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Draft Minutes
Scientific Advisory Committee Meeting
May 10, 2011
Department of Forensic Science, Central Laboratory, Classroom 1

Committee Members Present

Jose R. Almirall, Ph.D.
John M. Butler, Ph.D.
Dale Carpenter, Ph.D.
Jo Ann Given, Chair
D. Christian Hassell, Ph.D.
Pete Marone
Richard Meyers
Alphonse Poklis, Ph.D.
Thomas L. G. Price
Norah Rudin, Ph.D.
Jami J. St. Clair
Kenneth Zercie

Committee Members Absent

Frederick Bieber, Ph.D.

Staff Members Present

Wanda Adkins, Office Manager
Jeffrey Ban, Central Laboratory Director
David Barron, Ph.D., Technical Services Director
Ann Davis, Special Project Consultant
Leslie Ellis, Human Resources Director
Susan Greenspoon, Forensic Molecular Biologist
Gail Jaspen, Chief Deputy Director
Linda Jackson, Chemistry Program Manager
Bradford Jenkins, Biology Program Manager
Alka Lohmann, Training and Calibration Program Manager
Stephanie Merritt, Department Counsel
John Przybylski, Forensic Science Section Supervisor, Central Laboratory Controlled Substances
Steven Sigel, Deputy Director
Robert Scanlon, Forensic Science Group Supervisor, Central Laboratory Forensic Biology
Lisa Schiermeier-Wood, Forensic Science Section Supervisor, Central Laboratory Forensic
Biology
Susan Stanitski, Eastern Laboratory Director
Carisa Studer, Legal Assistant

47 **Call to Order**

48
49 Chairman Given called the meeting of the Scientific Advisory Committee (“Committee”) to
50 order at 9:05 a.m. Ms. Given introduced Mr. Zercie, the newest member of the Committee. Ms.
51 Given then asked that the Committee to each introduce themselves.

52
53 **Adoption of Agenda**

54
55 Chairman Given asked if there were any additions or changes to the draft agenda for the meeting.
56 Being none, Ms. St. Clair moved to adopt the agenda, which was seconded by Mr. Marone and
57 adopted by unanimous vote of the Committee.

58
59 **Adoption of Minutes**

60
61 Chairman Given asked if there were any changes or corrections to the draft minutes from the
62 August 10, 2010 meeting. Being none, Mr. Marone moved to adopt the minutes, which was
63 seconded by Ms. St. Clair and adopted by unanimous vote of the Committee.

64
65 **Chair’s Report**

66
67 Chairman Given introduced and welcomed new member Mr. Kenneth Zercie.

68
69 **DFS Director’s Report**

70
71 DFS Director Pete Marone reported on new equipment for the Department. New equipment will
72 be delivered and installed in the Toxicology section by June 1, 2011 to replace mass spec.
73 equipment. The Trace Evidence Section will also be receiving new three new pieces of
74 equipment and the Controlled Substances Section will be receiving 2 new pieces of equipment.
75 There are plans to replace more equipment in the Controlled Substances Section in the future.

76
77 Director Marone reported on the progress of the Central Laboratory and Eastern Laboratory
78 expansions. The Central Laboratory continues to expand its lab space, with plans to move file
79 room space. The Eastern Laboratory has received its occupancy permit and will be moving into
80 the expansion in the upcoming weeks. Also, Director Marone gave a staffing update on
81 toxicology openings. There are three new positions and all existing positions have been filled.
82 By August all new staff should be qualified. The Department will be looking at the needs of all
83 sections to determine what positions will be needed in the future.

84
85 Regarding the 30-60-90 day Workload Summary report, Director Marone informed the
86 Committee that the Department is working on maintaining no more than a reasonable backlog.
87 Progress is being made on completing cases over 60 and 90 days.

88
89 Director Marone updated the Committee on the Post-Conviction DNA testing program. NIJ has
90 relooked at qualifying offenses that can be tested under the program, expanding eligibility to
91 cases with violent felony convictions.. Phase II of the program has begun. Phase 1 finished with
92 the March 31, 2011 deadline for originally-qualifying cases completed and reports issued.

