency is notified at any of the following points.

- Notified if DNA is found in submitted evidence
- Notified when DNA analysis is complete
- Notified when DNA profile is uploaded

18. What is notification policy if no analysis or upload occurs?

- No policy for laboratory responsibility for notification
- Laboratory notifies the investigating agency
- Laboratory notifies the victim advocacy office
- Laboratory notifies the victim directly
- Laboratory not responsible for victim notification, but provides a process for victims to request notification

## **OPERATIONS**

### General Backlogs

19. Please provide the definition used by your laboratory for the following DNA backlogs:

Casework backlog \_\_\_\_\_

Offender backlog \_\_\_\_\_

20. Using the definition described above, what is the size of this backlog as of (**certain date**)?

Casework (if possible, please provide the following breakdowns)

	SUSPECT	NO SUSPECT
TOTAL		
Sex crimesMurder		
Other violent		
Property crimes		
Other		

Offender Samples

TOTAL	
Not Analyzed	
Analyzed but not reviewed	
Reviewed but not uploaded	

Offender Samples

21. What are the largest obstacles to outsourcing offender samples? Please check all that apply.

- Quality of private laboratory work is substandard
- Timeliness of analysis results
- Front-end sample preparation
- Back-end sample review
- Cost-prohibitive
- No perceived obstacles

22. Of the offender samples received by your lab for inclusion in SDIS, as provided in state law, how many have been in the possession of the laboratory for 30 days or more for which the following steps have not been completed (please include samples in-process).

<b>TOTAL</b>	
Not Screened	
Screened but not analyzed	
If screening and analysis cannot be separated, how many have not completed	

the process	
<b>IF OUTSOURCED:</b>	
Analyzed but no technical review	
<b>Technical review but not uploaded</b>	

**IF ANALYZED IN HOUSE:**

Analyze d but not uploade d to SDIS								
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23. Does your laboratory anticipate having capacity to process all statutorily required offender samples by 2009, without federal assistance? (Assume no change to current state statues.)

- YES. Laboratory's will be able to upload all offender samples **within 30 days**
- YES. Laboratory will be able to upload all offender samples **within 60 days**
- YES. Laboratory will be able to upload all offender samples **within 90 days**
- NO. Laboratory will not have capacity for offender samples without building a backlog of more than 90 days

24. How many additional offender samples (annually) would be anticipated if your statute changes to require DNA from the following groups. Where applicable, please assume law to be applicable to all sentences, but not retroactive. Acceptable to use raw numbers without adjustments for samples previously collected.

All felony convictions? \_\_\_\_\_

All misdemeanor convictions? \_\_\_\_\_

All felony arrests? \_\_\_\_\_

All fingerprintable arrests? \_\_\_\_\_

2004							
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25. Please provide the following numbers regarding your convicted offender program.

	# OF OFFENDER SAMPLES ANALYZED BY PRIVATE LAB	% OF FEDERAL SHARE FOR PRIVATE LAB ANALYSIS	# OF OFFENDER SAMPLES ANALYZED BY STATE LAB	% OF FEDERAL SHARE FOR STATE LAB ANALYSIS
2005				
2003				

("Offender samples" includes any arrestee samples as specified in state statute.)

Casework

26. Please provide numbers of the following types of cases submitted to the crime laboratory, how many were queued for DNA screening and/or analysis?

	NO SUSPECT MURDER		KNOWN SUSPECT MURDER		NO SUSPECT SEX ASSAULT		KNOWN SUSPECT SEX ASSAULT	
	TOTAL CASES SUBMITTED	CASES FOR DNA SCREENING	TOTAL CASES SUBMITTED	CASES FOR DNA SCREENING	TOTAL CASES SUBMITTED	CASES FOR DNA SCREENING	TOTAL CASES SUBMITTED	CASES FOR DNA SCREENING
2003								
2004								
2005								

27. Of the cases received by your laboratory for possible forensic DNA analysis, how many have been in the possession of the laboratory for 30 days or more for which the following steps have not been completed (please include ALL cases in-process).

	<b>Murder</b>	<b>Sex Assaults</b>	<b>Other Violent Crimes</b>	<b>Property Crimes</b>	<b>Other Non-violent crimes</b>
<b>TOTAL</b>					
Not Screened					
Screened but not analyzed					
If screening and analysis cannot be separated, how many have not completed the process					
<b>IF OUTSOURCED:</b>					
Analyzed but no technical review					
Technical review but not uploaded to SDIS					
<b>IF ANALYZED IN HOUSE:</b>					
Analyzed but not uploaded to SDIS					

28. Over the last **5 years**, what has been the approximate increase (or decrease) in criminal cases submitted to your laboratory? Please circle the most approximate percentage.

