



BSO Crime Lab Review

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Office of the County Auditor
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Executive Summary

This report presents the results of our review of the Broward Sheriff's Office (BSO) Crime Laboratory (Lab). Our objective was to provide information to the Board of County Commissioners relative to the funding of the Crime Lab.

Our review disclosed:

- BSO's Crime Lab is part of the Statewide Criminal Analysis Laboratory System;
- Many other laboratories in the Statewide System are fully funded by the State, resulting in no cost to local communities. However, \$6.6 million (87.5%) of BSO's Crime Lab's operating cost is funded by Broward County.
- Nearly all cases processed by the BSO Crime Lab are for law enforcement agencies in Broward County municipalities, and
- BSO considers the Crime Lab a regional service and therefore does not charge law enforcement agencies for its services.

We recommend the Board of County Commissioners direct the County Administrator to:

1. Submit a request to the Florida Legislature for additional funding for the Crime Lab to address the apparent funding disparity between State and locally operated labs, and
2. Coordinate with the BSO and Broward County municipalities to establish a task force to define regional and non-regional law enforcement services and identify appropriate funding mechanisms (e.g. user fees, taxes, etc).

Purpose and Scope

Our objective is to provide information to the Board of County Commissioners relative to the funding of the Crime Lab. Our review covered the fiscal year ended September 30, 2008 and six months ended March 31, 2009.

Methodology

To accomplish our objectives, we:

- Interviewed via telephone:
 - Broward County Crime Lab Manager
 - Florida Department of Law Enforcement Crime Lab Staff
 - Miami-Dade Crime Lab Staff, and
 - Palm Beach County Crime Lab Staff
- Reviewed:
 - BSO Crime Lab budgets for 2008 and 2009,

- State Crime Lab budget for FY 2009,
 - Funding for State operated crime labs for FY 2008, and
 - Reimbursements to BSO for operation of the crime lab in FY 2008
- Toured the Broward County crime lab

Background

Section 943.32, *Florida Statutes* established a statewide criminal analysis laboratory system composed of seven state operated laboratories and five locally funded labs (locally operated labs). The State operated labs are geographically dispersed principally in the northern half of the state. They provide services to the law enforcement agencies in the surrounding communities at no cost to local governments as they are funded 100% by the State of Florida and Federal grants. Similarly, the locally operated crime labs provide services to law enforcement agencies. However, these labs are primarily funded by the County government in which the lab is located. Broward County's crime lab is a locally operated crime lab.

State Operated Crime Labs

Florida Department of Law Enforcement (FDLE) operates seven State Crime Laboratories which "provide timely, expert and professional examination of crime scene evidence to aid in investigation and prosecution of criminal offenses."¹ Its stated mission is to "provide the highest standards of quality laboratory analysis of evidence."²

According to FDLE, these labs utilize proven scientific equipment and generally accepted scientific techniques to provide the following services:

- Chemistry,
- Computer Evidence Recovery,
- Crime Scene Processing,
- DNA Database, Documents,
- Firearms,
- Latent Prints/Automated Fingerprint Identification System (AFIS),
- Microanalysis, Serology³/DNA, and
- Toxicology

State operated crime lab services are available to all local, state and federal law enforcement agencies in Florida for the purpose of rendering assistance in criminal investigations and judicial proceedings. The Legislature appropriated \$45.6 million

¹ FDLE Crime Laboratory Services Website

² State operated crime labs adherence to standards set by the American Society of Crime Laboratory Directors/ Laboratory Accreditation Board (ASCLD / LAB) are used to monitor the overall quality assurance of laboratory services provided to the Criminal Justice System. ASCLD/ LAB accreditation reflects adherence to nationally recognized management and scientific procedures for the operation of a Forensic Science Crime Laboratory.

³ Serology – diagnostic identification of antibodies in the serum

for the operation of the crime labs for fiscal year 2009. Table I below shows the sources and uses of the crime lab appropriation for 2009.

