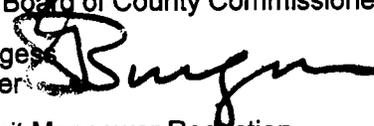


Memorandum



Date: January 11, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burges
County Manager 

Subject: Forensic Art Unit Manpower Reduction

PSHA
Agenda Item No. 7(A)

Attached, please find a memo from the Director of the Miami-Dade Police Department, regarding the forensic art unit manpower reduction.


Assistant County Manager

Memorandum



Date: January 5, 2011

To: George M. Burgess
County Manager

Attn: Alina T. Hudak
Assistant County Manager

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Police Forensic Art Unit
Manpower Reduction

A handwritten signature in black ink, appearing to be "J. Loftus", written over the "From:" field of the memorandum.

In reference to your request for follow-up information regarding the Miami-Dade Police Department's (MDPD) Forensic Art Unit Manpower Reduction from two Forensic Artists to one Forensic Artist, the following information is provided.

As you are well aware, civilian layoffs were a reality going into Fiscal Year 2010-11. Eleven of the employees affected by layoffs and reassignments were staff employed by the Miami-Dade Police Department (MDPD) within the Forensic Services Bureau (FSB), including clerical staff, photographers, a forensic artist, and three fingerprint analysts. While many operations were affected by a reduction in staff, no services provided by the MDPD FSB were eliminated. Even in these complex budget times, MDPD still provides the same services to the citizens of Miami-Dade County (MDC).

Confirming what has been obvious to you for some time, I personally, in concert with staff, designated which positions would be reduced throughout the Department, and in "FSB" specifically. Simply stated, for eight years, MDPD has been fortunate to employ two artists. Their responsibilities included composites, reconstructions, photo enhancements, age progressions, postmortems, and lineup enhancements. The definition of each of these very different responsibilities is clearly delineated in the FSB Standard Operating Procedures as is the classification of these different responsibilities. However, we are in a constant process of responsibility review. As with any technology, advancements have been made during the past decade. In the case of the Forensic Art Unit, there is no longer a need for the forensic artist to create lineups, which is **not** a listed function within their job description, as this has been automated since January 2006. Many investigative tools have improved over the last decade including the Automated Fingerprint Identification System (AFIS), the National Integrated Ballistic Information Network (NIBIN) and the Combined DNA Index System (CODIS). A review of the assignments handled by the Forensic Art Unit during the past five years reveals that, on average, 82.5% of the assignments within the Forensic Art Unit were lineups *created by the forensic artists*. The talents of a forensic artist are best utilized in creating composites, reconstructions and other similar responsibilities that help to identify a subject or, in some instances, a victim. During the past five years, approximately 13.4% of the assignments within the Forensic Art Unit were requests for composites, and these requests can be handled by one staff artist. **My reduction of the Forensic Art Unit by 50% coincides with the reduction of its workload by 82.5%.** In the event that the staff forensic artist is on leave and unavailable to respond for a composite, contact was made with the following individuals/agencies who agreed to provide these services at no cost to the MDPD and the municipalities within MDC if the need should arise:

Catyana Sawyer, Broward Sheriff's Office
Paul Moody, Palm Beach Sheriff's Office
Robert George, Florida International University

Steve Fusco, Orange County
Andrew Cachinero, Coral Gables

George M. Burgess, County Manager
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Furthermore, other Sheriff's offices within Florida were contacted to research how these requests for forensic art services are handled. The Broward Sheriff's Office (BSO) has one fulltime forensic artist that performs facial reconstructions for their Medical Examiner only, as well as creates composite drawings for BSO, but not for municipal agencies. The BSO also has two sworn personnel (one Captain who oversees the Unit and one detective assigned to another bureau) who can perform related duties if necessary. The Palm Beach Sheriff's Office (PBSO) has one forensic artist who responds for the PBSO, as well as for municipal agencies. Throughout Florida and nationwide, most police agencies function with no loss of efficiency with no forensic artists on staff.

Additionally, I spoke with each of the agency heads represented at the Health and Public Safety Committee Meeting on Thursday, December 16, 2010, to confirm that we are not backing away from our commitments to the core of the artist's function. We are only requiring that line-up preparation be conducted by the respective agencies investigative entity, just as we require our Department's detectives to do. Beyond that, they were assured that if an emergency exists in photo line-up construction, we will make the appropriate Intelligence Analysts from our Department (Homicide, Robbery, Special Victims Bureau, etc.) available to assist.

Many of the services that MDPD provides are sheriff functions that are countywide in nature and are therefore funded by countywide property taxes paid by all municipal and unincorporated property owners. The Forensic Services Bureau, and specifically, the Forensic Art Unit, provides this type of countywide services. Therefore, charging municipalities would not be appropriate. Contact was made with several law enforcement agencies in the State and found none that charge other local, state, or federal law enforcement agencies for forensic art services.

JKL/am
Attachment (1)

1. Forensic Art Unit Standard Operating Procedure (Services)

III.FORENSIC ART UNIT:**A. Unit Records:**

1. **Case Assignments:** Composite drawings, agings, and facial reconstructions will reflect the investigating agency's case number.
2. **Case Files:** In most investigations, the original forensic art work will become part of the investigative case file, and be given to the lead investigator from the entity assigned to handle the follow-up investigation. In all cases, a copy of the drawings and notes, or other written documentation produced by the forensic artist, will be maintained by case number, in the Forensic Art Unit.
3. **Monthly Reports/Statistics:** Statistical data, along with a synopsis of major cases handled, and other noteworthy information affecting the unit, will be provided to the supervisor of the FIS as scheduled for weekly and monthly reporting.

