



STATE OF INDIANA

Michael R. Pence
Governor

Indiana State Department of Toxicology

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Director

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Brian Bailey, Director
State Budget Agency
Room 212, State House
200 West Washington Street
Indianapolis, Indiana 46204

Reference: Agency Overview Transmittal Letter for FY 2016 and FY 2017

Dear Mr. Bailey:

In 2011, the State Department of Toxicology was established as a state agency by legislative action (see IC 10-20-2-1). Prior to 2011, the Department of Toxicology was under the control of the Department of Pharmacology and Toxicology of Indiana University. Indiana University's oversight of the Department of Toxicology ended in January 2012.

As the relatively new Department continues to establish its credibility with its stakeholders--the criminal justice community and the citizens of Indiana--more law enforcement agencies and coroners are utilizing our services. Therefore, appropriate funding is critical in order for the Department to achieve its mission. Our mission and our goals for the Department are as follows:

Mission

To promote the administration of justice by providing laboratory services, research, and education in forensic toxicology for the State of Indiana.

Goals

Provide accurate and timely toxicological analytical services in an ethical and forensically sound manner and an accurate and reliable breath-testing program for the State of Indiana.

There are currently three major areas of concentration, or programs, within the agency: analytical services, breath-testing, and administration.

Analytical Services

The Department of Toxicology analyzes blood samples for the presence of ethanol and/or selected drugs of abuse. When drug analysis is requested, the laboratory performs screening of the blood samples for twelve drug categories and selected metabolites. The laboratory also

performs the subsequent confirmation testing for those drugs with presumptive positive screening results.

Department personnel provide court testimony at two levels: description and explanation of the analytical processes conducted by the laboratory, and information about the effects of the identified substances on the body. Both levels of testimony play a critical role in the consideration of toxicological evidence by the courts.

Breath Test Program

The Breath Test Program is responsible for the inspection, maintenance, and certification of all evidentiary breath-testing instruments used throughout the state. These instruments must be inspected and certified at least once every 180 days as required by administrative rule 260 IAC 2-3-2.

This program is also responsible for the training, certification, and recertification of law enforcement personnel as breath test operators. Through coordination with the Indiana Law Enforcement Academy, the Department conducts breath test operator certification training courses. The Department also provides an on-line recertification program.

Department personnel provide court testimony detailing the calibration and maintenance of the breath instruments, as well as testimony regarding the underlying scientific principles of testing breath for blood alcohol content and the pharmacology and toxicology of ethanol.

Administration

The administration program oversees the general operation of the Department, including both the analytical services and the breath test program. It is within this area that the administrative rules for the breath test program were adopted. This area will also be responsible for adopting rules to establish standards and specifications for certified ignition interlock devices. This additional responsibility was given to the Department during the 2014 legislative session.

Accomplishments and Challenges over Last Two Years

Major accomplishments of the Department during the last two years include the purchase of an additional head-space gas chromatograph for blood alcohol confirmations and additional sample-preparation equipment for drug analysis. These items were purchased using grant funds. This additional equipment will help reduce the bottleneck of scientists waiting to use the instruments for alcohol analysis and drug extractions.

In 2013 the Department began the administrative rule adoption process necessary for deployment of the Intoximeters Intox EC/IR II evidentiary breath test instrument. These new rules became effective in February of 2014. The training of the approximately 5,000 current breath test operators and the deployment of the new breath test instruments began in March of 2014. By the end of June, approximately 3,700 operators were recertified, and

approximately two thirds of the 210 BAC DataMaster breath test instruments were replaced with the new Intox EC/IR II instruments.

In an effort to provide information more quickly to our contributors and to prosecutors, the Department began providing analytical reports online effective April 2014. Using iResults, which is part of our Laboratory Information Management System, agencies and prosecutors now go online through a secure site and retrieve their own reports and track the progress of their cases. Contributing agencies can only view their own information while prosecutors can view information involving all contributing agencies in their respective counties. Moving to this method of reporting analytical results has not only reduced the time between completion of a case and notification to the contributor and prosecutor of the results, but it has also been a cost savings to the Department of approximately \$5,000.00.

Due to staffing and training challenges, building the Department has been an ongoing effort. Staff turnover has seriously affected the ability of the Department to complete casework. To improve staff retention, a change package has been submitted which will increase Forensic Scientists' salaries so their compensation will be more competitive with local public and private forensic laboratories. Outsourcing of cases has been continued in an effort to provide some degree of service for the Department's contributors. Aging instrumentation and new method development have also slowed the progress of the Analytical Services program.

Objectives for the next Biennium

During the next biennium, the Department of Toxicology will continue to build the laboratory's credibility by preparing for accreditation through the American Board of Forensic Toxicology (ABFT) and ISO 17025 through the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). The ABFT accreditation will demonstrate that the Department follows national forensic toxicology analytical standards. The ISO 17025 ASCLD/LAB accreditation will demonstrate the Department follows national forensic standards for management systems, scientific principles, and the calibration of breath testing instruments.

The Department must make changes to the curriculum of the breath test operator certification and recertification training courses to provide training on the operation of the new Intox EC/IR II instrument. A new online recertification program to replace the DataMaster program must be developed and implemented.

The process to adopt rules to govern the standards and specifications for certified ignition interlock devices will be a high priority in order to meet the deadlines established by the 2014 legislative session.

In addition to the specific objectives listed above, the agency will continue to review and evaluate ways to streamline and digitize various aspects of its operation in an effort to become leaner and more responsive to the needs of its stakeholders.

Key Performance Indicators

The Department of Toxicology has two (2) Key Performance Indicators (KPIs):

KPI #1 Average turnaround time for alcohol analysis requests.

KPI #2 Average turnaround time for drug analysis requests.

Both KPIs will be measured in a similar manner. An agency submitting samples to the Department for analysis can request alcohol analysis and/or drug analysis. The elapsed time from the submission of each request type to the generation of the reported results will be measured and averaged during each calendar quarter. The targets for KPI #1 and KPI #2 are an average of fifteen (15) and thirty (30) days, respectively, from the request receipt date to issuance of analytical results.

Summary

The Department of Toxicology looks forward to the next biennial budget and to continuing the progress of the past few years. While in the past the analytical program has struggled to train and maintain adequate staffing, there is now a management structure in place to move this program forward if the scientific staffing can be stabilized. The training of all the current breath test operators in the state will be completed by the end of September 2014, with the deployment of the new Intox EC/IR II breath test instruments completed by the end of 2014. These actions prepare the agency to move forward with accreditation.

We want to express our appreciation for all of the support that has been provided to the Department, and we look forward to the future as we continue to develop the Department of Toxicology as a viable resource for the citizens of Indiana.

Respectfully,



Justus E. Littlejohn
Director
State Department of Toxicology

INDIANA STATE DEPARTMENT OF TOXICOLOGY