Table I – Fiscal Year 2009 Budget Appropriation for the Statewide Criminal Analysis Laboratory System

Category	Amount
State General Revenue	\$ 35,185,417
Fed Grants Trust Fund	6,784,796
State Trust Funds	<u>3,629,019</u>
Total State Funding	45,599,232
Less: Amount Pass –thru to Locally operated labs **	<u>(4,191,176)</u>
Total Funding for State operated labs	\$ 41,408,056

Source: Florida Department of Law Enforcement

** These monies are designated as pass-through grants to local crime labs (Broward, Dade, Palm Beach, Indian River and Pinellas)

Pass-through grants budgeted for the locally operated labs include \$2,379,702 from the State Trust Fund which provides funding for their operations. The actual amount available for expenditure is dependent on cash available in the Trust Fund during the fiscal year. Also included is \$1,811,474 from the Federal Grant Trust Fund which is used to purchase equipment and specific tests for the locally operated labs.

Appendix B on page 9 shows the locations of both the State and locally operated labs and Table 2 on page 4 lists the crime lab locations and the counties served by each location.

**Table 2
State Operated Labs and Counties Receiving Services**

Name	Counties Served
Pensacola	Okaloosa, Washington, Escambia, Jackson, Santa Rosa, Walton, Calhoun, Holmes, Bay and Gulf
Tallahassee	Leon, Jefferson, Madison, Hamilton, Liberty, Columbia, Suwannee, Franklin, Wakulla, Taylor, Gadsden, Lafayette, and Dixie
Jacksonville	Baker, Nassau, Union, Duval, Alachua, Clay, Gilchrist, St. Johns, Levy, Flagler, Bradford, Marion, and Putnam
Tampa Bay	Citrus, Hernando, Pasco, Hillsborough, Polk, Sumter and Hardee
Orlando	Seminole, Lake, Orange, St. Lucie, Brevard, Martin, and Osceola
Daytona Beach	Volusia
Ft. Myers	Manatee, Desoto, Highlands, Okeechobee, Charlotte, Glades, Lee, Hendry, Collier, Sarasota and Monroe
Source: FDLE Crime Laboratory website	

Locally Operated Crime Labs

There are five locally operated labs designated by Section 943.35, *Florida Statutes*, to be eligible for state matching funds not to exceed 75% of the actual annual operating cost of the labs. These entities include:

- Broward County Crime Laboratory
- Indian River Crime Laboratory
- Miami-Dade Police Department Crime Laboratory
- Palm Beach County Laboratory, and
- Pinellas County Forensic Laboratory

Annually, by October 15 each locally operated lab must submit their budget to FDLE for review. Under Florida Law the State may fund up to 75% of each budget subject to the availability of monies deposited in the State Operating Trust Fund of the Department of Law Enforcement (Trust Fund). Although the local labs receive State funding, they operate independently and are not subject to State standards or operating procedures.

Quarterly disbursements from the Trust Fund are sent to each of the locally operated crime labs representing the respective share of the monies deposited in the Trust Fund for the previous quarter.

Monies deposited in the Trust Fund are principally court costs assessed upon conviction of driving or boating under the influence (\$50) or selling, manufacturing, delivery, or possession of a controlled substance (\$100).

Table 3 below shows the breakdown of FDLE state grants distributed to the five locally operated crime labs as mandated by Section 943.35, *Florida Statutes*, for the fiscal years 2006, 2007 and 2008.

**Table 3
Reimbursements to Locally Operated Laboratories
For Fiscal Years 2006 – 2008**

	2006	2007	2008	Total
Amount Distributed by FDLE for Crime Labs	\$ 2,148,841	\$ 2,347,694	\$ 2,224,270	\$ 6,720,805
State Reimbursements to Locally Operated Crime Labs:				
Broward	\$ 428,462	\$ 637,928	\$ 936,315	\$ 2,002,705
Indian River	\$ 158,087	\$ 212,532	\$ 149,764	\$ 520,383
Miami-Dade	\$ 965,561	\$ 940,202	\$ 698,658	\$ 2,604,421
Palm Beach	\$ 469,302	\$ 411,171	\$ 273,004	\$ 1,153,477
Pinellas	\$ 127,429	\$ 145,861	\$ 166,529	\$ 439,819
Total	\$ 2,148,841	\$ 2,347,694	\$ 2,224,270	\$ 6,720,805

Source: FDLE Distribution Reports for Crime Lab Reimbursements

BSO Crime Lab

BSO Crime Lab's mission is to provide laboratory services to all law enforcement officials operating in Broward County and other law enforcement agencies in the State of Florida. It is accredited through the American Society of Crime Laboratory Directors.