B. Training:

1. **General:** To provide the most complete and comprehensive service available, members of the Forensic Art Unit are encouraged to be familiar with and trained in all aspects of forensic artistry.
2. **Entrepreneurial Seminars/Courses:** These courses are advanced through the MDPD Training Section. When requested by the Training Section, or when it is in the best interest of the Department to provide the instructors for an Entrepreneurial Training Course, the unit will cooperate in the presentation of a Forensic Art Training Program.
3. **Requests for Instructors at External Training:** In most situations, the requesting entity should draft a letter of request to the Director of the MDPD. When available, business travel will be utilized for unit personnel requested to instruct at outside agencies. Unless other travel arrangements are agreed

upon by the Director or his designee, all travel and per diem expenses will be borne by the requesting agency.

C. Services: As a support service, the mission of the Forensic Art Unit is to provide timely response to those elements requiring forensic imaging assistance:

1. **Composites:** Computer-generated or hand-drawn composites of subjects, victims, articles, or special features that are related to criminal investigations.

Composites are generally completed through a cognitive interview process with victims or witnesses of criminal activities.

a. **Subjects:** Victim/witness-generated composite drawings or computer-generated composites of other individuals directly related to criminal investigations. The purpose of this type of composite is to capture the close visual likeness of the subject's facial features, providing both investigative leads and limitations on the field of potential targets.

b. **Other:** May be visual aids, usually hand-drawn by the forensic artist, based upon witness descriptions, for the purpose of providing investigative leads to solving the crime. Examples include tattoos, unusual or distinctive stolen articles, birthmarks, etc.

2. **Photo Enhancing:** Computer-generated composites or hand-drawn composites of an individual, usually facial features, but may include specific areas of the body with unique or unusual characteristics. When these photos are less than suitable for publication, they are enhanced or refined to a level that may assist the investigator with additional leads.

a. **Photos/Trap Shots:** Photographs developed from surveillance cameras in place at the scene of the crime, usually Automatic Teller Machines (ATM) and convenience stores. The photographs are reviewed and used as a basis for enhancing techniques.

- b. Videos: Surveillance videos in place at banks, convenience stores, department stores, and ATMs may be utilized in the absence of a reliable victim and/or witness.
1. Facial Reconstruction of Unidentified Remains: One of the first steps in homicide investigations involving unidentified human remains is to identify the deceased. When all other attempts to identify the victim have been unsuccessful, a forensic artist may be called upon to create a facial reconstruction. Facial reconstruction is the scientific art of rendering facial features for the purpose of identifying the deceased. It is usually accomplished by using the skull, or photographs or x-rays of the skull, as a basis.
 - a. Two-Dimensional: A forensic artist drawing employing Medical Examiner reports, forensic anthropologist reports, and standard tissue-depth charts, along with accurate photographs or X-rays of the skull to create a visual approximation of what the individual may have looked like in life. Occasionally, post-mortem renderings are completed from morgue or crime scene photographs.
 - b. Three-Dimensional: A forensic artist approximation of what an individual may have looked like in life, utilizing modeling clay to sculpt the facial features. As in two-dimensional reconstructions, the process utilizes Medical Examiner reports, forensic anthropologist reports, and standard tissue-depth charts.
 4. Facial Enhancement and Age Progression: When it comes to the attention of investigators that a principal of a criminal investigation has altered his/her facial appearance, a forensic artist may be called upon to complete a likeness of the individual with these alterations; i.e., scars, mustaches, beards, and less

frequently, plastic surgery. Additionally, when several years have passed since the subject has been arrested and changes to the individual's physical characteristics have occurred, age progression techniques may be employed. This process is also used for aging children who have been missing several years.

a. Facial Enhancement: The enhancement may be accomplished free-hand using previous photographs of the individual as the starting point, or may be computer-generated in much the same manner.

b. Age Progression: This technique may be accomplished through a forensic artist completing a free-hand drawing or one generated by computer.

1) Adults: Usually completed on subjects of criminal investigations or missing adults when the most current photographs available are several years old.

2) Children: Most frequently used on children who have been missing for several years. The technique employs using other family members whom the child most closely resembles, cranial facial growth charts, and age progressing the missing child accordingly.

5. Photo Comparisons: Analysis of various photos of an individual to determine if they may be the same person.

6. Line-Up Enhancements: A line-up enhancement is completed when a detective needs assistance in creating a "fair" line-up. The forensic artist will be provided with the subject's information in order to pull a photograph of the subject. In addition, the forensic artist will select the five other filler photographs. The suspect's photograph will not be altered, with the exception of changing the background. The other five photographs can, however, be enhanced or changed to make the line-up as impartial as possible.

Enhancements may include such things as changing the background texture or color, lightening or darkening the appearance of the photographs, adding or deleting features or items such as glasses, jewelry, a mole, hats, etc. Information such as the jail number of the filler photographs must be preserved, as well as documentation of what changes were performed.

D. Procedures: The myriad of situations that come to the attention of law enforcement requires flexibility and adaptability to accomplish a successful outcome. To this end, the Forensic Art Unit is prepared to support the law enforcement effort based on the circumstances of the situation under investigation.

- **Call-Out Procedures:** Situations requiring the immediate response of a forensic artist shall be handled, via the Forensic Art Unit, during normal business hours (9 a.m. - 6 p.m., Monday through Friday). For all other times, a request will be made, via the Communications Section Shift Commander, who will contact the FIS Supervisor.