



Drug Field Tests Reduce Lab Backlog

The Utah Bureau of Forensic Services (BFS) has dramatically reduced its testing backlog for drug-related case samples by adopting a program that trains law enforcement officers in the field to test for controlled substances.

Across the country, many drug investigations, a number of them straightforward possession cases, are not prosecuted or are dismissed because crime labs have too many drug samples to analyze, which causes large backlogs and significant delays. The Field Investigation Drug Officer (FIDO) program can help.

“We used to have backlogs depending on how busy we were or how busy the officers and detectives were,” says Jay Henry, laboratory director for BFS. “We used to have turnaround times from three weeks to three months. Three months is unacceptable. Now we are down to routinely having turnaround times of less than two weeks, sometimes less than one week. Rush cases we can get done sometimes the same day. We can get the results to people who really need it.”

The FIDO program trains certified officers to identify in the field the most commonly encountered drugs of abuse: marijuana, cocaine, methamphetamine and heroin. These preliminary, or presumptive, tests can be used to close a case through a plea agreement. Cases that go to trial are sent to the laboratory for follow-up confirmation analysis. This reduces the number of samples submitted to the crime lab for analysis, thereby reducing the backlog.

The FIDO program was developed by the National Forensic Science Technology Center (NFSTC) in Largo, Fla., with funding from the Office of Justice Program’s National Institute of Justice. Based on a program operated by the Phoenix Police Department, FIDO provides training materials to agencies, who can then tailor the training to suit their specific needs. Utah BFS served as a pilot site for the program.

In addition to FIDO, BFS has a separate program called the Marijuana Leaf Identification Technician Course. As a result of the two programs, Henry estimates

a projected 56 percent reduction in cases and a 44 percent reduction in submitted samples between 2003 and 2008.

“When officers were sending everything to the lab, most of those cases had already pled out,” Henry says. “The case samples that really needed to go to court were not getting done. This program allows our customers to get the samples done that need to be done.”

“In most cases, my guess is that the majority of cases get resolved before they go to trial,” Henry says. “Most of the time the preliminary results are enough and they don’t need to come to the crime lab for a full blown confirmation.”

The BFS pilot began in 2006 and lasted about a year. Once the pilot period ended, BFS kept FIDO as a permanent program.

“Officers loved it,” says Henry. “It gave them more buy-in to the program with immediate results, especially the narcotics detectives. They could get immediate presumptive results in the field quickly and they knew what the results meant.”

Use of the marijuana identification course (which began in late 2003) and the FIDO program has reduced the number of samples coming to the lab for testing. According to information from BFS, in 2003 the controlled substance section of the Utah laboratory processed 6,484 cases or 16,018 samples. In 2007, the number of cases processed fell to 3,168 (a 51-percent drop from 2003) and the number of samples fell to 10,212 (36 percent). The downward trend continued in 2008, according to Henry. Final statistics were not available at the time of publication. The number of 2008 cases was estimated at 2,852 (a 56 percent reduction) or 8,984 samples (44 percent).

David Sylvester, program/operations administration director for NFSTC, explained the flexibility of the FIDO program.

“We built the program so that it could be adapted to meet the specific needs of an agency,” Sylvester says. “For example, some areas of the country have problems with methamphetamine use, but that might not be a significant problem in another region. Different areas may just want to test marijuana. The program is compartmentalized with modular training so agencies can pick and choose what to train on.”

The FIDO program structure includes lesson plans, class outlines, class lecture and presentation content, practical exercises, written exams and references. Topics for class outlines include safety considerations, evidence control, legal considerations, substance overview, field testing procedure, report writing and courtroom testimony.

BFS took basics of the program and modified it to what was best for BFS and the agencies around it. The Utah FIDO program tests for methamphetamine, cocaine and heroin. Henry explained that BFS opted not to include marijuana in its FIDO program because the agency already had the Marijuana Leaf Identification Technician Course in place.

Also, BFS developed its own drug test kit rather than use a commercially available one. (NFSTC conducted a validation study of four commercially available test kits.) The BFS kit includes a metal spatula, disposable spot plates, methanol for cleaning and rinsing drug paraphernalia and a CD containing all training content. The kit has the capacity to test approximately 100 times more drug submission samples than commercial test kits.

“We kept the same program pattern as the national FIDO program but developed our own test kit because we wanted officers to be very familiar with the tests they are running and also because of economy of scale,” Henry says. “We could do it cheaper than actually buying the commercially available kits.”

BFS had been searching for a novel way to reduce the drug testing backlog when it found out about the FIDO program.

“We liked that it is a nationwide program and that it involved Arizona,” Henry says. “That was important because we would not be doing it by ourselves. Also, police departments can already get commercial kits to test, but an officer may not get training on how to use them. In small police departments it’s often hit or miss for training on the use of the kits. What was different about the FIDO program is the training. There is some information and capability out there [in police departments] but not much training or experience to go along with it. There is a lack of training and procedures, no way to take notes or write reports — all things the court system requires.”

“FIDO provides training, procedures — all of that plus quality assurance. The program is flexible enough to do things on your own. Some departments choose to buy the kits. We looked at it and we decided to make our own kits.”

As of August 2008, Utah had trained about 150 officers in the FIDO program, which comprises approximately eight hours of classroom and practical training. Recertification classes are administered every year. The tests are of high quality and reliable, given proper training of officers and correct conduction of the tests, according to Henry.

“Participants are brought back each year for refresher training and tested again to ensure officers know how to do the testing,” Henry says. “If there is a problem with the procedure there is a quality assurance program to help fix it.”

For information on the FIDO program and the pilot project in Utah, contact David Sylvester of the National Forensic Science Technology Center, at (727) 549-6067, ext. 153, e-mail david.sylvester@nfstc.org; or Jay Henry of the Utah Bureau of Forensics Services, at (801) 965-4093, e-mail jhenry@utah.gov.

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