



State of Illinois
Illinois State Police
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FY 2011 DNA Testing Accountability Report



in accordance with ILCS 730 5/5-4-3a



Illinois State Police



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OVERVIEW

By statute, the Illinois State Police (ISP), through its Division of Forensic Services, provides forensic science analytical services to more than 1,200 state, county, and local criminal justice agencies. The ISP forensic science laboratory system, established in 1942, is recognized as the third largest crime laboratory system in the world, after the United Kingdom's Forensic Science Services and the Federal Bureau of Investigation (FBI). The ISP system, now comprised of seven operational (caseworking) laboratories and a Research and Development laboratory, analyzes evidence in the following specialty areas: drug chemistry, trace chemistry, toxicology, microscopy, forensic biology/DNA, latent prints, firearms/toolmarks, footwear/tiretracks, and questioned documents. Each operational laboratory serves a specific geographical region of the state, providing forensic science analysis of evidence collected from crimes in that region. Whenever possible, the laboratories assist each other in analyzing cases from other regions to help provide more timely service to the user agencies. In Fiscal Year (FY) 2011, the ISP laboratory system received a total of 108,726 cases and completed analysis on 104,043 cases.

As part of the ISP's long-standing commitment to providing high quality services to the law enforcement community, the forensic laboratory system has an extensive Quality Assurance (QA) program. The emphasis of the QA program is on prevention and/or correction of analytical problems, and providing a course of action if the quality of the work/result is questioned. Since 1982, when the ISP laboratory system became the first in the world to become accredited through the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB), the laboratories have continuously maintained accreditation under the strictest criteria. During FY11, ISP laboratories remained accredited under the International Organization for Standardization (ISO) criteria. ISO accreditation was originally granted in 2005 by Forensic Quality Services – International (FQS-I) under ISO/IEC 17025:2005 and FQS-I Forensic Requirements for Accreditation and has been maintained since that time, with periodic on-site assessments to ensure continued compliance. All of the nearly 500 employees assigned to the Forensic Sciences Command – Forensic Scientists, Evidence Technicians, forensic science managers, and support staff – adhere to the ISO accreditation criteria and standards to ensure the work provided by the laboratories is of the highest quality.

THE DNA PROGRAM – MEETING THE NEEDS OF AGENCIES

The ISP DNA Program consists of two components: **casework** and **convicted offenders**.

The **casework** component involves the forensic analysis of evidence from crime scene cases submitted to the ISP laboratories by any Illinois law enforcement agency. Most cases which ultimately undergo DNA analysis are first received into the laboratory as Forensic Biology (FB) cases. The first step in the analysis of these cases is the detection and identification of a biological stain/material using various chemical techniques to identify suitable and probative (i.e., can potentially help solve the case) biological material. For example, looking for the victim's blood on the suspect's clothing is important investigative information, while finding the victim's blood on the victim's clothing may not provide any probative information. If sufficient probative material is identified through the FB processes, the case then becomes a DNA case and undergoes separate, highly-technical analytical processes to obtain a DNA profile from the material. The DNA profile developed from the evidence is then compared to known standards from the victim and suspect to determine the source of the profile. If a suspect is not known, the evidence DNA profile may be entered into, and searched against, the state and national DNA database known as the Combined DNA Index System (CODIS).

In the **convicted offender** component of the ISP DNA Program, all convicted felons in Illinois, as well as some other individuals as allowed by law, are required to submit a biological sample for DNA typing and inclusion in CODIS. In CODIS, when an unknown DNA profile developed from evidence matches a known offender's DNA profile, or when an unknown DNA profile from one crime matches an unknown DNA profile from another crime, this is referred to as a "hit." A CODIS hit gives police the ability to identify possible suspects to a crime or link crime scenes, thus providing crucial investigative information to help solve the crime.

To ensure the needs of the criminal justice system are met, each ISP laboratory works with law enforcement and criminal justice agencies to prioritize cases based on investigative and court needs. Upon submission of a case, the user agency communicates their priority to the laboratory, including a specific date when results are needed, if applicable. Factors considered when prioritizing cases include whether the case has an established court date, subpoena, or court order associated with the forensic analysis, is a high profile or rush case, or is a violent crime. The ISP laboratory then considers the user agency's priority for a particular case, along with the priority of cases submitted by other user agencies, to determine the order in which cases will be processed. For example, one agency may submit a case stating results are needed for court in two weeks. That same day, another agency may submit a "rush" case stating results are needed within 48 hours or the suspect will be released from custody. A third agency submits a routine burglary case later that day. The priority order for those three cases would be: first, the "rush" case needing results in 48 hours; second the case needing results for court in two weeks; and third, the routine burglary case. This process is used to ensure court dates are met and rush cases are completed to meet the needs of the agencies.

