Draft Minutes
Scientific Advisory Committee Meeting
January 13, 2009
Department of Forensic Science, Central Laboratory, Classroom 1

Committee Members Present:

Jose R. Almirall, Ph.D.
Frederick Bieber, Ph.D.
Mr. Joseph Bono
Dale Carpenter, Ph.D., Chair
Mr. Dominic Denio
Ms. Deborah Friedman
D. Christian Hassell, PhD.
Dan Krane, Ph.D.
Mr. Peter Marone
Alphonse Poklis, Ph.D.
Norah Rudin, Ph.D.

Committee Members Absent:

Arthur Eisenberg, Ph.D.
Mr. Kenneth Smith

Staff Members Present

Ms. Wanda Adkins, Office Manager
Ms. Elizabeth Ballard, Forensic Scientist, Forensic Biology
Mr. Jeffrey Ban, Central Laboratory Director
David Barron, Ph.D. Technical Services Director
Ms. Guinevere Cassidy, Legal Assistant
Ms. Ann Davis, Physical Evidence Program Manager
Ms. Leslie Ellis, Human Resources Director
Ms. Shelley Edler, Forensic Scientist, Forensic Biology
Mr. Bradford Jenkins, Biology Program Manager
Ms. Gail Jaspen, Chief Deputy Director
Ms. Alka Lohmann, Training and Calibration Program Manager
Mr. Peter Marone, Director
Mr. Kevin Patrick, Western Laboratory Director
Mr. Steven Sigel, Deputy Director
Ms. Lisa Schiermeier-Wood, Section Supervisor, Forensic Biology
Ms. Amy Wong, Northern Laboratory Director

Call to Order:

Director Marone called the meeting to order at 9:02 a.m. He informed the Scientific Advisory Committee (the Committee) that Chairman Barry Fisher had resigned from the Committee, and he suggested that the first order of business might be the election of a new Chair.

Election of New Chairman

Dr. Rudin moved that Dr. Carpenter be appointed the new Chairman of the Committee. Ms. Friedman seconded the motion. Dr. Carpenter was elected Chairman by unanimous vote of the Committee.

Adoption of Agenda

Chairman Carpenter asked if there were any additions or changes to the draft agenda for the meeting. Mr. Bono moved to adopt the agenda which was seconded by Director Marone and adopted by unanimous vote.

Adoption of Minutes

Chairman Carpenter asked if there were any changes or corrections to the draft minutes from the August 5, 2008, meeting. Dr. Krane asked that two typographical errors be corrected on line nos. 120 and 167. Mr. Bono moved to adopt the minutes of the August 5, 2008 meeting. The motion was seconded by Director Marone and adopted by unanimous vote.

Director's DFS Report

Director Marone introduced Gail Jaspen, new Chief Deputy Director of the Department of Forensic Science (DFS) and liaison to SAC and the Forensic Science Board (FSB).

Director Marone introduced Dr. Chris Hassell the Director of the Federal Bureau of Investigation's laboratory as the new member of SAC.

Director Marone informed the Committee regarding the budget reduction restructuring of the agency. The eight Section Chief positions overseeing Drugs, Toxicology, Trace Evidence, Latents/Imaging, Firearms, Nuclear DNA, Breath Alcohol and the Training Academy were restructured into four Program Manager positions overseeing Training and Calibration, Physical Evidence, Chemistry, and Biology. The Director of Administration and Finance position was eliminated.

Director Marone introduced Brad Jenkins, DFS Biology Program Manager who gave the Committee an update report on the DNA platform change. Mr. Jenkins stated that DFS is purchasing four 3130xl instruments contingent on final approval from NIJ. Currently the Central lab has two 3130xl instruments. Many of the validation studies are near completion and summaries are being drafted. Performance checks will be conducted on the new instruments when they arrive. Regarding the development of draft manuals, the Casework Manual is still in

progress and the Databank Manual is under review and edit. Regarding training, twenty staff members are being sent to a week long training course (January/February) offered at Marshall University. The course offers lectures on capillary electrophoresis and hands on training with the 3130xl instrument. The training and travel is paid for with grant funds offered through NIJ. Additional training will consist of lecture, literature review and training samples. On-site training and orientation will be provided by the manufacturer. Regarding the SAC review, it is estimated that the validation summaries and the procedure manuals will be available by the end of May 2009.

Discussion by the Committee ensued. Dr. Krane reminded DFS of the Committee's thirty-day review requirement. Discussion by the Committee regarding the appointment of a new subcommittee to review the validations and protocol manuals of the PowerPlex 16 on the 3130xl was tabled until the "Old Business" section of the Committee meeting.

