

TEXAS DEPARTMENT OF PUBLIC SAFETY

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July 20, 2017

Dear Texas Law Enforcement Executive:

The FY 2018-2019 General Appropriation Act (GAA) directs a change to the method by which forensic analysis services conducted by the Department of Public Safety (DPS) state crime laboratory system are funded. Rider 58 of the GAA directs DPS to collect up to \$11,540,852 in fees from entities to whom forensic analysis services are provided by the Department pursuant to Texas Code of Criminal Procedure Article 38.35(c).

In accordance with this legislative directive, DPS will charge for forensic analysis performed on controlled substances, toxicology, DNA evidence submissions and biological specimens to detect the presence of alcohol. In order to understand the financial impact of this rider on local criminal justice agencies and to also ensure the investigation and prosecution of crimes against persons offenses are fully supported by forensic analysis, DPS is evaluating the impact of this legislation to our DNA program.

DPS is currently in the process of finalizing a cost model for each forensic discipline listed above. Our goal is to develop a model that will minimize the cost for forensic analysis while generating enough revenue to fund the continued operation of the laboratory system as directed in Rider 58. DPS also plans to utilize state appropriations to provide each local criminal justice agency with a voucher, the balance of which can be used by the agency to acquire the DPS forensic analysis services of their choice. DPS will determine and publish the value of the voucher prior to Sept. 1, 2017.

Finally, in addition to the cost model, DPS will develop a policy and implementation guide to govern this new legislative requirement. The cost model, policy, and implementation guide will be published on the DPS website this summer (<http://www.dps.texas.gov>).

Sincerely,

A handwritten signature in black ink that reads 'Steven C. McCraw'.

Steven C. McCraw
Director

DPS Forensic Analysis Fee Schedule

Alcohol Analysis

Alcohol analysis of biological specimens is performed to support investigations mainly involving traffic DWI enforcement. Blood or urine samples are analyzed for the presence and concentration of alcohol.

Alcohol analysis is priced at \$75 per sample analyzed.

Controlled Substances

The Controlled Substance section performs qualitative analysis on a wide variety of illicit substances, such as methamphetamine, heroin, cocaine, marijuana, clandestine tablets, and designer drugs. A number of techniques are used for identification, which can generally be categorized as screening or confirmation tests. Quantitative analysis is a separate method used to determine the purity of methamphetamine for federal court sentencing. Quantitation is charged separately from the controlled substance analysis.

**Controlled substance analysis is priced at \$75 per sample analyzed.
Quantitation is priced at \$150 per sample analyzed.**

DNA

Biological case screening is performed on evidence from criminal investigations for the presence of blood and/or body fluids and may be followed by STR (short tandem repeat) nuclear-based DNA testing. DNA may be obtained from blood stains, whole blood, seminal fluid, tissue, saliva, and, sometimes, hair samples. DNA profiles developed are compared to DNA profiles obtained from submitted reference samples. Eligible DNA profiles are entered into CODIS (Combined DNA Index System) to be compared to other forensic DNA profiles and profiles developed from offender samples in order to produce investigative leads.

For the purpose of pricing, DNA analysis includes the initial screening (forensic biology / male screening) as well as any STR DNA analysis that follows. **DNA analysis is priced at \$550 per case.** Because the number of allowable samples per case is determined by the type of case itself, please refer to the DPS Physical Evidence Handbook for guidance on the number of acceptable samples per case.

(<https://www.dps.texas.gov/CrimeLaboratory/documents/PEHmanual.pdf>)

Toxicology Analysis

Toxicology drug analysis of biological specimens is performed to support investigations involving traffic DWI enforcement, homicide, and drug-facilitated sexual assaults. The DPS Crime Laboratory performs a screen for eight classes of drugs to determine the presumptive presence of drugs in the sample. Initial immunoassay screening does not identify a specific drug, but will be followed with confirmation testing to identify specific drugs present in the sample.

Toxicology analysis is priced at \$150 per sample analyzed.