FORENSIC BIOLOGY AND DNA CASE SUBMISSIONS

It should be noted that the number of FB and DNA cases received annually in the ISP laboratories represents only a small fraction of the total number of cases received for all forensic disciplines within the ISP forensic laboratory system each year. The following table compares

FY10 and FY11 FB/DNA case submission figures. The sharp increase in both FB and DNA case submissions in FY11 can be directly attributed to the passage of the Sexual Assault Evidence Submission Act (PA 96-1011).

FB/DNA Case Submissions

Cases Submitted	FY2010	FY2011	% Difference from FY10	% of Total Submitted to ISP in FY11
Forensic Biology	5,167	8,621	+ 67%	7.9%
DNA	5,240	6,182	+ 18%	5.6%

The Sexual Assault Evidence Submission Act (Public Act 96-1011)

In accordance with ILCS 730 5/5-4-3a, the ISP is to include in the backlog the number of cases still in the custody of law enforcement agencies which had not yet been submitted to an ISP laboratory, if notified by these agencies in writing by June 1 of each year. While the ISP had not received notification from any agency under this particular statute, the department did receive notification pursuant to Section 20 of the new Sexual Assault Evidence Submission Act (PA 96-1011). The ISP was significantly impacted by this Act during FY11.

The Act, signed by the Governor on July 6, 2010, became effective September 1, 2010, and mandates several changes regarding how law enforcement agencies address the submission of sexual assault (SA) evidence to forensic laboratories for analysis. The two major changes are 1) all law enforcement agencies must submit new criminal SA cases within 10 days of collection to a forensic science laboratory for analysis (Section 10 of the Act); and 2) all law enforcement agencies must submit for analysis all criminal SA cases in their possession which had not previously been submitted to a forensic laboratory (Section 20 of the Act). To determine the impact of Section 20 on the forensic laboratories, the ISP established mechanisms for agencies to submit an inventory list of such SA cases in their custody by October 15, 2010. The ISP subsequently spent considerable time and effort reminding agencies of the requirement to submit information and clarifying information with each of the agencies, as necessary. The Illinois Attorney General's Office was provided information regarding those agencies not in compliance whenever requested. As of June 30, 2011, of the 988 law enforcement agency offices required to submit an inventory list to the ISP, 925 (94 percent) were in compliance. The Act also required the ISP to submit a plan to address the "Section 20" SA cases, including a timeline and resources required. This plan was submitted to the Governor, the Attorney General, and both chambers of the Legislature on February 14, 2011. The original plan is summarized on the following pages, with updates for FY11 (as of June 30, 2011) included in bold.

Section 10 Impact

The ISP laboratories began seeing an increase in the number of new SA case submissions as early as June 2010, immediately after the bill passed both chambers of the legislature and prior to the September 1, 2010, effective date. SA submission rates to ISP laboratories for the first five months of CY10 averaged 149 cases per month. SA submission rates during the last seven months of CY10 averaged 218 cases per month, a 47 percent increase. At this new rate of about 70 additional SA cases submitted each month, an average of 840 additional new SA cases were anticipated to be submitted annually to ISP laboratories. This impact of Section 10 of the Act is expected to be permanent.

FY11 Update: From July 2010 through June 2011, the submission rate for SA cases pursuant to Section 10 averaged 212 cases per month, for an annual rate of approximately 2,540 cases. This is a rate of 63 additional SA cases submitted each month (756 more per year) than the rate prior to the passage of the Act.

Section 20 Impact

Based on inventory information provided by the agencies using ISP laboratories, approximately 4,000 "Section 20" cases were expected to be submitted to ISP laboratories. The total number of cases to be submitted by the agencies will change over the course of this program as additional cases are identified and/or non-applicable cases are removed from the lists. Some cases to be submitted to ISP laboratories date as far back as 1978, while some are as recent as July 2010. In accordance with state statute 730 ILCS 5/5-4-3a, the ISP began including the "Section 20" backlog figure in its backlog reports as of January 2011.