93
94 Mr. Meyers inquired about the Department's success in attracting qualified candidates for posted
95 positions. Director Marone answered that the Department has recently had success in finding a
96 number of qualified candidates, but there have been times in the past that the Department has had
97 trouble obtaining qualified applicants.
98

99 Mr. Hassell inquired about the staffing in the Northern Laboratory. Mr. Marone responded that
100 there was a Latent Print Supervisor position in the recruitment process and DFS was moving
101 forward on filling the position. There were also four DNA grant funded positions added, with
102 the hope of bringing those positions into General Funding in the future.
103

104
105 **Old Business**
106

107 Dr. Almirall presented the report of the SAC Chemistry Subcommittee. The Subcommittee
108 conducted a review of the procedures manual, as well as the training manual, for Controlled
109 Substances. The Subcommittee found both manuals to be well-written, comprehensive, and
110 provided only eight recommendations for staff. The subcommittee gave the recommendations to
111 Chemistry Program Manager Linda Jackson, who incorporated all eight recommendations into
112 the current manuals. The current manuals are on the Department's website. Ms. Jackson offered
113 to make the changes available to members who would like to view a red-lined version. The
114 recommendations were very minor, and the subcommittee did not feel it was necessary to meet
115 again prior to this meeting. Dr. Almirall has met with Ms. Jackson to begin discussing
116 suggestions for the Trace Evidence manuals. The Department will be incorporating new
117 equipment and procedures into the Trace Evidence section, and will notify the Subcommittee
118 when the manuals will be ready for a formal review.
119

120 Dr. Rudin asked Dr. Almirall for a summary of the eight changes made to the chemistry
121 manuals. Mr. Almirall went over all eight changes made to sections 1.1, 2.7, 5.3.4.2, 8 & 9,
122 19.4, 28.1, 30, and 36 of the Controlled Substances Procedures Manual
123

124 Dr. Almirall moved that the Committee accept changes submitted by the Department and declare
125 the formal review of the procedures and training manuals complete, which was seconded by Mr.
126 Hassell and adopted by unanimous vote.
127

128 Brad Jenkins, Biology Program Manager, gave an update to the Committee by slide presentation
129 on Stochastic Threshold (ST) Implementation. Mr. Jenkins worked on this topic with Dr. Rudin
130 and Dr. Butler from the Committee. Mr. Jenkins defined ST for the rest of the Committee. His
131 presentation included guidelines, calculations, and how the Department plans to move forward
132 with ST implementation.
133

134 Dr. Butler asked if the Department will outsource the calculations of likelihood ratios, and if so,
135 to whom. Mr. Jenkins answered that department is evaluating that issue,
136

137 Dr. Rudin asked questions regarding one standard deviation versus two standard deviations in the
138 threshold measurement. Mr. Jenkins answered that this was discussed at the last SAC meeting.

139 Dr. Rudin commented that the Department could be throwing away good data. Mr. Jenkins
140 responded that the Department would be evaluating the data, not throwing it away. Dr. Rudin
141 asked how DFS would be using it. Mr. Jenkins explained about alleles above and below
142 thresholds, and about how those alleles would be evaluated. Dr. Rudin asked about likelihood
143 ratios and expressed concern over doing likelihood ratios without considering allelic drop-out.
144 Mr. Jenkins explained that the software the Department is looking for will take that into
145 consideration.

146
147 Dr. Butler asked about the 6,000 discussed in the presentation, and the 375 CPI cases. He asked
148 about the rest of the cases and whether or not they were single source samples. Mr. Jenkins
149 explained that they were single source samples, or no suspect cases, and some likelihood ratios
150 from two-person mixtures. They discussed the 375 CPI cases that will be worked by the
151 Forensic Biology section.

152
153 Brad Jenkins also gave an update to the Committee on Familial DNA Searching. Mr. Jenkins
154 discussed familial searching generally, the Department's policy, software, and how the
155 Department plans to move forward.

