The Forensic Sciences: Ideally, How Might They Be Delivered?

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Lucas – ASCLD 2014
2009 NAS Report
“The structure and operation of forensic science laboratories.”
“The forensic science community also is hindered by its extreme disaggregation. Furthermore, the fragmented nature of the forensic science community raises the worrisome prospect (about) the quality of evidence presented in court.”
2009 NAS Report

“There are great disparities among existing forensic science operations ------- any approach to overhauling the existing system needs to address and help minimize the community’s current fragmentation and inconsistent practices.” (pp. 5/6)
2009 NAS Report

“What also is needed is an upgrading of systems and organizational structures.” (p. 15)
NAS Recommendations

Enhanced Federal oversight through a National Institute of Forensic Science (NIFS).

and

Remove all public forensic labs from the administrative control of law enforcement agencies and prosecutor’s office.

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Objective

Conceptualize a model delivery system capable of delivering high quality services in all required forensic science disciplines to all appropriate clients in a specific jurisdiction at a realistic cost.
External Issues

Demographics - e.g., rural vs urban, older vs younger, “haves” vs “have nots”
External Issues

Demographics - e.g., rural vs urban, older vs younger, “haves” vs “have nots”

Economics - e.g., competition for funding, types of cases
External Issues

Demographics - e.g., rural vs urban, older vs younger, “haves” vs “have nots”

Economics - e.g., competition for funding, types of cases

Politics - e.g., changing priorities, political action groups, court decisions
Internal Issues

Who should deliver? Government vs private
Fundamental Issue: should forensic science be recognized as an essential component of the administration of justice and thus a core government responsibility funded and delivered by government?

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Internal Issues

Who should deliver? Government vs private Federal, state, local
Internal Issues

Who should deliver? Government vs private
Federal, state, local
Law Enforcement vs “other”
ASCLD/LAB Accredited Labs - 2012

State/Local/Regional Law Enforcement Agencies 66%
State Departments of Justice/Public Safety 10%
Federal Agencies 6%
Private (Various) 6%
Coroner/Medical Examiner Offices 3%
State/City Forensic Science Departments 3%
District Attorney Offices 2%
Other State Departments (Health, Fire Marshal) 2%
Universities 1%
Because of the apparent wide acceptance of the NAS recommendation, a law enforcement agency may no longer be the “ideal” location for laboratory service.
## ASCLD/LAB Accredited Labs - 2012

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>State/Local Law Enforcement Agencies</td>
<td>62 %</td>
</tr>
<tr>
<td>State Departments of Justice/Public Safety</td>
<td>10 %</td>
</tr>
<tr>
<td>Federal Agencies</td>
<td>6 %</td>
</tr>
<tr>
<td>Private (Various)</td>
<td>6 %</td>
</tr>
<tr>
<td>Regional Agencies (Various)</td>
<td>4 %</td>
</tr>
<tr>
<td>Coroner/Medical Examiner Offices</td>
<td>3 %</td>
</tr>
<tr>
<td>State/City Forensic Science Departments</td>
<td>3 %</td>
</tr>
<tr>
<td>District Attorney Offices</td>
<td>2 %</td>
</tr>
<tr>
<td>Other State Departments (Health, Fire Marshal)</td>
<td>2 %</td>
</tr>
<tr>
<td>Universities</td>
<td>1 %</td>
</tr>
</tbody>
</table>
Internal Issues

How funded?  Direct allocation
Internal Issues

How funded? Direct allocation
          Cost recovery
Internal Issues

How funded?  Direct allocation
Cost recovery
Fee-for-service vs Contract
Internal Issues

How staffed?           Civilian, sworn, blend
Internal Issues

How staffed?  Civilian, sworn, blend
Civil service vs contract
Internal Issues

How staffed?  Civilian, sworn, blend
Civil service vs contract
Specialist vs generalist
Internal Issues

What services? Core services – CS, Biology, Trace, FA/TM, Latent Prints, Tox, QD, Digital/Multi-media
Internal Issues

What services? Core services – CS, Biology, Trace, FA/TM, Latent Prints, Tox, QD, Digital/Multi-media.
Crime scene – if practical
Internal Issues

What services? Core services – CS, Biology, Trace, FA/TM, Latent Prints, Tox, QD, Digital/Multi-media. Crime scene – if practical Pathology (?)
Internal Issues

What clients? Law enforcement officers, coroners/medical examiners, fire marshals, wildlife enforcement, prosecutors.
Internal Issues

What clients? Law enforcement officers, coroners/medical examiners, fire marshals, wildlife enforcement, prosecutors. Defense attorneys (?)
In the two-sided adversary system of the criminal law, would it be fair for an objective, independent government-funded scientific organization to provide its services to only one side?
Internal Issues

Large Central Lab vs Multiple Small Labs
Final Comment

For the “ideal” forensic science delivery system, “efficiency” should be defined not as “the most (of something) with the least” but rather as “the required level of the highest quality service at a realistic cost.”
Good quality is expensive; the only thing more expensive is poor quality. You can pay now, or you will pay later!
Thank you!