FY11 Update: Please note the following figures reflect only "Section 20" cases to be submitted to ISP laboratories, and do not include "Section 20" cases submitted to DuPage County Forensic Science Center or the Northeastern Illinois Regional Crime Laboratory.

- **Cases reported to be submitted by agencies = 3,989**
- **Cases received in ISP laboratories (upon request by ISP) = 2,451**
- **Cases completed = 353**
- **Cases pending (in-progress or unstarted) = 2,098**
- **Cases remaining to be submitted from agencies (upon ISP request) = 1,538**

Analytical Approach/Timeline

The ISP intends to analyze all new/current cases (i.e., "Section 10" cases) using in-house resources (ISP forensic scientists). Timely analysis will be accomplished through the use of various efficiency measures implemented over the past several years (e.g., robotics) as well as the implementation of new technologies to save time and costs. The use of federal grant funding for FB/DNA case backlog reduction will continue to be aggressively pursued and applied to assist in improving the backlog of these cases through the use of overtime and the purchase of additional commodities and equipment to address this need. All new SA cases submitted pursuant to Section 10 of the Act will be immediately incorporated into the analytical schedule of the laboratory in accordance with current practice.

FY11 Update: The new "Section 10" cases are currently being incorporated into the ISP in-house analytical schedule and are being addressed as noted above. These cases become part of the normal caseload and are not being tracked separately.

For the older "Section 20" cases, outsourcing will be utilized to the fullest extent possible to enable in-house resources to focus on meeting investigative and court needs of current cases. A general timeline has been developed for this outsourcing effort that began in FY11 and is projected to end in FY14. ISP's outsourcing schedule assumes sufficient funding is sustained and the outsourcing vendor maintains the ability to meet the ISP's established high-quality expectations. Continuous monitoring of those quality expectations will be conducted by the ISP. Should insufficient funding, unsatisfactory quality, or any other factor adversely affect this outsourcing schedule, the ISP's back-up plan is to incorporate "Section 20" SA cases into the in-house analytical schedule amongst current cases, prioritized to ensure the statute of limitations deadlines are met. In the event all "Section 20" SA cases must be analyzed in-house, not only would years be added to the analytical timeline for completion of these cases, but this will also negatively impact the timeline for completion of all types of new/current cases in the FB/DNA section.

FY11 Update: Outsourcing to the contractual vendor laboratory, Orchid Cellmark, began in March 2011 and is ongoing. By the end of FY11, a total of 503 "Section 20" cases had been shipped to the vendor laboratory. ISP anticipates outsourcing approximately 1,200 "Section 20" cases per year as resources permit. The projected end date of the outsourcing program is still FY14.

Resources Needed (Headcount and Funding)

Headcount – Based on the observed increase in CY10 SA case submissions (originally projected at 840 additional SA cases annually), the ISP requires five additional headcount to hire more forensic scientists to address the permanent increase in new SA submissions ("Section 10" cases), and assist with the "Section 20" cases requiring in-house analysis. These positions would be permanent and in addition to refilling any current vacancies within the FB/DNA section due to attrition. To be most effective in addressing the SA caseload, the new positions, as well as the current vacancies, must be filled immediately. The extensive training program for FB/DNA requires approximately 18 months to complete, so these new hires will not have an immediate impact on the SA caseload.

FY11 Update: Although additional headcount (and associated funding) was not provided to the ISP pursuant to this Act, the ISP is in the process of hiring eight forensic scientists for the FB/DNA section using current available headcount resulting from current vacancies within the laboratory system. It is anticipated these scientists will be hired and begin training in late Fall 2011.

Headcount Funding – As stated in the February 2011 Plan, the ISP requires additional General Revenue funding for the five new forensic scientists described above. Assuming a July 1, 2011, hire date, the FY12 cost (including salary, benefits, and insurance) was projected at approximately \$407,500. This would result in a permanent increase in the amount of headcount funding required.

FY11 Update: As noted previously, neither the additional requested headcount nor the associated funding for those positions were provided to the ISP pursuant to this Act, however the ISP is in the process of hiring eight forensic scientists for the FB/DNA section using current available headcount and funds which resulted from current vacancies within the laboratory system. It is now anticipated these scientists will be hired and begin training in late Fall 2011.

