



STATE OF INDIANA

Mitchell E. Daniels
Governor

Indiana State Department of Toxicology

Justus E. Littlejohn
Director

September 14, 2012

Adam Horst, Director
State Budget Agency
Room 212, State House
200 West Washington Street
Indianapolis, Indiana 46204

Reference: Agency Overview Transmittal Letter for FY 2014 and FY 2015

Dear Mr. Horst:

In 2011, the State Department of Toxicology was established as a state agency by legislative action (see IC 10-20-2-1). Prior to 2011, the Department of Toxicology was under the control of the Department of Pharmacology and Toxicology of Indiana University. The termination of Indiana University's oversight of the Department of Toxicology occurred in January 2012.

As a new agency, the State Department of Toxicology has the unique opportunity to reestablish its credibility with its stakeholders: the criminal justice community and the citizens of Indiana. As such, the budget for the next biennium will be critical as we move forward.

Mission

To promote the administration of justice by providing cutting edge science, research, and education in forensic toxicology to the State of Indiana.

Purpose

Provide accurate and timely toxicological analytical services in an ethical and forensically sound manner and accurate and reliable breath-testing program for the State of Indiana.

The Department currently identifies two major areas of concentration or programs within the agency: analytical services and the breath-testing program.

Analytical Services

The Department analyzes blood samples for the presence of ethanol and/or selected drugs of abuse. When drug analysis is requested, the Department screens blood samples for twelve drug categories and selected metabolites. The laboratory also performs the subsequent confirmation testing required for those drugs that had presumptive positive screening results.

Department personnel provide court testimony at two levels: fact testimony, which details the analytical processes conducted by the forensic scientists, and expert testimony, which provides information about the effects of the identified substances on the body. Both levels of testimony play a critical role in the consideration of toxicological evidence by the courts.

Breath Test Program

The Breath Test Program is responsible for the inspection, maintenance, and certification of all evidentiary breath-testing instruments used throughout the state. These instruments must be inspected and certified at least once every 180 days as required by administrative rule.

This program is also responsible for the training, certification, and recertification of law enforcement personnel as breath test operators. Through coordination with the Indiana Law Enforcement Academy, the Department routinely conducts one breath test operator certification-training course each month. The Department coordinates with Research Triangle Institute (RTI) to provide an on-line recertification program.

Department personnel provide court testimony detailing the calibration and maintenance of the breath instruments, as well as expert testimony regarding the underlying scientific principles of testing breath for blood alcohol content and the pharmacology and toxicology of ethanol.

Accomplishments and Challenges over Last Two Years

The major accomplishment of the Department during the last two years was its establishment as a state agency. The transfer of responsibilities and assets from Indiana University to the State Department of Toxicology was a lengthy and complicated process requiring the efforts of many people from different departments of state government. Due to staffing and training challenges and pre-existing backlogs, the building of the Department will be an ongoing effort.

Objectives for the next Biennium

During the next biennium, the Department of Toxicology will continue to build the laboratory's credibility by seeking accreditation by the American Board of Forensic Toxicology (ABFT) and ISO 17025 through the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). The ABFT accreditation will demonstrate that ISDT is an agency that follows national forensic toxicology analytical standards. The ISO 17025 ASCLD/LAB accreditation will demonstrate ISDT follows national forensic standards for management systems and the Department's calibration of the breath testing instruments.

The agency will also be replacing the aging evidentiary breath testing instruments in the state with new state of the art instruments. This will require the Department to provide training in the use of this instrument to all currently certified breath test operators. The Department will also make changes to the curriculum of the breath test operator certification-training course to provide the necessary training on the new instrument.

As the agency moves forward, it will seek legislative authority to assess fees for breath test instrument inspections/maintenance and for the training of breath test operators. These fees,

which were charged during the time that the Department of Toxicology was part of Indiana University, will be used to support the breath test program.

In addition to the specific objectives listed above, the agency will continue to review and evaluate ways to streamline, computerize, and digitize various aspects of its operation in an effort to become leaner and more responsive to the needs of its stakeholders.

Key Performance Indicators

The Department of Toxicology has two (2) Key Performance Indicators (KPIs):

KPI #1 Average turnaround time for alcohol analysis requests.

KPI #2 Average turnaround time for drug analysis requests.

Both KPIs will be measured in similar manners. When a case is submitted to the Department of Toxicology for analysis, an agency can request alcohol analysis and/or drug analysis. The elapsed time from the submission of each request type to the generation of the reported results will be measured and averaged during each calendar quarter. The target for KPI #1 and KPI #2 respectively is an average time from the date of request submission to the date of report of fifteen (15) days for alcohol requests and thirty (30) days for drug requests.

Summary

The Department of Toxicology and its staff look forward to the completion of its first year as a standalone state agency. We want to express our appreciation for all of the support that has been provided during this transition period, and we look forward to the remainder of the biennium as we continue to develop the Department of Toxicology as a viable resource for the citizens of Indiana.

Respectfully,



Justus E. Littlejohn
Director
State Department of Toxicology

INDIANA STATE DEPARTMENT OF TOXICOLOGY

