Dear Law Enforcement Partners:

All 13 laboratory facilities that make up the Texas Department of Public Safety Crime Laboratory System provide controlled substance analysis to law enforcement agencies in the state, with 11 of those laboratories providing blood alcohol analysis as well. While Index Crime Rates have declined in two consecutive years, controlled substances seizures and submissions have increased. With the implementation of “no refusal” operations statewide, the submission of blood alcohol cases has also skyrocketed by nearly 500% in the last six years. These two areas of analysis, controlled substances and blood alcohol, are both covered by the same disciplinary unit of forensic scientists in our laboratories. The combination of both increasing areas has made a significant impact on the ability of the laboratory system to conduct controlled substance analyses in a timely manner.

Currently, cases are worked in the order received regardless of offense level unless special circumstances exist for expediting the case. As it continues to be our mission to provide both quality and timely laboratory services to Texas law enforcement agencies, we feel the current volume of submissions dictates we enact temporary prioritization measures. Therefore, in order to provide law enforcement with the highest quality service in the shortest turnaround time, the DPS Crime Laboratory Service would like to prioritize our analysis on controlled substance evidence likely to be categorized as a felony offense. There is no change from the current manner of submission on felony cases.

For controlled substance evidence likely to be categorized as a misdemeanor offense – possession of Marihuana under four ounces, synthetic cannabinoid materials (K-2, Spice, etc) under four ounces, identifiable dangerous drugs, etc – the crime laboratories would like to receive and analyze this evidence only when the prosecutor needs a laboratory report to prosecute the case. Law enforcement agencies are requested to hold these misdemeanor cases and submit them to the laboratory only when such a request is made by the prosecutor.

This temporary measure will allow us to focus our finite resources on the most serious controlled substance offenses while still providing analyses on requested misdemeanor cases in hope of expediting our role in the criminal justice process.

When requesting analysis, prosecuting attorneys should allow at least 5 business days for Marihuana analysis. All other requests will need to allow at least 30 days lead time before trial. Please be aware the timeframe for analysis of synthetic cannabinoids is dependent on standard availability from chemical manufacturers.

This new measure will become effective September 1, 2012. Please contact your regional DPS laboratory manager if you have questions regarding this procedure. Thank you for your continued support and partnership.

Yours truly,

D. Pat Johnson
Deputy Assistant Director, LES Division
Crime Laboratory Service