Other Funding – Based on the measured analytical timeline, the ISP projects all other costs associated with addressing the impact of this new Act (outsourcing costs are estimated at more than \$2.6M for "Section 20" cases) will be met over the course of

several fiscal years through current General Revenue appropriations, as well as through the use of the following sources:

Grants – The ISP plans to continue its aggressive pursuit and expenditure of appropriate federal grant funding to assist in the timely analysis of all FB/DNA cases. Current and future DNA backlog grant awards would encompass any in-house analysis of SA cases submitted pursuant to Section 10 and Section 20 of the new Act. These funds are used for overtime, commodities, equipment, and other needs to help reduce FB/DNA backlogs. ISP has also been awarded a Violence Against Women Act (VAWA) grant via the Illinois Criminal Justice Information Authority (ICJIA) to specifically assist in outsourcing the backlog of “Section 20” cases.

State Offender DNA Identification System Fund – These funds, collected pursuant to state statute 730 ILCS 5/5-4-3 (k), are already used extensively to support FB/DNA analysis in ISP laboratories. The ISP has identified monies in this fund to cover anticipated “Section 20” outsourcing costs beyond those which will be provided through grants each fiscal year. Assuming receipts remain at or above current levels each fiscal year and no statutory transfer or borrowing from the fund occurs, this support is expected to continue throughout the course of the “Section 20” backlog reduction program.

NOTE: Should the anticipated funding provided through grants and/or the State Offender DNA Identification System Fund drop below current projections, the ISP will reevaluate the need to request additional General Revenue appropriations in future fiscal year budgets.

FY11 Update: The current status of the availability of federal grant funding and the State Offender DNA Identification System Fund remain as noted above.

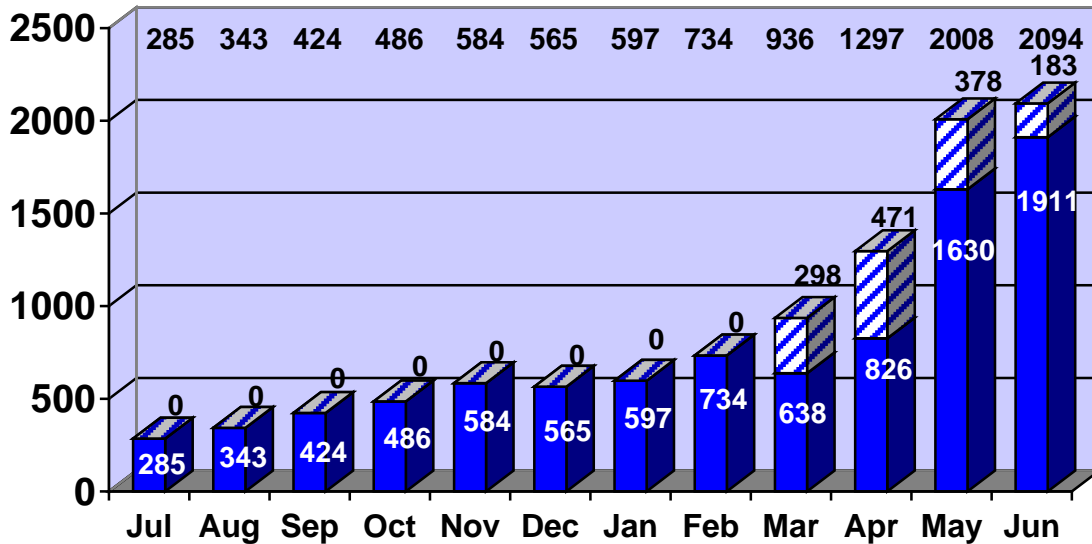
FORENSIC BIOLOGY AND DNA CASE BACKLOGS

As a result of continuous evaluation and implementation of various efficiency measures, the FB/DNA section is able to complete analysis of more cases per month on average than ever before. However, the laboratories do not control the number of cases being submitted for analysis by the agencies. When the number of cases submitted exceeds the capacity of the laboratory staff to conduct the analysis within a 30 day time period, a “backlog” occurs. This backlog includes both cases that are currently in-process of analysis and those which are not yet started. Select cases can take longer than 30 days to complete due to any number of factors including the complexity of the case, the number of exhibits in the case, or the number of additional items of evidence submitted over a period of weeks or months, and thus these cases become part of the backlog figures.

