Washington State Patrol

Toxicology Laboratory Backlog Reduction Report

December 1, 2025

Pursuant to ESSB 5161, Section 207(15)

Executive Summary

Engrossed Substitute Senate Bill 5161, Section 207(15), provided the Washington State Patrol (WSP) with $3,000,000 in one-time funding, exclusively for hiring additional staff and purchasing equipment for the Toxicology Laboratory, with the specific goal of reducing DUI processing backlogs. The expectation is that these resources will measurably decrease case processing times. The provision also requires WSP to report semi-annually, beginning December 1, on activities undertaken and planned with the provided funding, as well as current DUI processing times compared to those in June 2025.

WSP received one-time funding from the legislature to reduce the statewide backlog of forensic toxicology cases involving impaired driving. The proviso authorizes the hiring of additional staff for the 2025-2027 biennium and the purchase of necessary equipment. Within the constraints of this proviso, the laboratory plans to establish a temporary high-throughput blood alcohol section that will support the reduction of the impaired driving case backlog.

To make the most of this legislative investment and achieve lasting improvements in case turnaround times, we propose revising the proviso language. Securing ongoing permanent funding for these positions is essential to maintain laboratory capacity and prevent future backlogs.

Background

The Toxicology Laboratory Division was established to conduct all necessary toxicological analyses for coroners, medical examiners, and prosecuting attorneys throughout the state of Washington (RCW 68.50.107).

Since 2014, the Toxicology Laboratory has experienced a 59% increase in forensic casework submissions and currently receives more than 18,000 requests for forensic toxicology analyses annually. During this period, staffing levels have not kept pace with the rapid growth in demand for services.

As a result, a significant backlog of forensic toxicology cases has accumulated, leading to unacceptable delays in processing forensic toxicology evidence. These delays have had statewide impacts on driving under the influence (DUI) investigations, sexual assault and death investigations, court proceedings, and public health outcomes.

Funding Plan

With this one-time funding the laboratory will create a small, high-throughput blood alcohol section within the constraints of the current facilities. The available laboratory space has a limited footprint for new equipment and instrumentation and can accommodate a total of three (3) FTEs, to include two (2) Forensic Scientists and one (1) Property and Evidence Custodian. Once operational, the section will be dedicated exclusively to blood alcohol analysis for impaired driving casework.

This investment will support the following outcomes:

- Reduced overall training timelines and faster contributions to casework by temporary scientific staff, as their training will focus solely on alcohol analysis rather than comprehensive drug toxicology.
- Temporary expansion of laboratory capacity for impaired driving casework.
- Allow existing scientific staff to focus on more complex and comprehensive casework.

This plan aligns with the current funding proviso and can be accomplished within the allocated resources. However, several challenges related to the scope and one-time nature of the funding will affect long-term sustainability and impact:

- Reliance on temporary staffing will create downstream challenges related to witness availability, resulting in additional costs to the state for expert witness fees and reanalysis of evidence. These issues can be mitigated with permanent or on-going funding for these positions.
- The current funding scope does not permit allocation of resources towards other proven strategies already underway (e.g. overtime, outsourcing, technology investment)
- Progress achieved through the high-throughput section will not be sustained without continued investment after the 2025-2027 biennium.

Activities to Date

Three (3) FTEs were established: two (2) Forensic Scientists and one (1) Property and Evidence Custodian.

- Recruitments opened in October 2025.
- All positions are currently in the polygraph, and background investigation stages.
- Once hired, the two (2) Forensic Scientists will require approximately 6-8 months of training before they can conduct independent casework.

Scientific instrumentation and equipment were ordered in October 2025, with full delivery expected by February 2026. This comprised of two alcohol testing instruments (i.e.: HS-GC) and associated equipment, which will be used in the newly established high-throughput blood alcohol section by the new Forensic Scientists.

Instrumentation installation, validation, and verification are anticipated to occur between February and April 2026.