156
157 Dr. Almirall asked if the Department had received any requests for Familial DNA searches.
158 Chief Deputy Director Gail Jaspén replied that the Department could not answer since the
159 Department neither confirms or denies that it is working on particular cases.. Mr. Marone
160 explained the policy requiring the prosecutor and chief law enforcement officer to make the
161 request was done purposefully so that all parties in the case are involved. The Department wants
162 to start the familial DNA testing program conservatively. It's not to be used for every case, only
163 for cases with extreme public safety issues. Ms. Jaspén further explained that the law
164 enforcement agency must show that they have exhausted other investigative leads, which is to be
165 clarified on the agreement form.

166
167 Dr. Rudin asked if Mr. Jenkins had received comments from Dr. Bieber. Mr. Jenkins explained
168 that he had just received comments from Dr. Bieber late the previous night and needed to review
169 them further. Dr. Rudin asked that Mr. Jenkins comment further on discussion he has had with
170 Dr. Butler. Mr. Jenkins and Dr. Butler explained that Dr. Butler's post-Doctoral student was
171 during extensive research on familial DNA. She is currently working on calculations, and has
172 been in contact with other labs. Dr. Butler commented on suggestions regarding the Biology
173 manual, and Mr. Jenkins agreed that those comments were going to be added. Mr. Jenkins
174 further discussed additional samples being added to the data, and use of values for different
175 family relationship values.

176
177 Dr. Rudin asked if there were any falsely captured profiles included who are not first order
178 relatives, how often that might happen., and about likelihood ratios for that data. Mr. Jenkins
179 commented on the size of the database and how the information will be captured. He explained
180 lineage testing for elimination. Dr. Rudin asked about mitochondrial testing. Mr. Jenkins
181 responded that the Department is currently working on mitochondrial, and that 20% of the
182 database is women. The Department is working on the details and how to mover forward
183 efficiently. Mr. Butler commented further on Mito-type testing and made suggestions for the
184 future. Dr. Rudin asked if the Defense bar requested documentation, would it be provided. Mr.

185 Jenkins answered that there would be documentation available, and the validation would be
186 available. It would be handled the same as any other in-house programs. Dr. Rudin suggested
187 that the Department do cross-validation. Mr. Jenkins explained that they are looking into that.
188 Dr. Rudin asked about the NIST samples in the charts that seem to be outliers. Dr. Butler
189 explained the reasoning about the NIST samples having built in mutations. Mr. Jenkins added
190 that their software will handle mutations. He gave an example and noted that is something Dr.
191 George Carmody wrote about in his summary. Susan Greenspoon also provided an explanation
192 of likelihood ratios and the validation studies. Mr. Hassell commented on setting limits as to
193 how many samples would be screened with additional lineage testing. Mr. Jenkins explained
194 that it will come down to continually looking at the database and its capacity as the database
195 grows. Mr. Marone commented on the decisions that will have to be made on acceptance levels.
196 Dr. Butler explained that the challenge will be in lowering expectations, because there will not
197 be hits every time. He also commented on the Department's protocols being on line, and the
198 importance of them being correct, as other states will probably model after them. Discussion
199 concluded with the reiteration that familial DNA searching is only an investigative tool for law
200 enforcement.

201
202 Ms. Given called for a fifteen minute break at 10:40 am.

203
204 The committee resumed at 10:55 a.m.

205
206 **New Business**

207
208 Ms. Given asked the Department staff to introduce themselves to the committee. All staff that
209 was present introduced themselves and gave a short explanation of their position.

210
211 Mr. Marone asked the Committee how they would like to proceed with both the ST and familial
212 testing issues. Ms. Given asked him to address the ST issue first.

213
214 Mr. Poklis asked for a point of order on accepting the reports of the ST issue. Discussion
215 between to the committee ensued on what motion would be appropriate to present. Dr. Rudin
216 expressed interest in having more time to look at the information presented.