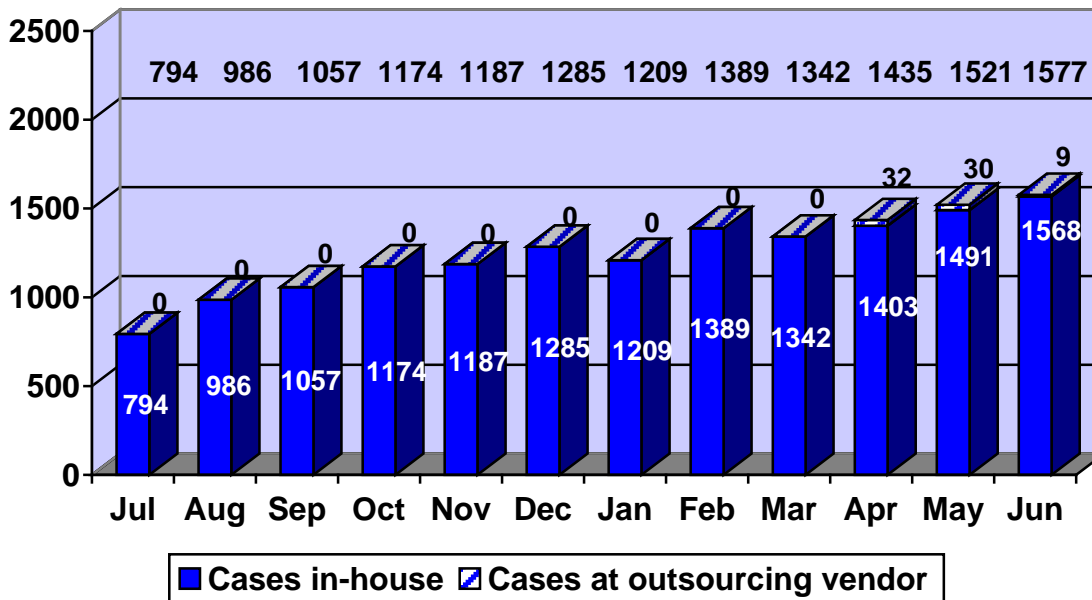
The monthly FB and DNA backlogs for FY11 are shown in following charts. The backlog of FB cases had been declining over the past years, from a high of 2,604 cases in September 2007 to a low of only 128 cases by the end of June 2009, largely as the result of higher productivity stemming from the implementation of new efficiency measures in the operational laboratories and in the FB training program, coupled with the use of federal grant monies for overtime and the filling of forensic vacancies within the FB/DNA section. During FY11, a total of 8,621 FB cases were received (about 718 per month). This is a 68 percent increase over the FY10 submission rate of 5,167 cases (about 431 per month). As of the end of FY11, the total FB

backlog was 2,094 cases; of these, 378 were in-progress at the outsourcing vendor laboratory. The remaining 1,911 cases on the ISP backlog were in-progress or pending in-house analysis at the ISP laboratories, or were at the ISP laboratories awaiting shipment to the outsourcing vendor.

FY11 Monthly Forensic Biology Case Backlog



FY11 Monthly DNA Case Backlog



As FB cases are analyzed, the result is a proportional increase in the number of DNA cases submitted since approximately 65 percent of FB cases are found to have sufficient biological material suitable for DNA analysis. Again in FY11, the ISP analyzed more than 5,200 DNA

cases in the laboratory system (5,202); this is 13 percent more than what was accomplished in-house in FY09 (4,590) and is comparable to the number analyzed in FY10 (5,284). Overall, the ISP suffered a 123 percent increase in the DNA backlog compared to FY10. As with the FB case backlog, this significant increase is a direct result of PA 96-1011. This increase was anticipated and ISP has established and implemented a plan to address it. Only a minimal number of "Section 20" DNA cases are being outsourced (most of the outsourcing is of FB cases), with the first of these DNA cases sent to the outsourcing vendor in April 2011.

FB/DNA Backlog and Outsourcing Analysis

NOTE: Before a case can go to the DNA section, it usually must first be analyzed in the Forensic Biology (FB) section. ISP is concurrently working to address the backlog* in each section.