The Crime Lab provides a full range of analysis for:

- DNA,
- Firearms,
- Tool Marks (example: marks made on a door, window etc. as a result of forced entry),
- Latent prints (prints taken at crime scene),
- Trace analysis,
- Controlled substances, and the
- Automated Fingerprint Identification System (AFIS)

All services provided to law enforcement agencies are free of charge. Appendix A on page 8 lists the agency, total number of cases handled by the crime lab and

percentage of cases for each agency served. Appendix C on page 10 compares services provided by State operated crime labs to those provided by the Broward County Crime Lab.

In addition to the annual operating cost of the lab, the County's fiscal year 2010 capital budget includes \$4.1 million to relocate a portion of the Crime Lab to the County's Midrise office building and to refurbish the existing Crime Lab located on the first floor of the Courthouse.

Observations

Observation 1

Many other laboratories in the Statewide System are operated and fully funded by the State, resulting in no cost to local communities. However, \$6.6 million (87.5%) of BSO's Crime Lab's operating cost is funded by Broward County.

Florida Law allows the State to reimburse the County up to 75% of actual operating costs for being part of the Statewide Criminal Analysis Laboratory System. For fiscal year 2008, County funding totaled \$6.6 million representing approximately 87.5% of the Crime Lab's operating costs. The balance of operating costs, approximating \$900,000 was funded by a State grant in accordance with Section 943.35, *Florida Statutes*.

Table 4 below shows the Crime Lab's actual and budget Net Operating Costs of the for Fiscal Years 2008 and 2009.

Table 4
Crime Lab's Net Operating Cost
For Fiscal Year 2008 (Actual) and 2009 (Budget)

	FY 2008 (Actual)	FY 2009 (Budget)
Crime Lab Operating Cost	\$ 7,505,009	\$ 7,818,140
State Grant Reimbursement	<u>(936,315)</u>	<u>(718,624)⁴</u>
Net Operating Cost	\$ 6,568,694	\$ 7,099,516
County Funded Percentage	87.5.%	90.8%
Number of lab case submitted	34,097	31,674

Source: BSO Budget Office and BSO Budget Books for FY 2008 and 2009.

We noted the seven State operated crime labs received 100% State funding. As a result, Broward County is paying a disproportionate share for crime lab services as compared to other Counties served by State operated crime labs.

⁴ County Auditor's Office annualized based on grant reimbursement received of \$359,312 from October 1, 2008 – March 31, 2009.

Observation 2

The majority of Crime Lab cases are for services to law enforcement agencies in Broward County municipalities.

During fiscal year 2008, Broward County Crime Lab processed 34,097 cases. While we were unable to determine the exact number of cases related to unincorporated Broward County, approximately 98% of all Crime Lab cases are for law enforcement agencies in Broward County municipalities. BSO considers the Crime Lab a regional service which is provided to all Broward County municipalities at no additional cost. Appendix A on page 8 lists all the agencies that utilize the crime lab services.

We noted the Indian River County Crime Lab has coordinated the funding, administration and management of their lab with the thirteen law enforcement agencies benefiting from use of the lab. Costs of the lab in excess of the state funding received are recovered from contributions from these agencies based on the population of the agency's jurisdiction and the number of lab service requests.

Recommendations

We recommend the Board of County Commissioners direct the County Administrator to:

1. Submit a request to the Florida Legislature for additional funding for local Crime Labs to address the apparent funding disparity between State and locally operated labs, and
2. Coordinate with the BSO and Broward County municipalities to establish a task force to define regional and non-regional law enforcement services and identify appropriate funding mechanisms (e.g. user fees, taxes, etc).

