

## **Congressional Testimony**

### **Statement by:**

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### **Before the:**

**House Committee on Government Reform Subcommittee on  
Criminal Justice, Drug Policy and Human Resources – “Ice in the  
Ozarks: The Methamphetamine Epidemic in Arkansas”**

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Chairman Souder,

On behalf of Governor Huckabee and the people of the State of Arkansas, I want to thank you for giving me the opportunity to appear before you today to discuss the methamphetamine problem in this state.

The Arkansas State Crime Laboratory was established in 1977 and is the only forensic laboratory in this state. The primary function of this lab is to provide forensic services, including drug analysis, to local, county, state, and, in some cases, federal law enforcement agencies in this state.

Illicit methamphetamine (meth) labs, also known as clandestine (clan) labs, were relatively unknown in Arkansas until the mid 1990's. At that time, simplified recipes for methamphetamine manufacture involving the use of iodine/red phosphorus and lithium/anhydrous ammonia combined with the availability of ephedrine and pseudoephedrine tablets became available. The availability of the recipes as well as the accessibility of the components resulted in an explosion in the number of meth labs beginning in 1995 that continues through today. The 400% increase in meth lab seizures from 1995 to 1996 marked the beginning of the upward spiral of meth lab seizures in this state.

Initially, evidence seized from meth labs was processed by analysts in the Drug Section of the Crime Lab. However, an 1800% increase in the number of meth lab seizures from 1995 to 1998 (24 to 434) resulted in the Crime Lab establishing

an Illicit Lab Section designed specifically to handle the analysis of meth lab evidence. Three analysts whose salaries were paid by a federal grant were transferred from the Drug Section to the Illicit Lab Section. The federal grant also provided for training and crime scene vehicles. The training covered areas such as rendering the scene safe, taking samples, providing advice to law enforcement, and collecting evidence. It should be noted that the actual cleanup of lab sites is handled by vendors who contract with DEA.

The Illicit Lab Section is currently staffed by six analysts, three of which are still paid by a federal grant, who are dedicated to the task of handling the evidence submitted from seized labs. 1208 meth labs were seized in 2003 with 1305 estimated to be seized in 2004.

In addition to analyzing evidence, the analysts are also tasked with responding to clan lab sites at the request of law enforcement agencies to provide safety information, assist in rendering the site safe, collecting evidence samples, testifying in court, and providing training to law enforcement officers.

The cases received each year continue to outnumber the cases processed resulting in an unacceptable backlog of almost 1000 cases. This backlog is not the result of inefficiency on the part of the Illicit Lab personnel, but is due to the sheer number of cases coming to the lab. Although additional analysts are needed in this section to handle the ever increasing caseload and to diminish the backlog, current budget constraints prevent hiring the necessary analysts.

Just as the Illicit Lab Section has no control over the hours spent in court, it also has no control of manhours spent responding to meth lab scenes. Since January 1, 2004, Illicit Lab analysts have spent 74 hours in court and 187 hours responding to meth lab scenes. Since 1995, the number of meth labs seized has increased by almost 5000% while the number of Illicit Lab analysts has only increased from three to six.

The backlog of cases as well as the congestion of the judicial system contributes to another unique problem. In many instances, persons charged with the manufacture of meth will bond out of jail and may be arrested additional times for manufacture of meth prior to going to trial on the first charge.

The Illicit Lab Section assists the Criminal Justice Institute in Little Rock by providing instructors for the Methamphetamine Awareness for First Responders course and Clandestine Laboratory Evidence Sampling and Preparation course. It is through this training that the analysts hope to educate officers in proper response procedures to meth labs for safety purposes and to instruct officers in the proper techniques of evidence sampling and handling. By achieving this goal, the analysts will decrease the call outs to lab sites and will increase efficiency of cases submitted to the lab because proper packaging and submission procedures have been followed.

In conjunction with the need for training of law enforcement personnel and increased manpower, changes in the law to restrict the availability of ephedrine and pseudoephedrine are much needed. I believe Congress should attempt to address this problem by listing ephedrine and pseudoephedrine as scheduled drugs that would require either a prescription or restricted availability.

As pertains to the State of Arkansas, the State Crime Laboratory is in need of three additional chemists to enhance the staff of the Illicit Lab Section. To support these chemists, we need additional vehicles and equipment as well as training in environmental safety.

Despite the backlog and long hours, our analysts will continue to produce a quality product that the Criminal Justice system can utilize in the continuing fight against methamphetamine in Arkansas and across the United States.