



STATE OF WISCONSIN

Legislative Audit Bureau

Joe Chrisman
State Auditor


22 East Mifflin Street, Suite 500
Madison, Wisconsin 53703

Main: (608) 266-2818
Hotline: 1-877-FRAUD-17

www.legis.wisconsin.gov/lab
AskLAB@legis.wisconsin.gov

DATE: August 15, 2023

TO: Senator Eric Wimberger and
Representative Robert Wittke, Co-chairpersons
Joint Legislative Audit Committee

FROM: Joe Chrisman
State Auditor 

SUBJECT: Proposed Audit of State Crime Laboratories—Background Information

At your request, we have gathered some background information that the Joint Legislative Audit Committee may find helpful in considering an audit of the state crime laboratories, which are part of the Wisconsin Department of Justice (DOJ).

DOJ's Division of Forensic Sciences operates three state crime laboratories, which are located in Madison, Milwaukee, and Wausau. Statutes require the laboratories to analyze evidence involved with the investigation and prosecution of crimes, if requested to do so by individuals such as the Attorney General and district attorneys, sheriffs and police chiefs, and medical examiners and coroners. In addition to forensically analyzing evidence, the laboratories may use mobile units to conduct field investigations at crime scenes. Statutes require the laboratories to comply with rules and policies established by the Attorney General.

The state crime laboratories employ forensic scientists, technicians, evidence specialists, and crime scene response professionals who conduct scientific testing and complete forensic analyses of evidence. The laboratories provide services that include drug identification, toxicology, trace evidence, DNA and serology, DNA Databank, firearms and toolmarks, latent prints and footwear, photo work orders, and forensic imaging.

The Madison and Milwaukee state crime laboratories offer a full array of services, while the Wausau laboratory offers limited services. The Madison laboratory serves 24 counties in southern Wisconsin, the Milwaukee laboratory serves 8 counties in southeast Wisconsin, and the Wausau laboratory serves 40 counties in northern Wisconsin.

In fiscal year (FY) 2022-23, the three state crime laboratories were authorized a total of 178.4 full-time equivalent (FTE) staff positions and were appropriated a total of \$26.4 million, including amounts specifically for conducting DNA analyses. The appropriated amount included \$16.1 million in program revenue and \$10.3 million in general purpose revenue (GPR). The laboratories receive program revenue from the DNA surcharge, the crime laboratory and drug law enforcement surcharge, criminal history search fees, and penalty surcharge revenue.

2023 Wisconsin Act 19, the 2023-25 Biennial Budget Act, provided DOJ in FY 2024-25 with \$123,600 in additional GPR and an additional 3.0 FTE GPR-funded positions to hire forensic toxicologists for the state crime laboratories.

DOJ's *2021 State Crime Lab Report*, which was released in April 2022, indicates the three state crime laboratories received a total of 9,297 cases in 2021, which was less than the 12,220 cases they had annually received, on average, during the prior five years. The report indicates that 44 percent of the 2021 cases involved controlled substances. The average turnaround time to complete work for controlled substances cases increased from 33 days in 2019 to 61 days in 2021.

Questions have been raised about the timeliness of the work of the state crime laboratories on cases. Therefore, an audit of the state crime laboratories could:

- determine the current scope of responsibilities of the laboratories and the services they provide, and assess how these responsibilities and services, including their costs, have changed in recent years;
- assess how the number and type of laboratory staff who provide specific types of services have changed in recent years, as well as the extent to which the laboratories have hired contract staff to provide certain services;
- assess the tenure, turnover, vacancy, and promotion trends for staff who work in the laboratories;
- determine the numbers and types of cases submitted to the laboratories in recent years, the amount of time it took the laboratories to complete their work on these cases, and the reasons that explain this amount of time;
- determine the amount of time that laboratory staff spent in recent years on tasks such as case record intake, crime scene response, forensic analysis, case report production, training, and testifying in court;
- survey district attorneys, sheriffs and police chiefs, and medical examiners and coroners for their perspectives on the services provided by the laboratories and the timeliness of those services; and
- assess actions DOJ has taken to improve the efficiency and effectiveness of laboratories, including the timeliness of services the laboratories provide.

I hope you find this information helpful. Please contact me with any questions.

JC/ak

cc: Senator Jesse James
Senator Howard Marklein
Senator Dianne Hesselbein
Senator Tim Carpenter

Representative John Macco
Representative Mark Born
Representative Francesca Hong
Representative Ryan Clancy

Josh Kaul, Attorney General
Department of Justice