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1% to 10% increase (decrease)  | 51% to 75% increase (decrease)  |
| 11% to 25% increase (decrease) | 76% to 100% increase (decrease) |
| 26% to 50% increase (decrease) | 101% or more increase           |

Over the last **twelve months**, what has been the approximate increase (or decrease) in criminal cases submitted to your laboratory?

1% to 10% increase (decrease)

51% to 75% increase (decrease)

11% to 25% increase (decrease)

76% to 100% increase (decrease)

26% to 50% increase (decrease)

101% or more increase

29. Does your laboratory anticipate having capacity to process all reasonable requests for **violent crime** cases by 2009, without federal assistance? (For both named suspect and no-suspect cases.)

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 30 days of receipt**

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 60 days of receipt**

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 90 days of receipt**

NO. Laboratory will not have capacity for all violent crime cases submitted without building a backlog of more than 90 days

30. Does your laboratory anticipate having capacity to process all reasonable requests for **non-violent crime** cases by 2009, without federal assistance? (For both named suspect and no-suspect cases.)

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 30 days of receipt**

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 60 days of receipt**

YES. Laboratory will have analysis completed, and when appropriate data uploaded, **within 90 days of receipt**

NO. Laboratory will not have capacity for all non-violent crime cases submitted without building a backlog of more than 90 days

31. Have laboratory policies for the types of evidence accepted for DNA analysis changed in the last five years?

NO

YES Please describe. \_\_\_\_\_

32. Does laboratory accept all types of property crime cases for DNA analysis on a routine basis?

NO

YES

If you answered "no", what are the criteria that must be met prior to acceptance? \_\_\_\_\_



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33. Does laboratory collaborate with law enforcement agencies or prosecutors prior to screening and/or DNA analysis to determine probative value?

YES (please select most accurate description, or supply your own)

Probative value discussed with submitting agency and agreement as to which pieces will be tested

Probative value is reported by agency and laboratory makes determination on what will be tested

Other \_\_\_\_\_

NO – Lab analyzes all submitted samples until a profile is generated

34. In addition to a probative value review, does the laboratory otherwise limit the amount of samples submitted per case? Please describe any limitations.

Lab does not limit evidence

Lab does limit evidence (please check all that apply)

Number of samples submitted per case (describe \_\_\_\_\_)

Number of samples submitted per month (describe \_\_\_\_\_)

Number of samples submitted per agency (describe \_\_\_\_\_)

Number of samples submitted per detective (describe \_\_\_\_\_)

Number of samples submitted per type of case (describe \_\_\_\_\_)

35. What is the percentage of casework completed by private laboratories for the years specified below?

2003

2004

2005

\_\_\_ Violent, no-suspect cases  
\_\_\_ Non-violent no-suspect cases  
\_\_\_ Violent, known-suspect cases  
\_\_\_ Non-violent, known-suspect cases

\_\_\_ Violent, no-suspect cases  
\_\_\_ Non-violent no-suspect cases  
\_\_\_ Violent, known-suspect cases  
\_\_\_ Non-violent, known-suspect cases

\_\_\_ Violent, no-suspect cases  
\_\_\_ Non-violent no-suspect cases  
\_\_\_ Violent, known-suspect cases  
\_\_\_ Non-violent, known-suspect cases

36. What are the largest obstacles to outsourcing casework? Please check all that apply.

- Quality of private laboratory work is substandard
- Communication regarding analysis of probative evidence
- Timeliness of analysis results
- Front-end sample preparation
- Back-end sample review
- Cost-prohibitive

37. For all cases requiring DNA analysis or screening, what is the percentage submitted by law enforcement vs. prosecutors?