	Forensic Biology		DNA	
	FY10	FY11	FY10	FY11
Total pending cases as of June 30 of previous fiscal year (both > and ≤ 30 days)	448	617	1,169	1,125
Cases received in the labs**	5,167	8,621	5,240	6,182
Cases worked in the labs (in-house)	(4,998)	(5,923)	(5,284)	(5,202)
Cases outsourced with grant funding***	0	(33)	0	0
Cases outsourced with state funding***	0	(255)	0	(23)
Total number of pending cases ≤30 days	401	933	417	505
Total number of backlog* cases at ISP (in-house)	216	1,911	708	1,568
Total number of backlog* cases at vendor laboratory (outsourced but not yet completed)	0	183	0	9
TOTAL BACKLOG* CASES (in-house and outsourced)	216	2,094	708	1,577

* "Backlog" is defined as in-process and unstarted cases in the FB or DNA section for more than 30 days.

** Adjusted data from the Computer Aided Lab Management System (CALMS) raw figures.

*** Table reflects outsourced cases completed during the specified fiscal year as reflected in CALMS. In FY10, no cases were shipped. In FY11, a total of 503 (471 FB and 32 DNA) "Section 20" sexual assault cases were shipped to the outsourcing laboratory with some still pending analysis as of June 30.

Funding

With one exception, funding figures included in this section of the report are estimates from March 2011 budget projections since FY11 accounting records were not yet closed as of the date of this report. The exception is the figure reported for outsourcing costs; this is the actual figure. During FY11, the ISP expended a total of \$16.2 million in state funds on the DNA program, including both casework and offender samples. This figure is slightly more than the

\$15.8 million expended in FY10 and slightly less than the \$16.4 million spent in FY09. Included in this FY11 total is the \$2.3 million from the State Offender DNA Identification System Fund. This figure is comparable to the \$2.5 million spent in FY10 but is much less than the \$3.4 million spent in FY09 due to a significant reduction in the spending authority for FY11.

For many years, the ISP has aggressively pursued federal dollars to supplement state funding and reduce the DNA backlog while building in-house capacity. Again in FY11, this practice helped the ISP keep the increase in expenditures of state funds to a minimum, while still addressing the FB and DNA backlogs through the use of overtime and the purchase of additional commodities to analyze additional cases than could have been worked using state funds alone. In FY11, the ISP spent just over \$2.0 million in federal DNA grant funds. The amount of DNA grant funds spent in FY10 was higher (\$3.8 million), but that was due to ISP's efforts to become more timely in expending grant funds and completing expenditures on a number of older grants during last fiscal year. The table below lists estimated FY11 grant expenditures. Additional grant funding is currently being pursued.

FY11 FB/DNA Grant Expenditures

Grant	Funds Expended
National Institute of Justice (NIJ) 2009 DNA Forensic Casework Backlog Reduction	\$1,844,100
NIJ 2010 DNA Forensic Casework Backlog Reduction	\$142,600
FY09 Violence Against Women Act (VAWA) American Recovery and Reinvestment Act (ARRA) Illinois Statewide Rape Kit Relief Program	\$32,600

Of the total funding expended for FB/DNA analysis in FY11, there was \$350,900 spent for the "Section 20" sexual assault case outsourcing initiative. These funds were from the FY11 portion of the FY09 VAWA ARRA grant noted above, as well as \$318,300 in state funds.

DNA commodities and equipment are very expensive. If significant cuts to the budget are made, there will be insufficient funds to purchase necessary DNA supplies, resulting in unworked criminal cases and an increase in the backlog. As in FY10, several vendors in FY11 threatened to stop providing services and goods to the ISP due to lengthy delays in receiving their payments from the Comptroller. Several vendors, including one critical DNA product and services vendor, again put the ISP on a credit hold until the payment delay was addressed. This situation led to delays in ordering essential DNA processing chemicals. If additional stoppages occur, the backlog of cases will increase. An additional hindrance to the purchase of forensic equipment and commodities continues to be the lengthy and complex state procurement process. As additional steps continue to be added to the procurement process, this exacerbates the delays in obtaining necessary supplies and equipment. The expensive DNA commodities have a short expiration date; therefore, large quantities cannot be maintained in the laboratories but need to be ordered as necessary. Any delays in the procurement approval process can have immediate impact to laboratory operations, causing laboratories to run out of critical supplies, stopping analysis, and causing an increase in the backlog or even missed court dates.

