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FISCAL IMPACT REPORT

ORIGINAL DATE 1/26/08

SPONSOR Lujan, B. LAST UPDATED 2/4/08 HB 352/aHCPAC

SHORT TITLE Change State Police Crime Lab Location SB _____

ANALYST Peery-Galon

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY08	FY09	FY10	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1	\$0.1	\$0.1	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the District Attorneys (AODA)
 General Services Department (GSD)
 Department of Public Safety (DPS)

No Responses From

Association of Counties (AOC)
 New Mexico Municipal League (NMML)

SUMMARY

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment of House Bill 352 on page 2, line 13 after the word “in” inserts “Bernalillo county or”.

Synopsis of Original Bill

House Bill 352 amends Laws 2007, Chapter 64, Section 6 to read that the \$1 million appropriated from the general fund to the Property Control Division of the General Services Department for expenditure in fiscal years 2007 through 2009 for the planning and designing of a New Mexico State Police Crime Laboratory to be located in Santa Fe County, and deletes previous language stating the crime labs location was to be adjacent to or within close proximity to the State Laboratory Facility in Bernalillo.

FISCAL IMPLICATIONS

AODA states the proposed legislation does not address construction costs or furnishings, which would presumably come in a later appropriation.

GSD states a recent review of state public works projects indicates that construction costs in Santa Fe are comparable with Bernalillo County, so the change of location of the new State Police crime lab would have little or no fiscal impact on construction costs. GSD already owns land adjacent to the DPS headquarters in Santa Fe, but does not own land in Albuquerque. So the proposed legislation would eliminate the need to buy land from the capital project funded from State Office Building Tax Revenue Bonds.

DPS states that anticipated costs associated with placing this laboratory in Bernalillo rather than Santa Fe include, but not limited to, cost of transporting personnel back and forth to headquarters for day-to-day operations, anticipated supervisory costs for transportation between headquarters and an off-site location, additional security measures necessary on an off-site location, costs for personnel to utilize department aircraft in Santa Fe, cost associated with the delivery of evidence by law enforcement personnel from Northern New Mexico to Bernalillo rather than Santa Fe, and associated loss of productivity and additional delays in case work due to travel between to locations by personnel.

SIGNIFICANT ISSUES

GSD states the House Consumer and Public Affairs Committee amendment of House Bill 352 does not impact its original analysis. GSD reports the programming phase of the design process will determine which location will best serve the programmatic needs of the agency.

AODA states the state crime lab is understaffed. By reports, they are understaffed because they do not have sufficient space to house new analysts, and are unable to have additional space without building a new crime lab. AODA states apparently it has been determined that sufficient space would exist in Santa Fe.

GSD and DPS both state since the DPS headquarters is in Santa Fe, there are many financial and administrative benefits to constructing the new crime laboratory in an adjacent location. (See Attachment) GSD and DPS both note since the Albuquerque Police Department Metropolitan Forensic Science Center serves Albuquerque law enforcement agencies and officers, there would be no benefit to construction a new State Police Northern Forensic Laboratory in Albuquerque.

PERFORMANCE IMPLICATIONS

AODA states a substantially larger-staffed crime lab is desperately needed in New Mexico. While only related to acquisition and planning, the proposed legislation does take the first steps to accomplishing this. AODA states the crime lab should be built where the best value for the money can be obtained, where it would be easiest to attract and keep good staff, and where ongoing costs do not usurp the budget in opposition to the salaries for good staff.

DPS notes as a major measure the ability of the Northern Forensic Lab to both address pending case work and attract/retain quality personnel. DPS anticipates that a relocation of the lab to Bernalillo would negatively impact both measures by creating a loss of productivity and

additional delays in case work due to the travel between two locations by lab personnel and a recent survey conducted within the Northern Forensic Lab indicates a majority of personnel prefer the lab remain in Santa Fe. DPS notes the Northern Forensic Lab may lose qualified personnel due to the relocation of the lab.

ADMINISTRATIVE IMPLICATIONS

DPS notes its administrative officers and support staff reside in Santa Fe, moving the Northern Forensic Laboratory to Bernalillo would cause hardship, chain-of-custody concerns, security concerns, possible delays in case work and anticipated additional operational costs to DPS.

OTHER SUBSTANTIVE ISSUES

GSD and DPS both state the proposed change supports the DPS strategy to provide the most cost-effective forensic laboratory facilities and staff to serve statewide needs for crime scene investigations analysis. That strategy enhances the availability of crime lab resources that serve 152 state, local, federal and tribal law enforcement agencies throughout New Mexico.

DPS notes the administrative offices and support staff reside in Santa Fe, and moving the Northern Forensic Lab to Bernalillo would delay support by the Information Technology Division on critical systems utilized to both analyze and research case work by the lab personnel.

POSSIBLE QUESTIONS

AODA recommends the following questions regarding the issues:

- Is it cheaper to build in Santa Fe than in Bernalillo?
- Would recurring costs once built be cheaper in Santa Fe than Bernalillo?
- Would staffing costs make it cheaper and easier to find employees for Bernalillo than Santa Fe?
- Is it more centrally located in Santa Fe or Bernalillo for all the outlying agencies that would use the new state crime lab?
- Would there be a problem of competition for staff between the Albuquerque Police Department Lab in Bernalillo if another lab were built there versus Santa Fe?