Regarding laboratory equipment, Director Marone presented information about the potential acquisition of a Liquid Chromatography/Mass Spectrometry/Mass Spectrometry (LC/MS/MS) from the Division of Consolidated Laboratory Services, Neonatal screening unit. Gas Chromatography/Mass Spectrometry (GC/MS) has been the standard for forensic analysis for decades and requires volatilization of sample extracts into an inert gaseous stream followed by separation and detection. The LC/MS/MS approach alleviates the limitation of sample volatility. For most analyses, LC/MS/MS requires less extensive sample cleanup and shorter analysis time. LC/MS/MS has become the standard bio-analytical method in the pharmaceutical industry and has made significant advances into forensic science laboratories.

Discussion by the Committee ensued. Mr. Bono moved that the Committee approve DFS's proposal to acquire a LC/MS/MS. Dr. Hassell seconded the motion which passed by unanimous vote.

Regarding the SWGDAM guidelines, Mr. Jenkins informed the Committee that the revised standards are effective July 1, 2009. The SWGDAM guidelines are the quality assurance standards of DNA laboratories. Many of the SWGDAM standards have been expanded and further defined. DFS is currently following many of the new standards but edits to the manuals are needed to document DFS's compliance.

Discussion by the Committee and Mr. Jenkins ensued regarding specific quality assurance standards.

Regarding new protocols, Director Marone informed the Committee that DFS protocols have been posted on the DFS website for years which is not a requirement. Due to the reduced budget new changes are slow because the webmaster for the DFS website is a subcontractor and a new webmaster is cost prohibitive.

Discussion by the Committee ensued regarding the role of the Committee in review of all or a portion of new protocols. The Committee agreed that within six months, Director Marone will draft a proposal regarding notifying the Committee of new protocols/manuals. Dr. Krane

requested a copy on CD of protocols approved in the last Committee meeting but not yet posted online.

Old Business

Dr. Rudin moved to amend the Bylaws of the SAC concerning non-Committee member participation as follows:

> Addition of section 4 to Article II… *4. The functions of the Committee must be performed by the Committee and may not be delegated to any other entity or individuals. A subcommittee may be formed pursuant to Article III, section 5, to perform work related to these functions, but no report or recommendation of any subcommittee shall constitute a discharge of any function of the Committee or an action of the Committee without approval by the Committee.*
>
> Addition of underlined text to section 5 of Ariticle V… *5. The Chair shall have the authority to create subcommittees, to appoint the Chair of each subcommittee, and to define the scope of each subcommittee's function. The Chair shall not appoint non-Committee members to any subcommittee without prior approval of the Committee. If the Committee approves the appointment of non-Committee members to a subcommittee, Committee members must constitute a majority of the members of the subcommittee.*

Discussion by the Committee ensued. Dr. Rudin agreed to withdraw her motion.

Discussion by the Committee ensued regarding the appointment of a new subcommittee to review the validations and protocol manuals of the PowerPlex 16 on the 3130xl. The Committee agreed that the following members of the Committee would form the DNA Platform Change Subcommittee: Dr. Rudin, Chair; Ms. Friedman, Vice Chair; Dr. Bieber; and Dr. Krane. Chairman Carpenter stated that he would contact Dr. Eisenberg regarding his interest in being on the subcommittee.

Regarding the two SAC members required to sit on the FSB, Chairman Carpenter stated that Mr. Bono would remain on the FSB because he is the Chairman of that body. Chairman Carpenter would be the second SAC member.

New Business

Director Marone moved to amend Section 3 of the Bylaws to allow for election of Vice Chair as follows:

> Addition of underlined text to section 3… *The Committee shall elect a chair from among the members appointed by the Governor. The Chair shall preside at meetings of the Committee and shall perform such additional duties as may be imposed by action of the Committee. The term of office for the Chair begins July 1. The Chair may be eligible for re-nomination and re-election to successive*

terms not to exceed two total terms. ~~*The Chair shall appoint a Chair Pro Tempore in the event of his/her absence and, if he.she does not, the quorem of members present at any meeting shall elect a Chair Pro tempore to preside for that meeting.*~~

The Committee also shall elect a vice chair from among the members appointed by the Governor. The Vice Chair shall preside at meetings of the Committee in the event of the absence of the Chair and shall perform such additional duties as may be requested by the Chair or imposed by action of the Committee. The term of office for the Vice Chair begins July 1. The Vice Chair may be eligible for re-nomination and re-election to successive terms not to exceed two total terms and may be eligible for nomination and election to the office as Chair.

Discussion by the Committee ensued. Dr. Krane moved to vote on the adoption of Director Marone's motion to Bylaws regarding the election of a Vice Chair to the next meeting of the Committee. Dr. Rudin seconded the motion which passed by unanimous vote of the Committee.

Public Comment – None

Next Meeting – The next meeting of the Scientific Advisory Committee is scheduled for August 11, 2009 at 9:00 a.m.

Adjournment – The meeting adjourned at 10:25 a.m.