Personnel

As of June 30, 2011, there were a total of 76 scientists on board and working on FB/DNA cases or case-related assignments. This number of forensic scientists is insufficient to address the current number of cases being submitted by law enforcement agencies, especially as a result of the Sexual Assault Evidence Submission Act. In FY10, prior to the effective date of the Act, a staffing level of 81 scientists, supported by evidence technicians, technical DNA managers, clerical and maintenance personnel, was sufficient to not only address new case submissions but also to continue the positive progress made in reducing the backlogs in FB and DNA. However, three experienced FB/DNA scientists resigned in FY11 and at least two additional FB/DNA forensic scientist vacancies are anticipated to occur in the first half of FY12.

ISP forensic scientists performing FB and/or DNA analyses are well-qualified and highly-trained. To fully train an FB/DNA forensic scientist in both FB and DNA techniques takes approximately 18 months. During early FY10, before there were discussions about the new Sexual Assault Evidence Submission Act, the FB/DNA section had adequate staffing so no FB/DNA Forensic Scientist Trainees (FSTs) were hired. Available headcount was used instead in FY10 to hire FSTs for the latent print and firearms sections, both which had been in more desperate need of additional staffing. Once the Act became law and the impact on case submissions was projected, ISP included in its submitted plan a request for five additional headcount and funding to hire FB/DNA scientists to address the impact. Although the headcount and funding for these additional scientists was not provided, in October 2010, the ISP began the process of hiring eight additional FB/DNA scientists using headcount/funding from current vacancies within the laboratory system. As of the date of this report, that hiring process is continuing; ISP anticipates the eight FB/DNA FSTs will be hired and begin training in late Fall 2011.

The inability to promptly fill forensic scientist vacancies as they occur has a negative impact on any backlog reduction progress made up to the time a vacancy occurs. Additionally, without timely refilling of non-scientific support and supervisory positions, fully-trained forensic scientists have to perform evidence technician, managerial, and clerical duties rather than analyzing cases. This exact situation resulted in Recommendation #5 in the Office of the Auditor General (OAG) report released in March 2009. Specifically, the OAG stated on page 38, **“Failure to maintain the necessary staffing levels results in cases remaining unsolved and serial criminals could remain free to commit additional crimes. The ISP’s inability to fill lost forensic positions has resulted in staff performing work outside of their official duties, which increases the backlog of forensic cases submitted to the labs.”**

This situation continues to occur not just in FB/DNA, but in all the different forensic disciplines. On average, the ISP loses 20 forensic scientists each year due to attrition. The ISP had made great progress in reducing the total forensic case backlog (for all forensic disciplines) from a high of over 14,000 cases in FY08 to just fewer than 6,600 cases at the end of FY10. As of the end of FY11, the ISP was in the lengthy hiring process of filling a total of 18 forensic scientist vacancies. By that time, the total forensic case backlog had risen to 9,604 cases. This demonstrates how the inability to immediately fill vacant forensic positions of all titles can have a negative effect on backlog reduction efforts. In FY11, furlough days - both mandatory and voluntary - had further impacted laboratory operations and the backlog in all disciplines. Late in FY11, the ISP laboratory system implemented new measures in an effort to minimize voluntary furlough day impacts on sections struggling with backlog concerns. In general, increasing backlogs equate to criminals going unidentified to commit additional crimes and innocent individuals remaining incarcerated as they await forensic results which could clear them.

OFFENDER SAMPLE BACKLOG

The CODIS is a DNA database program administered by the FBI and implemented by the ISP at the state level. The offender portion of this system contains DNA profiles of individuals convicted of felonies, as well as a few other eligible offenses in accordance with Illinois statutes. Samples collected from offenders from across the state are all submitted to the DNA Indexing Unit of the Springfield Forensic Science Laboratory. That unit is responsible for analyzing and uploading to the CODIS database all such submitted DNA samples for the entire state.

During FY11, the ISP received 37,706 new offender samples, submitting 30,736 of those samples to CODIS by the end of June 2011. The remainder of the samples were either in-process of analysis or were not uploaded for various reasons (e.g., were duplicates, were ineligible, etc.). Of all the new samples received which were eligible for CODIS upload, 99.93 percent of them were uploaded into CODIS within 30 days. By processing these offender samples in such a timely manner, information from any resulting CODIS hits can be conveyed to investigators, helping to quickly solve crimes and exonerate innocent individuals.