Appendix A

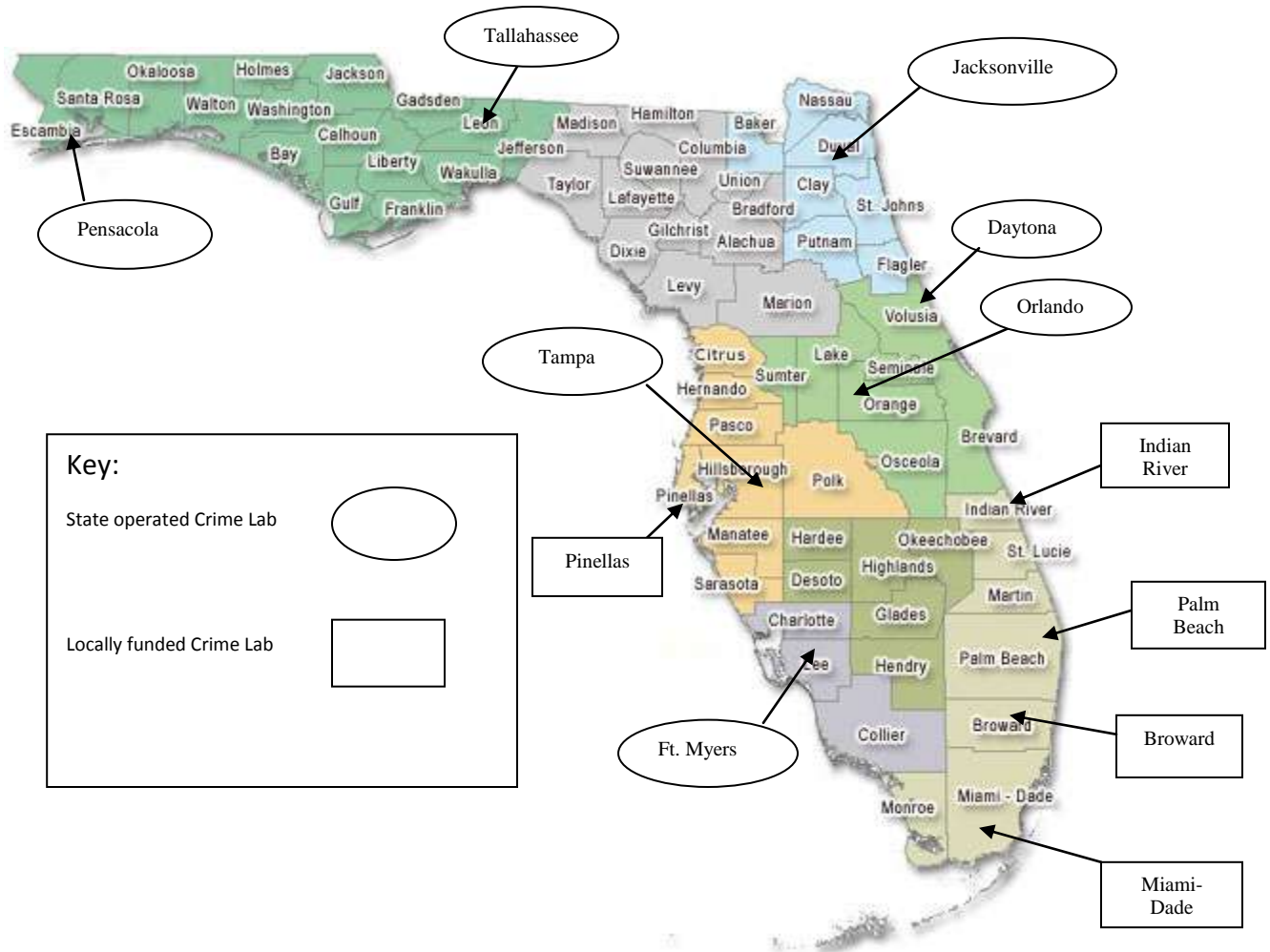
Crime Lab Cases by Agency for Fiscal Year 2008		
Agency Name	# Of Cases	% of Total Cases
BSO District 11 (Pompano Beach)	4,060	11.91%
Fort Lauderdale Police Department	3,625	10.63%
BSO District 10 (Deerfield)	2,548	7.47%
BSO District 12 (Oakland Park)	2,142	6.28%
Broward County Sheriff's Office	1,868	5.48%
Hollywood Police Department	1,723	5.05%
BSO District 02 (Dania Beach)	1,571	4.61%
BSO District 04 (Lauderdale Lakes)	1,311	3.84%
Pembroke Pines Police Department	1,152	3.38%
BSO District 05 (Central Broward)	1,146	3.36%
BSO District 07 (Tamarac)	1,101	3.23%
BSO District 15 - (N. Laud.)	1,095	3.21%
Miramar Police Department	1,052	3.09%
BSO District 01 (South Broward)	1,052	3.09%
Davie Police Department	1,033	3.03%
Lauderhill Police Department	888	2.60%
Sunrise Police Department	842	2.47%
Margate Police Department	837	2.45%
BSO District 8 - West Broward	778	2.28%
Coral Springs Police Department	760	2.23%
Hallandale Beach Police Department	554	1.62%
BSO District 16 (Cooper City)	508	1.49%
Coconut Creek Public Safety Dept.	448	1.31%
Seminole Tribe Police Department	408	1.20%
Plantation Police Department	358	1.05%
BSO District 17 - (Parkland)	245	0.72%
Wilton Manors Police Department	206	0.60%
BSO District 03 (Int'l. Airport)	155	0.45%
BSO District 13 (Laud.-by-the-Sea)	141	0.41%
BSO Dist. 9 - Southwest Ranches	116	0.34%
Lighthouse Point Police Dept.	114	0.33%
Florida Highway Patrol (Ft. Laud)	83	0.24%
Florida Game and Fish Commission	47	0.14%
BSO District 14 (Port Everglades)	30	0.09%
Ft. Laud. Fire Prevention Bureau	17	0.05%
BSO District 6 - (Court Services)	13	0.04%
Florida Dept. of Transportation	11	0.03%
Bur. of Alcohol, Tobacco & Firearms	10	0.03%
Other	49	0.14%
Total of All Case Types :	34,097	100%