Backlog and Turnaround Times

Backlog[1]

Baseline Backlog (June 2025)		16,490		Current Backlog (Oct 2025)		16,870
2023 pending	1,150 cases	93% of 2023 backlog eliminated		2023 pending	7 cases	99% of 2023 backlog eliminated
2024 pending	8,873 cases	51% of 2024 backlog eliminated		2024 pending	6,145 cases	66% of 2024 backlog eliminated
2025 pending	6,465 cases	31% of 2025 backlog eliminated		2025 pending	10,747 cases	34% of 2025 backlog eliminated

Total backlog numbers are consistent with baseline, as current strategies identified above remain in the implementation phase. Reductions are anticipated in the second fiscal year (FY 2026-27).

Quarterly Turnaround Times

Baseline Turnaround Times (Q2 2025)				Current Turnaround Times (Q3 2025)		
Case Type[2]	Median (days)	Median (months)		Case Type	Median (days)	Median (months)
DUI - volatiles	347	11		DUI - volatiles	350	12
DUI	663	22		DUI	653	21
DRE	665	22		DRE	653	21

Median turnaround times are consistent with baseline, as current strategies identified above remain in the implementation phase. Reductions are anticipated in the second fiscal year (FY 2026-27).

[1] Pending case: any case received by lab but no final report issued/testing is pending
[2] Case type definitions:
DUI Alc: impaired driving case with testing limited to Alcohol/Volatiles analysis
DUI-Drug: impaired driving case with Alcohol and Drug analysis
DRE: impaired driving case with Drug Recognition Expert evaluation completed

Proposed Adjustments to Proviso

There are several challenges related to the scope and one-time nature of the funding that will affect the long-term sustainability and overall impact of the backlog reduction efforts. However, with targeted adjustments to the proviso language, the laboratory expects to fully realize the benefits of this legislative investment and ensure sustained improvements in case turnaround times. Ongoing or permanent funding for the new positions is essential to accelerate backlog reduction, maintain laboratory capacity, and prevent future backlogs.

The current appropriation provides sufficient funding to implement targeted adjustments within the existing budget framework. The proposed modifications are expected to maximize the effectiveness of the one-time investment, extending beyond the current biennium and strengthening the ability to sustain progress in backlog reduction.

Reappropriation of unused funding. Allowing unused funds to be reappropriated to the next biennium (2027-2029) would enable the laboratory to maintain the FTEs and ensure that:

- The investment in hiring and training is fully realized and provides lasting value.
- Staff remain available for court testimony, preserving case quality and eliminating the need for duplicative testing.
- Backlog reduction efforts are sustained and accelerated, promoting long-term efficiency.
- Operational stability is strengthened by supporting the laboratory's ability to rebuild full comprehensive testing capacity for all impaired driving cases and in-house testing of death investigation cases.
- The impact of projected retirements and natural attrition is minimized through a stable, trained workforce.

Expand the current scope of the proviso language to support proven strategies. Amending the proviso to permit the allocation of resources towards existing, proven backlog strategies will maximize the overall return on this investment. These strategies include:

Overtime Activities ($6,000 - $8,000 monthly)

- Overtime support enables the laboratory to maintain capacity while new staff complete in-training programs.
- Monthly overtime efforts support the testing of 250-300 samples and the completion of 150-200 cases monthly, directly contribution to backlog reduction.

Technology Investments ($150,000 - $200,000 one-time)

- Funding to establish a statewide electronic distribution system for all forensic test reports will streamline administrative processes, reducing the turnaround times by several days.
- This improvement will enhance accessibility statewide, particularly for rural jurisdictions.

Procurement of Additional Drug Testing Instrumentation ($450,000 one-time)

- Installation, validation, and verification of additional instruments are expected to take approximately 12 months, pushing implementation and operational benefits beyond the current biennium.
- Once operational, additional drug testing instrumentation will increase overall laboratory capacity.