A backlog will occur when the number of offender samples submitted exceeds the laboratory's capacity to upload them into CODIS within 30 days of when they are ready for analysis. Over the past several fiscal years, the ISP has made great strides in eliminating the CODIS backlog and maintaining a zero backlog. In March 2006, the CODIS backlog was more than 7,800 samples, but during FY07 that backlog was eliminated and the ISP has been able to keep up with samples submissions. As of the end of FY11, the CODIS sample backlog remains zero. The ISP DNA Indexing Unit has accomplished this achievement through sufficient staffing and the extensive use of highly efficient technologies, such as robotics, to maximize in-house analytical capacity.

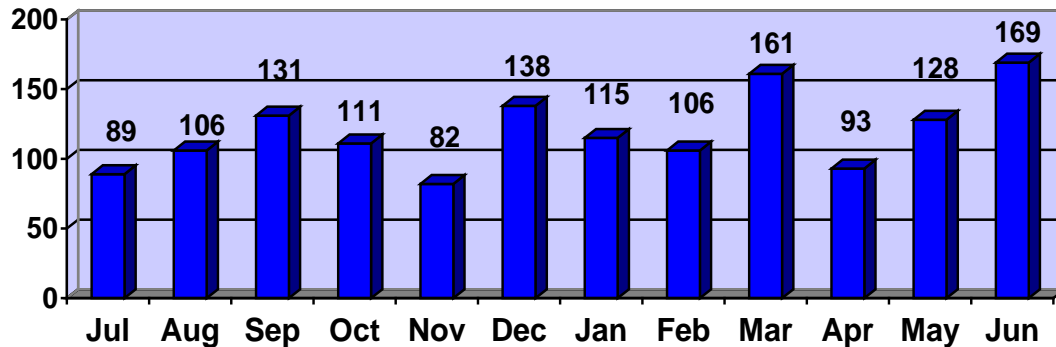
A FY11 legislative change is anticipated to increase the annual number of offender samples submitted in FY12 and beyond. House Bill 3238 was passed by both legislative chambers by May 18, 2011, but as of June 30, 2011, had not yet been signed by the Governor. Among the provisions of this bill is the requirement for any person required to register as a sex offender under the Sex Offender Registration Act, as well as a person arrested and indicted for certain violent felony crimes (first degree murder home invasion, predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault) to submit a DNA sample for inclusion in the CODIS database. Should the Governor sign the bill in FY12 without significant changes, ISP anticipates 6,000 additional offender samples to be submitted over current submission rates during the first year of implementation as newly eligible offenders would be collected. This impact is projected to decrease to 2,000 additional offender samples being submitted per year after that. While the implementation of these new provisions are anticipated to initially result in a backlog of CODIS samples at the DNA Indexing Unit, ISP anticipates existing staffing levels will be sufficient to address this increase and quickly return any backlog to current low levels.

However, the inability to backfill future vacancies, significant budgetary cuts, equipment problems, and/or additional immediate changes to offender statutes (such as a law which would require all felony arrestees to submit a DNA sample for CODIS), will result in the development of a backlog which will require additional time and resources to address.

In FY11, there were 1,429 CODIS hits, as shown on the following chart. As of June 30, 2011, there were a total of 401,994 offender profiles and 32,290 crime scene profiles in the DNA database. There were also a cumulative total of 11,464 CODIS hits, with 9,789 offender-to-case hits and 1,675 case-to-case hits detected. In an offender-to-case hit, a convicted

offender's known DNA profile is associated with an unknown DNA profile from a case; this information can provide investigators with the identity of the possible perpetrator. In a case-to-case hit, unknown DNA profiles from two or more cases are associated, thereby linking cases and providing additional information for the investigators to pursue. There have been 1,463 national associations, which are CODIS hits of DNA profiles from Illinois to DNA profiles from other states. All 50 states, plus the FBI and US Army laboratories, participate in CODIS. Through May 2011 (last data available), Illinois ranks third in the nation, behind only Florida and California, in the number of investigations aided by CODIS.

FY11 Monthly CODIS Hits



NOTE REGARDING STATISTICS PROVIDED IN THIS REPORT:

All reasonable efforts have been made to ensure the accuracy of the data. However, there are inherent limitations present with the existing search methods of the ISP's CALMS database. The data attached herein is as accurate as possible, given the limitations of the current system.

With both Forensic Biology and DNA casework, as well as with convicted offender samples, the reported backlog is just a snapshot of the workload at a given point in time. Legislation, crime rates, new technology, and available resources all impact this statistic.



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