



STATE OF MINNESOTA

FORENSIC LABORATORY ADVISORY BOARD
1430 Maryland Avenue East • St. Paul, MN 55106

June 29, 2007

Forensic Analysis Processing Time Period Guidelines:

BACKGROUND:

299C.156 Subdivision 7 “Forensic analysis processing time period guidelines” mandates that the board shall recommend forensic analysis processing time period guidelines applicable to the Bureau of Criminal Apprehension and other laboratories, facilities, and entities that conduct forensic analyses by July 1, 2007.

The Board has met four times since the last report. Two subcommittees were formed to address the issue of forensic analysis processing time period guidelines. Guidelines were presented to the Forensic Laboratory Advisory Board by the subcommittees and the Board voted to recommend the following:

GUIDELINE:

This guideline applies to all Minnesota laboratories, facilities, and other entities that conduct forensic examinations of physical evidence for the purpose of determining the connection of the evidence to a potential crime.

The completion of the forensic analysis, including the reporting of scientific conclusions to the requesting agency should occur within thirty days after the agency provides the testing entity with the evidence to be tested. *This guideline is a recommended goal and not a strict standard. Failure to meet this goal is not intended to form a basis for relief not otherwise provided by law.*

DISCUSSION:

There are a number of factors over which a laboratory has little or no control that may impact forensic analysis processing time. Consequently, such factors could justify exceeding the 30 day recommended goal. The following are offered as examples:

- Government laboratories do not have control over the volume of evidence being submitted by law enforcement agencies (a capacity issue).
- Completion of examinations may be dependent on the collection of standards and controls by the law enforcement agency if they were not provided with the original submissions.
- Some items of evidence require sequential examination by several scientific disciplines.
- It may not be technically or physically feasible to complete some scientific testing within 30 days (either due to the complexity of the examination or the size and complexity of the case).
- The Minnesota rules of evidence require that if the scientist determines that the evidence will be consumed in the analysis that the examination may not proceed without notification from both the prosecution and defense, when a defendant has been charged.
- Scientists are subpoenaed regularly to testify in court on cases they have examined. These court appearances may delay examinations.