217
218 Mr. Price moved to accept the reports for ST, which was seconded by Dr. Butler and adopted by
219 unanimous vote of the Committee.

220
221 Ms. Given asked the Committee if at this point any member could offer direction to the
222 Department for ST or Familial DNA.

223
224 Mr. Butler expressed interested is seeing more feedback with studies and having the research
225 presented. Dr. Rudin commented that the Committee should take more time to look at the
226 reports and have Mr. Jenkins report back to the Committee in the future on any questions they
227 may have. Ms. Givens suggested that questions should be submitted to Ms. Jaspen. Ms. Jaspen
228 responded that committee members can submit their questions and they would be directed to the
229 appropriate staff member, and individual members could talk to staff. Dr. Rudin commented that
230 a subcommittee may need to meet. Ms. Jaspen answered that an interim subcommittee meeting

231 could be scheduled if there was a need. Mr. Marone also responded back to the Committee on
232 the suggestions they were discussing on what they would like to see the Department do, the
233 committee would like the Department to take comments, respond, and report back on progress.
234 Ms. Jaspen explained that the Chair can call an additional meeting or a subcommittee meeting if
235 it is requested. Ms. Given set a deadline of June 10, 2010 to submit comments to the
236 Department. Ms. Jaspen asked that all comments and questions on both the ST and Familial
237 DNA issues be sent to Carisa Studer by June 10, 2010, and depending on the volume and
238 complexity of the comments received the Chair can decide whether a subcommittee is necessary.
239 Dr. Rudin asked that the subcommittee have input on whether the subcommittee meets. Ms.
240 Jaspen will explain that the comments will be shared with the subcommittee and the
241 subcommittee can then request the chair to call a meeting. Dr. Rudin asked that Mr. Butler be
242 nominated the Chair of the subcommittee. Ms. Given explained that once the new officers are
243 appointed than they can move forward with a new Chair of the subcommittee.
244

245 Mr. Marone asked that the Committee move forward with a formal review of the Physical
246 Evidence program. Because of all the new equipment and staff, reorganization and manual
247 updates that will be required. Ms. Jaspen asked if staff will make a presentation at the next
248 Committee meeting on the Firearms program. Mr. Marone answered that a presentation would
249 be made, and he would like the Committee to get started on the process for the next meeting. Dr.
250 Almirall moved to create a Subcommittee for Physical Evidence, which was seconded by Dr.
251 Rudin and adopted by unanimous vote of the Committee. Mr. Zercie and Ms. St. Clair were
252 appointed to the subcommittee on Physical Evidence.
253

254 **Annual Election of Committee Chair and Vice Chair**

255
256 Ms. Given called for the annual election of the Committee Chair and Vice Chair. Ms. Given
257 asked for nominations for Chair of the Committee. Mr. Marone moved that Ms. Given be re-
258 appointed as Chair; the nomination was seconded by Dr. Rudin and passed by unanimous vote of
259 the Committee. Ms. Givens asked for nominations for Vice Chair. Dr. Rudin nominated Ms. St.
260 Clair to the Vice Chair position; the nomination was seconded by Mr. Butler and passed by
261 unanimous vote of the Committee.
262

263 **Public Comment**

264
265 None
266

267 **Next Meeting**

268
269 The next meeting will be Tuesday, October 11, 2011 at 9a.m.
270

271 Ms. Jaspen reminded the Committee of the Conflict of Interest training which must be completed
272 by each member every 2 years.
273

274 Mr. Price asked if there were any expectations for the Firearms/Tool marks Subcommittee by the
275 next meeting date. Mr. Marone responded that the Subcommittee should review the section
276 procedures but it is not necessary to have recommendations by the next meeting.

277

278 **Adjournment**

279

280 Chairman Given asked if there was a motion to adjourn. Dr. Poklis moved that the meeting of
281 the Committee be adjourned, which was seconded by Mr. Price and passed by unanimous vote.

282

283 The meeting adjourned at 11:24 a.m.