RPG/mt

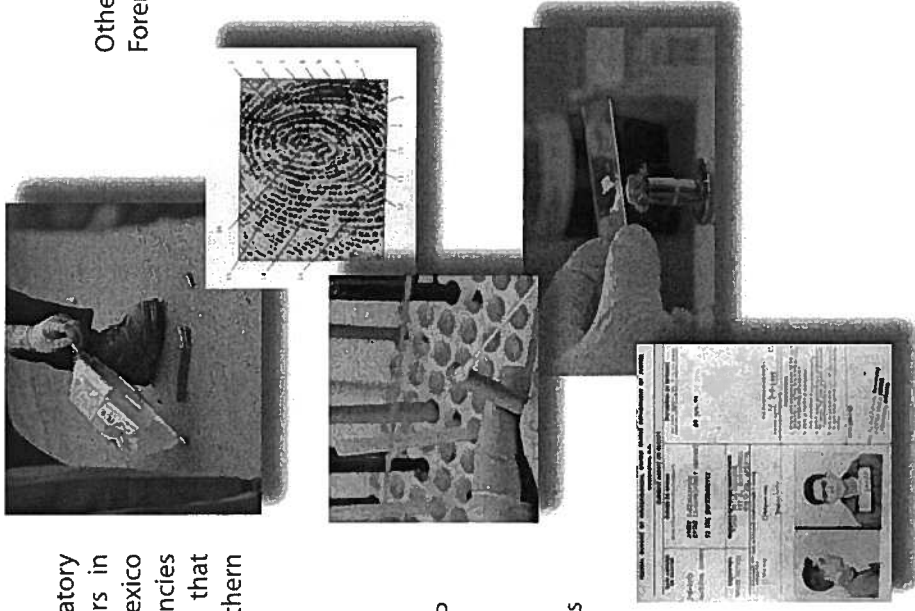
The Case for Locating the Northern Forensic Laboratory in Santa Fe

OBJECTIVE: To Provide the Most Cost-Effective Forensic Laboratory Facilities and Staff to Serve Statewide Needs for Crime Scene Investigation Analysis and Enhanced Crime Laboratory Resources in Support of 152 State, Local, Federal and Tribal Law Enforcement Agencies

KEY POLICY CONSIDERATIONS

Critical Facts Support Centralizing Forensic Laboratory Oversight and Control at the DPS Headquarters in Santa Fe. This will Enhance Service to the New Mexico State Police and Local Law Enforcement Agencies and Officers with Satellite Forensic Resources that Address Local Needs. Expanding the Santa Fe Northern Forensic Laboratory (NFL) will:

- Ensure consistent communication with DPS Executive Management
- Integrate interaction with the DPS Law Enforcement Academy (All basic law enforcement training of local officers and NMSP classes require forensic courses)
- Facilitate access to DPS Administration, Legal Counsel and IT Support Services
- Provide easy interface with 3 forensic databases (CODIS, IBIS, AFIS)
- Use existing DPS Headquarters "24 / 7" security which avoids additional costs
- Save air and road travel costs for courts appearances (DPS aircraft and motor pool are based at Santa Fe Headquarters)
- Preserve chain-of-custody and integrity of evidence between the Northern Forensic Laboratory and the State Police main storage facility at DPS Headquarters



KEY ECONOMIC & OPERATIONAL CONSIDERATIONS

Other Benefits of Constructing an expanded Northern Forensic Laboratory in Santa Fe:

- State-owned land adjacent to NMDPS Headquarters (west end of Valdez Industrial Park) requires minimal site adapt and has easy access to utilities
- Albuquerque would require purchase of adequate land
- Construction costs are approximately the same in Santa Fe and Albuquerque
- Relocation costs for current NFL would be significantly less
- Disruption of current NFL operations would be minimized
- Recruitment of scientists is enhanced by Santa Fe art, culture and outdoor living
- Risk of losing current scientific and technical staff is reduced
- Adverse economic impact on Northern New Mexico would be avoided

CURRENT LOCATIONS: The Albuquerque Police Department's Metropolitan Forensic Science Center serves APD and Bernalillo County law enforcement. To serve other statewide requirements, DPS has satellite service centers:

- Northern Forensic Laboratory (NFL) in Santa Fe conducts forensic examination for all DNA and firearm cases and most violent crime cases statewide. Drug chemistry, latent and footwear/tire track services for: Santa Fe/Iaos/Chama/Raton/Las Vegas, Tucumcari/Clovis/Portales, Farmington/Gallup/Grants (currently 40 FTE)
- Southern Forensic Laboratory (SFL) in Las Cruces: primary interaction with federal border issues, including drug chemistry, latent print and other routine requirements from Socorro through the SW quadrant (8 FTE)
- Hobbs Forensic Laboratory: chemical analysis of drugs and routine forensics for SE quadrant (estimated completion in 2008 with 3 FTE)

Crime lab crisis threatens us all. From the crime scene to the courtroom, there is simply no excuse for not ensuring the seamless delivery of justice.

American Society of Crime Laboratory Directors "The Crime Lab Minute" July 23, 2007