\_\_\_\_\_ % submitted by law enforcement                      \_\_\_\_\_ % submitted by prosecutors

38. Please provide details as to how your laboratory's capacity has increased since 2003 through 2005.

- \_\_\_\_\_ % increase in screened samples OR provide raw figures for 2003 \_\_\_\_\_ and 2005 \_\_\_\_\_
- \_\_\_\_\_ % increase in analyzed samples OR provide raw figures for 2003 \_\_\_\_\_ and 2005 \_\_\_\_\_
- \_\_\_\_\_ % increase in outsourced samples with technical review OR provide raw figures for 2003 \_\_\_\_\_ and 2005 \_\_\_\_\_

**If you have multiple laboratories, please use an average. If there is an aberration or gross difference at one (or more) of these laboratories, please omit that laboratory from the average, and explain below:**

39. If lab outsources forensic cases for analysis (either to private lab or FBI), what is criteria for selecting cases? (select all that apply)

- Mitochondrial DNA cases
- Criminal paternity DNA cases
- Any violent, no-suspect case, as in-house capacity warrants
- Any non-violent no-suspect case, as in-house capacity warrants
- Cases with high public profile (significant media attention)
- All cases with expedited court dates
- Some non-violent, no suspect cases
- Other

40. For forensic case samples outsourced to a private lab, please provide percentage of federal / state / local share.

	Federal Funded %	State Funded %	Local Funded %
2003			
2004			
2005			

41. If your state has outsourced forensic casework using both federal and state and/or local funds, is there a difference in criteria used for selecting outsourced cases?

No. Cases are selected using similar criteria

Yes. Please explain \_\_\_\_\_

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42. Please describe how chain of custody is preserved once a forensic case is received by your lab.

### DO WE NEED THIS QUESTION?

#### Post Conviction

43. How many post conviction DNA testing cases has your lab received for the following years?

2003 \_\_\_\_\_

2004 \_\_\_\_\_

2005 \_\_\_\_\_

44. In terms of queues for DNA screening and analysis, how are post conviction cases prioritized? (If your lab has not received a post conviction case, please provide your best educated guess.)

Work begins immediately – ahead of other cases.

Case is put in line behind other cases prioritized for court dates.

Case is put in line behind other suspect cases

Case is put in line behind all other cases

Other (please describe) \_\_\_\_\_

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### FUNDING / RESOURCE ISSUES

45. Does your state government have a dedicated funding source (such as a fee) for the DNA program? What is the mechanism? Approximately how much was collected in the most recent fiscal year? What proportion of your DNA caseload does this fee help to fund?

Funding Mechanism  YES  No

Mechanism Description	
Amount \$ Collected	
% of Offender Samples Funded	
% of Casework Samples	

Funded	
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46. How many samples have been analyzed by federal grants? Murder / SA / other violent?  
 (What is date limitation here? Just PDI \$\$\$?)  
 DO WE NEED TO ASK THIS QUESTION?

Cases screened for DNA evidence \_\_\_\_  
 Samples analyzed \_\_\_\_  
 Samples uploaded \_\_\_\_

47. Over the past three years, approximately what percentage of your DNA budget has come from local funding? State funding? Federal funding?

	0%-10%	11%-25%	25%-50%	50%-75%	75%-100%
Local					
State					
Federal					

For categories reported above (local, state, federal monies), please provide information regarding how the funds are spent.

	% on Casework Outsourcing	% on Offender Samples	% on Personnel	% on Capital Improvements	% on Supplies
Local					
State					
Federal					

48. What are the greatest needs for your laboratory's DNA section? Please check all that apply, and rate your top 3 (with 1 being the greatest need).

- \_\_\_ Personnel for analysis
- \_\_\_ Personnel for technical review
- \_\_\_ Personnel for data upload / entry
- \_\_\_ Reagents
- \_\_\_ Robotics
- \_\_\_ Equipment
- \_\_\_ Construction / Lease
- \_\_\_ Storage
- \_\_\_ LIMS or other automated systems
- \_\_\_ Software
- \_\_\_ Other

49. What are drawbacks to federal money?  
 \_\_\_ Reporting requirements

- Limitations on use of funds
- Delays in accessing funds
- Grant application process

50. If your laboratory has received federal funding ***other than from the NIJ DNA grant programs*** to support your DNA section, please provide the name (including the year), amount received and objective of each grant.

NAME	AMOUNT	OBJECTIVE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

51. Once federal funds have been awarded to your agency, are there additional state and/or local processes for appropriating the money which slows your access to the funds? (Assuming all federal conditions to begin draw-down of funds have been met.)

- NO. Money becomes directly available to the agency.
- YES. Additional processes must be completed (check all which apply)
  - Money must be reappropriated in the annual state budget
  - Money must be reappropriated in the annual local budget
  - Money must be reappropriated in a special amendment to the state/local budget
  - Other (please explain)

52. What have been the biggest challenges in working with federal grants?

- Timeliness of awards
- Flexibility to change purpose
- Grant audit and reporting requirements
- Inability to use grants for non-violent cases
- Communications with federal agency offices
- Other