Source: BSO Crime Lab

Date: 10-01-2007 to 9-30-2008

Appendix B

Locations of State Operated and Locally Funded and Operated Crime Labs



Appendix C – Services Provided by State Operated Crime Labs and BSO Lab

Section & Services	State Operated Laboratories							BSO Lab
	Daytona Beach	Ft. Myers	Jacksonville	Orlando	Pensacola	Tallahassee	Tampa	BROWARD
Chemistry								
Controlled Substance Identification	X	X	X	X	X	X	X	X
Computer Evidence Recovery								
Computer Systems Examinations						X	X	1
Password Retrieval						X	X	
Flex Disk Recovery						X	X	
Crime Scene								
Crime Scene Processing	X	X	X	X	X	X	X	X
Detect & Recover Buried Bodies	X	X	X	X	X	X	X	X
Documents								
Alterations/ Obliterations					X			X
Handwriting					X			X
Indentations					X			X
Ink Comparisons					X			
Machine Impressions					X			X
Firearms								
Firearms Examinations			X	X	X	X	X	X
Toolmark Identifications			X	X	X	X		X
Serial Number Restoration			X	X	X	X	X	X
Gunshot Residue Identification	X							
Latent Prints/AFIS								
Latent Print Id. & Comparison	X	X	X	X	X	X	X	X
Fingerprint Id. of Unk. Deceased	X	X	X	X	X	X	X	X
Footwear & Tire Impressions		X	X	X	X	X	X	X
Automated Fingerprint Id. Sys.	X	X	X	X	X	X	X	X
Microanalysis								
Paint				X				X
Fibers							X	X
Glass				X				X
Fracture Match		X		X			X	X
Bulb Filaments				X				X
Fabric Weave Impressions							X	X
Plastics				X				X
Arson								X
Serology/DNA								
Identification of Body Fluid Stains			X	X	X	X	X	X
DNA			X	X	X	X	X	X
Convicted Offender Database						X		
Toxicology								2
Blood Alcohol Analysis				X		X		2
Urine Drug Analysis				X		X		2
Blood Drug Analysis				X		X		2
Beverage Alcohol Analysis				X		X		2
Forensic Artist								X

1 - Toxicology is done by the Medical Examiner's Office.

2 - Computer Forensics is done by Strategic Investigation Department within BSO