



Washington State Patrol Toxicology Laboratory Construction Report

July 2023



SUMMARY

The Washington State Patrol (WSP) received funding from the legislature in order to reduce increasing toxicology case backlogs, improve testing turnaround times, and better serve medical examiner, coroners, law enforcement partners, and prosecutors throughout the State of Washington.

A site for a second Toxicology Laboratory was identified in Federal Way and the laboratory design was completed in 2021. The Tenant Lease was executed in August 2022 and construction then began in earnest. Construction was completed in May 2023. The WSP received occupancy in June 2023. The Toxicology Laboratory has an accreditation assessment in early August 2023, and it is anticipated that forensic toxicology testing capabilities will begin in late summer 2023.

BACKGROUND

The WSP Toxicology Laboratory is the only accredited forensic toxicology program operating in Washington State, providing toxicology testing under the legal authority of RCW 43.43.752. The Toxicology Laboratory provides all necessary toxicology services requested by all coroners, medical examiners, and prosecuting attorneys.

Since 2012, the Toxicology Laboratory has incurred a 45% increase in forensic casework. Insufficient personnel at the time led to significantly increased turnaround times and the beginning of a backlog. The existence of an increasing backlog and lengthy turnaround times for case completion has resulted in unacceptable delays in medical examiners and coroners signing out death certificates. It has also affected the state's ability to prosecute suspected impaired drivers in a timely manner.

In an attempt to address the increasing backlog and turnaround times, additional permanent personnel were received in the 2019-2021 Operating Budget, the 2020 Supplemental Budget and the 2021-2023 Operating Budget. Funding was also provided in the 2020 Supplemental Budget to construct a second Toxicology Laboratory facility, to purchase necessary instrumentation, to hire additional personnel to staff the laboratory and Division, and assist with the outsourcing of death investigation casework until the second laboratory has been built.

In the 2021-2023 Operating Budget, \$1,334,000 of the general fund-state appropriation for FY2022 and \$2,373,000 of the general fund-state appropriation for FY2023 were provided for facility and staff costs associated with construction of a second toxicology laboratory facility in Federal Way. An additional \$213,000 of the general fund-state appropriation for FY2022 was provided for the outsourcing of death investigation cases to aid in the reduction of the current backlog of cases awaiting toxicology testing.

TIMELINE TO DATE

- Site selection for the second Toxicology Laboratory was finalized in September 2020. The laboratory facility will be located in The Sanctuary campus on Weyerhaeuser Way, Federal Way.
- WSP, the Department of Enterprise Services (DES) and the site Developer worked on the Contract/Design/Agreement to Negotiate from October 2020 to September 2021.
- The Design was finalized in September 2021 and the construction proposal went through a competitive bid process. The Developer received final contractor bids in January 2022.
- Due to the Tenant Lease contract not being signed until August 2022, the Developer initially revised the projected construction completion date to January 2023.
- Due to unexpected delays in the delivery of electrical panels and ADT security, completion of construction occurred in May 2023.
- WSP received occupancy in June 2023.
- The Toxicology Laboratory is installing, verifying and validating instrumentation and testing methods in June/July 2023.
- Accreditation Assessment is scheduled in August 2023 and it is anticipated that forensic toxicology testing capabilities will begin in late September 2023.

REPORTING REQUIREMENTS IN ESSB 5693

1. List of expenditures:

- The total General Fund funding re-appropriated from FY2021 was \$1,547,000. This funding was to be spent by the end of June 2022:
 - \$1,334,000 of this amount was allocated for facility costs
 - \$213,000 of this amount was allocated for the outsourcing of death investigation cases
- Facility costs: WSP utilized \$1,303,233 of the \$1,334,000 for facility costs. Items purchased included three analytical instruments and a variety of equipment and supplies needed to conduct casework. Only \$30,767 of the \$1,334,000 remained unspent.
- Outsourcing costs: WSP utilized the full \$213,000 for the outsourcing of approx. 1,000 death investigation cases.
- The total funding appropriated for FY2023 is \$2,373,000. As of January 27, 2023 WSP has utilized \$2,339,146 of this amount for construction and staffing costs.

2. List of expenditures yet to be made:

- The total funding appropriated for FY2023 is \$2,373,000. As indicated above, WSP has utilized \$2,339,146 of this amount for construction and staffing costs.

3. Updated project timeline with expected end date:

- Construction of the Federal Way Toxicology Laboratory was completed in May 2023.
- WSP received occupancy in June 2023.
- Installation of instruments and testing methods began in May 2023, and verification and validation continues to occur in June/July 2023.
- Accreditation Assessment is scheduled in August 2023.
- Seventeen (17) existing laboratory personnel will relocate to the Federal Way facility by June 2023 through August 2023. The remaining five (5) personnel will begin in the new facility as soon as they are hired (see Question 4 below for further details).
- Forensic toxicology testing capabilities will begin in late September 2023.

4. Other project details:

- Additional funding appropriated in the 2022 Supplemental budget included \$1,193,000 for seven (7) additional FTE's to complete staffing levels in the Federal Way laboratory.
- The seven (7) additional FTE's include: one Laboratory Manager, two Forensic Scientists, one Laboratory Technician, one Property & Evidence Custodian, one Administrative Assistant, and one Forms & Records Analyst:
 - The Laboratory Manager, Laboratory Technician, Property & Evidence Custodian, Administrative Assistant, and Forms & Records Analyst positions have all been hired.
 - Due to lack of available space in the current Seattle facility, the Forensic Scientists, cannot be hired until the Federal Way facility is fully constructed and outfitted. It is now anticipated that the hiring process for these positions will begin in July–August 2023, with hiring start dates anticipated in October – November, 2023..
- The two Forensic Scientists will require approximately 12–15 months of training before they can conduct independent casework.

CONCLUSION

WSP remains fully committed to the intent of this legislature-approved project, which is to reduce case backlogs, improve testing turnaround times, and better serve medical examiners and coroners, law enforcement partners, and prosecutors throughout the State of Washington.