

# Item A1



## Travis County Commissioners Court Agenda Request

**Meeting Date:** April 16, 2013  
**Prepared By/Phone Number:** David Salazar, 854-9555  
**Elected/Appointed Official/Dept. Head:** County Judge  
**Commissioners Court Sponsor:** Judge Biscoe and  
Commissioner Davis

### **AGENDA LANGUAGE:**

CONSIDER AND TAKE APPROPRIATE ACTION ON STRATEGY BY TRAVIS COUNTY AND THE CITY OF AUSTIN TO IMMEDIATELY ADDRESS DRUG AND ALCOHOL LAB BACK LOGS.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

### **STAFF RECOMMENDATIONS:**

### **ISSUES AND OPPORTUNITIES:**

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

### **REQUIRED AUTHORIZATIONS:**

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, [agenda@co.travis.tx.us](mailto:agenda@co.travis.tx.us) by Tuesdays at 5:00 p.m. for the next week's meeting.



**SAMUEL T. BISCOE**  
COUNTY JUDGE

TRAVIS COUNTY ADMINISTRATION BUILDING  
700 LAVACA ST., SUITE 2.700  
P.O. BOX 1748 AUSTIN, TEXAS 78767  
(512) 854-9555

April 9, 2013

Mr. Marc Ott, City Manager  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: Recommendation for Elimination of  
Current Drug Lab Backlog

Dear Marc:

As you know, our criminal courts are facing a large number of pending drug and alcohol-related cases awaiting test results from the Austin Police Department's drug lab. Thank you and the Austin City Council for quickly responding to this issue by adding three positions to the Austin Police Department drug lab. These positions will help address the tremendous growth our criminal justice system has experienced in the need for drug and alcohol evidence testing. However, it is my understanding that it will take up to several months for the three additional positions to be filled, trained and able to assist with the drug lab's work load.

Meanwhile, the Travis County District Attorney's Office and County Attorney's Office, working with the APD drug lab, have identified a backlog of 282 third and fourth degree felony drug cases awaiting test results from 231 lab submissions and 1,021 felony and misdemeanor alcohol-related cases with blood draws awaiting test results. This backlog is causing a significant delay in court dispositions of existing cases. In some instances, these cases are as much as nine months old.

In 2007 and 2008, when we faced a similar situation with a backlog of pending drug tests for court cases, Travis County funded a position for the APD drug lab to address the growth in work load. We continue to fund that position today. However, to address the immediate backlog that existed then, the county also provided funding and contracted with an outside lab that helped us eliminate the drug samples that had been waiting for testing.

To address a comparable situation today, I recommend that we contract for outside lab services again to eliminate the current backlog identified by the District Attorney's Office, the County Attorney's Office and the APD drug lab.

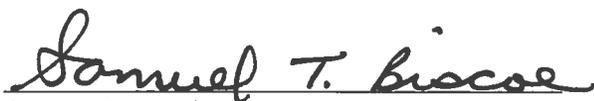
The county has in place an existing contract with Armstrong Forensics Laboratory, which can complete drug tests for an average cost of \$137.42 for each test. We also have in place an existing contract with ProResults, which can complete blood tests for \$69.00 per test. These contracts remain in place from previous use, but have zero funding available. Given that fee schedule, we estimate the total cost of eliminating the backlog at \$103,000, derived as follows:

231 felony drug tests @ \$137.42 each	\$ 31,744
1,021 felony and misdemeanor blood tests @ \$69 each	<u>70,449</u>
Total	\$102,193

I recommend that Austin and Travis County partner to get this pressing need funded. I am willing to take a request for half of the cost of outside lab testing, or \$51,500, to the Commissioners Court to fund immediately. I propose that the City fund the other half, \$51,500, in this fiscal year. In my view, once the current backlog is addressed, the additional three positions added to the drug lab by the city should help manage the work load going forward.

Again, County officials and I appreciate our partnership with the City of Austin to ensure that our criminal justice processes are as expedient and cost effective as possible. Thank you for your consideration of this request. I will telephone you shortly after delivery of this recommendation for a follow-up discussion.

Sincerely,



Samuel T. Biscoe  
Travis County Judge