



Kansas Bureau of Investigation

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Joint Committee on State Building Construction

Kansas Bureau of Investigation
Agency Briefing

Presented by
Kirk Thompson, Director
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Members of the Committee:

My name is Kirk Thompson, and I have the privilege of being the current Director of the Kansas Bureau of Investigation (KBI). I appreciate the opportunity to appear before you today to discuss the status of the KBI five-year capital improvement plan. Since I appeared before you last August, there have been some very important and exciting developments with regard to our flagship project – the building of a new state-of-the-art forensic laboratory to serve the needs of the Kansas Criminal Justice Community. With your indulgence I will focus my short time with you today on that project.

Before I start with that discussion, I would like to tell you where we are and what we have accomplished on a couple of other fronts. First with regard to our SFY 2014 capital improvement enhancement proposals; we requested \$75,000 to replace out of service-life air conditioning units in our data center and \$41,000 to make roof repairs at our Great Bend facility. Neither of those enhancement requests were recommended. What was recommended was for the agency to use our \$100,000 yearly appropriation for facility rehabilitation and repair for completion of those projects.

During our appeal to the Division of Budget, we expressed concern regarding our ability to complete those projects and still maintain agency buildings at a safe and functional level with that amount of funding. We concurred with the recommendation of the Division of Budget,

with an explanation that we would do our very best to limit rehab and repair expenditures to critical items and use any residual funding to begin work on the two listed projects. We will not be able to accomplish all three categories of projects with the proposed funding in one year but will do our best and will carry over as much as possible into SFY 2015 and subsequent years until the critical issues are resolved.

With regard to our current year projects, the KBI requested and received a total of \$300,000 to address a buckling retaining wall at our Topeka Headquarters and to replace the primary electrical service panels for that facility. Both of those projects are in progress and we expect completion of both during this fiscal year. Thank you for your support on both of those measures.

Now, as to our primary focus, the critically needed crime lab. For many years my predecessors and I have come before this committee to seek support for the building of a forensic laboratory to adequately service the needs of the criminal justice community of the state. For many years we have presented alternatives to address our inability to provide the required level of forensic services to state and local law enforcement and prosecutorial partners. That inability exists in part because of the physical limitations of our current structure, which as many of you recall, is a retrofitted (in 1984) school building constructed in 1928/1929. And for many years, this committee has been supportive of meeting this critical need in a core government function. The funding, however, has been the obstacle preventing us from meeting that need.

Let me quickly review why this project is so important to Kansas law enforcement. The KBI was established to provide services to local law enforcement that are unavailable or inefficient to establish on a local basis. One of the greatest needs of the criminal justice community is in the area of forensic science - most Kansas communities simply cannot support the infrastructure and people necessary to provide those services in a cost effective manner. 50% of Kansas law enforcement agencies have less than 5 officers and a full 72% have less than 10! There are only two other crime labs in Kansas, in the two most populous counties - Johnson and Sedgwick - leaving the other 103 counties to rely on the KBI for these essential services. Forensic exams are needed by law enforcement to identify and arrest, and by prosecution to charge and convict criminals.

Forensic science has rapidly developed capabilities to help solve crimes and make communities safer. The resulting expectations of juries, judges and the public, and the demand from law enforcement for those forensic resources has grown proportionally.

Throughout the nation the capacity to provide forensic services has trailed behind that demand. An August 12, 2012 Bureau of Justice Assistance news release revealed that the forensic backlog nationwide at almost 1.2 million. Unfortunately, Kansas has the same problem. Backlogs of requests for forensic services in Kansas are extensive. Even worse, in most disciplines, biology, chemistry, documents, firearms, latents, toxicology and digital forensics, the backlogs are growing.

And as bad as the backlogs are, the demand for forensic services is actually much greater than shown by these statistics. The KBI had a survey conducted in April of 2012 of Kansas law enforcement agencies. 173 agencies responded, including police departments, sheriffs, state agencies and local prosecutors. That survey reflected a clear conclusion that local sheriff offices and police departments need more exams and need them in a timely manner. The survey found that:

- ▶ 72.7% responded that, if turn-around time was adequate they would submit *more* cases to the KBI laboratory.
- ▶ 35% of local agencies had to pay private laboratories due to excessive turn-around times at the KBI.
- ▶ Since 2010, 41.3% of agencies had cases dismissed or charges reduced due to delayed or unavailable KBI Laboratory Analysis Reports.

