

- 1. Does the department have ideas to reduce and eliminate its current backlog? The question asked was in regards to sexual assault kits.**

The Biology section would need a large influx of resources to quickly eliminate its backlog. Due to the increased number of specimens being submitted for testing it has been impossible to implement enough internal improvements over the last 8 years to balance out this disparity. The section has documented over 50 changes to its testing system for enhanced production. The quickest and cheapest change would be for our four DNA technicians (two are paid through a federal grant and two are modified state employees) to complete their training to become full DNA analysts (as opposed to performing the front-end analytical work). Historically there has not been funding available for this change in employment status. This would directly improve the current bottleneck of report writing and interpretation of DNA results. Generally, sexual assault kit evidence poses a greater level of difficulty for DNA mixtures and reporting. The 42% increase in this case type since the passing of SB-52 has been the biggest component to the current situation of increased backlogs.

- 2. In the places where the medical examiners are not completing examinations and testing in line with national averages, what are the barriers to completion in line with national averages?**

In 2020, the Billings medical examiner system only had one pathologist for most of the year. From March-May 2020, one of the medical examiners was out on FMLA medical leave and then she left employment in September of 2020. This left the Chief Medical Examiner, Dr. Rob Kurtzman, as the only person providing consistent coverage for eastern Montana. Between the workload and his vast administrative duties, it was not possible for him to complete his autopsy reports in line with national expectations (90% of reports completed within 90 days). Dr. Willy Kemp started in December and this has already given Dr. Kurtzman more time to complete old cases. I do not envision this being an issue moving forward. Our expectation is that all medical examiners will complete 90% of their autopsy reports in less than 90 days (with an average of 50 days) in 2021.

- 3. Are there any space limitations that exists in the two lab sites that would basically moot these questions? Does FSD not have the physical capacity to add personnel?**

There are severe space limitations at both lab sites. In the Missoula facility, all six sections are at or near capacity. The Biology section would be able to add a maximum of two additional FTE's and the Toxicology section would be able to add four additional FTE's after a construction project. This project would condense Latent Prints and Breath Alcohol into the same (but separated) lab space which would make room for the growth in Toxicology. The Chemistry, Latent Print, Firearms, and Medical Examiners are all at capacity. The Billings facility was constructed with limited funding and was built out at capacity. It is anticipated that in 5-10 years there will need to be a new Forensic Science Division laboratory built to address these concerns.

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