The real world effects of these backlogs in forensic services are devastating:

- ▶ Criminals, who could be identified, arrested and prosecuted, are left on the streets to commit more crimes.
- ▶ Victims, and their families, already suffering from the crime, are subjected to more hardship, turmoil, fear of reoccurrence and lack of closure.
- ▶ Prosecutors must deal with the fact that other evidence, such as witness memories, deteriorate over time, making successful prosecution less likely.
- ▶ Courts struggle to juggle dockets due to continuances and delays and balance a defendant's right to speedy trial.

This is a serious problem that deserves a well thought out and comprehensive solution.

Last August I reported significant progress in this critically important endeavor. At that time the Governor had recommended an appropriation of \$100,000 to conduct a needs assessment and

to do preliminary design work for a new state forensic laboratory that would be a collaborative project between the KBI and Washburn University. The Legislature approved the funding and we began work. Today, I am pleased to report that the needs assessment and the preliminary design work has been completed. I am also pleased to report that the Governor has recommended an additional appropriation of \$3,500,000 in FY 2014 to enter into an agreement with Washburn University to design, build and equip a new state laboratory and negotiate a long term lease to occupy the facility. Real progress has been made and I respectfully offer our appreciation for your previous support and sincerely ask for this committees continuing support for this essential public safety enhancement.

With the chair's approval, I would like to display some of the initial work product from the needs assessment and initial design phase, as I discuss the project. These posters represent the size and scope of the project, not the final version of what the facility will look like. We know that significant changes have already been proposed and will be incorporated. I think, however, it is helpful to see a graphic representation of what is being contemplated to get a real sense of what we propose to create. Let me give you a quick tour before I get into a discussion of the general plan.

As you can imagine, a project of this magnitude will require a great deal of coordination and planning to make it successful. Much of that detail planning will be contingent upon legislative approval and will begin in earnest when that decision is made. The general operating assumptions about the project, at this point in time, include the following:

- The KBI and Washburn University will collaborate to design and build a state of the art forensic facility on the campus of the university.
- The facility will have secure forensic laboratory analysis space as well as shared training and research areas.
- The facility will have approximately 100,000 square feet of interior space.
- The total cost for the facility is projected to be just over \$54,000,000. Construction costs are estimated at \$400 per square foot, typical for forensic laboratories, for a total of \$40,000,000.
- The facility will be built to accommodate projected expansion for 20-30 years.
- Washburn University will provide the funding mechanism and lease the facility to the state over a likely term of 20 to 30 years.
- The facility will be designed and built to the standards set by the KBI, national forensic laboratory accreditation organizations, and Washburn University.
- Completion of construction could occur as early as August of 2015.

The initial planning work has been done by the Architectural firm of David Emig and Associates of Emporia, in conjunction with the firm of MWL a national firm specializing in forensic laboratory projects. Mr. Emig is with us today and will also be available for questions should you desire.

Let me end by quickly recapping the major benefits that we see from this collaboration. First and foremost, the state of Kansas will acquire sufficient forensic laboratory space to create the capacity to provide forensic services at the level needed by the Kansas criminal justice community. Secondly, the KBI will work closely with Washburn to draw the best and the brightest science majors to university programs with the hope of aiding in our recruitment and retention efforts. Both organizations want to attract and keep the very best talent in our state. We believe Washburn will be an outstanding partner in this endeavor. Not only do they have the staff and experience to engage a project of this magnitude, but they have the vision to see the opportunities that can result. The KBI will provide work study and internship opportunities to Washburn students who are enrolled in university forensic programs, and Washburn will provide teaching opportunities to our scientists. Washburn will provide an academic environment, including research opportunities, that is supportive of and consistent with that of a forensic science facility, and the KBI will provide real world exposure to university students. The list goes on and on.

This project will be a major step forward in increasing the state forensic analysis capacity to provide the level of service that is desperately needed by law enforcement organizations and prosecutors. This facility will support their efforts to adequately address public safety expectations in communities all across our great state. This project will make Kansas safer.

Thank you for your interest and attention. I would be happy to stand for any questions,