

1 **Minutes**  
2 **Forensic Science Board Meeting**  
3 **January 6, 2021**  
4 **Department of Forensic Science, Held Electronically**

5 **Board Members Present**

6 Colonel Maggie A. DeBoard, Chief of Police, Town of Herndon Police Department  
7 Shannon Dion, Director, Department of Criminal Justice Services (DCJS)  
8 Leslie E. Edinboro, Ph.D., Scientific Advisory Committee Member  
9 William T. Gormley, M.D., Chief Medical Examiner  
10 Karl R. Hade, Executive Secretary, Supreme Court of Virginia  
11 Delegate Charniele L. Herring, Chair, Virginia State Crime Commission and House Courts of  
12 Justice Committee  
13 Sammy Johnson (Designee of Caroline D. Juran, Executive Director, Board of Pharmacy)  
14 David R. Lett, Petersburg Public Defender, *Chair*  
15 Colette W. McEachin, Commonwealth's Attorney, City of Richmond  
16 Richard P. Meyers, Scientific Advisory Committee Member  
17 Colonel Gary T. Settle, Superintendent, Virginia State Police  
18 Denise M. Toney, Ph.D., Director, Division of Consolidated Laboratory Services  
19 Holli Wood (Designee of Attorney General Mark R. Herring)

20 **Board Members Absent**

21 Senator John S. Edwards, Chair, Senate Courts of Justice Committee

22 **Legal Counsel for the Forensic Science Board**

23 Kelci Block (Designee of Michelle Welch, Assistant Attorney General)

24 **Staff Members Present**

25 Jeffrey D. Ban, Central Laboratory Director  
26 David A. Barron, Ph.D., Deputy Director  
27 Madison Boden, PERK Tracking System Coordinator  
28 Sabrina S. Cillessen, Physical Evidence Program Manager  
29 Leslie H. Ellis, Human Resources Director  
30 Katya N. Herndon, Chief Deputy Director  
31 James W. Hutchings, Ph.D., Toxicology Program Manager  
32 Linda C. Jackson, Director  
33 Amy C. Jenkins, Department Counsel  
34 Alka B. Lohmann, Director of Technical Services  
35 M. Scott Maye, Northern Laboratory Director  
36 Jessica B. Norton, Legal Assistant  
37 Susan Stanitski, Eastern Laboratory Director  
38 Elizabeth Stroble, Grants and Administration Program Manager  
39 Jennifer L. Taylor, Procurement Specialist I, *Board Secretary*  
40 Robyn B. Weimer, Chemistry Program Manager

41 **Call to Order**

42 As a result of the state of emergency declared by Governor Northam due to COVID-19, the  
43 Forensic Science Board conducted the meeting by electronic communication means using the  
44 Google Meet platform. The public was permitted to attend and participate via video or audio  
45 conference. Directions for public participation were provided on the meeting agenda and posted  
46 on Virginia's Town Hall.

47  
48 David Lett, Chair of the Board, called the meeting to order at 9:31 a.m. Mr. Lett requested Ms.  
49 Taylor to call the roll to ensure that a quorum was present. Ms. Taylor called the roll as follows:

- 50 Colonel DeBoard – Present
- 51 Director Dion – Present
- 52 Dr. Edinboro – Present
- 53 Senator Edwards – Absent
- 54 Dr. Gormley – Present
- 55 Mr. Hade – Present
- 56 Delegate Herring – Present
- 57 Mr. Johnson – Not present at time of roll-call or any votes, notified after meeting of  
58 attendance
- 59 Mr. Lett – Present
- 60 Ms. McEachin – Not present at time of roll-call, but joined subsequently
- 61 Mr. Meyers – Present
- 62 Colonel Settle – Not present at time of roll-call, but joined subsequently
- 63 Dr. Toney – Present
- 64 Ms. Wood – Present

65 Ms. Taylor advised that a quorum was present.

66 **Adoption of Agenda**

67 Mr. Lett advised that the first order of business was the adoption of the draft agenda for the  
68 meeting, which was previously shared with the members. Mr. Hade made a motion to adopt the  
69 agenda, which was seconded by Dr. Gormley. A roll-call vote was taken, and the agenda was  
70 adopted. The members voted as follows:

- 71 Colonel DeBoard – Yes
- 72 Director Dion – Yes
- 73 Dr. Edinboro – Yes
- 74 Dr. Gormley – Yes
- 75 Mr. Hade – Yes
- 76 Delegate Herring – Yes
- 77 Mr. Lett – Yes
- 78 Ms. McEachin – Not present at time of vote
- 79 Mr. Meyers – Yes
- 80 Colonel Settle – Not present at time of vote
- 81 Dr. Toney – Yes
- 82 Ms. Wood – Yes

83 **Approval of Draft Minutes of the October 15, 2020 Board Meeting**

84 Mr. Lett asked if there were any proposed changes to the draft minutes from the October 15, 2020  
85 meeting. Being none, Delegate Herring made a motion to approve the October 15, 2020 minutes,  
86 which was seconded by Colonel DeBoard. A roll-call vote was taken, and the minutes were  
87 approved. The members voted as follows:

88 Colonel DeBoard – Yes  
89 Director Dion – Yes  
90 Dr. Edinboro – Yes  
91 Dr. Gormley – Yes  
92 Mr. Hade – Yes  
93 Delegate Herring – Yes  
94 Mr. Lett – Yes  
95 Ms. McEachin – Not present at time of vote  
96 Mr. Meyers – Yes  
97 Colonel Settle – Not present at time of vote  
98 Dr. Toney – Yes  
99 Ms. Wood – Yes

100 **DFS Director’s Report**

101 Agency Updates

102 Director Jackson referenced the emergency temporary regulations for workplace safety adopted  
103 by the Department of Labor and Industry (DOLI) due to COVID-19 and explained that DFS has  
104 developed and implemented all required policies, procedures, plans and trainings in accordance  
105 with the DOLI standard.

106 Director Jackson shared statistics on the reduction in the volume of breath tests being administered  
107 across the state, workload statistics from 2019 to 2020 and the December 2020 turnaround times.

108 Facilities

109 Director Jackson provided an update on the Central Laboratory facility project. The preliminary  
110 design phase is in progress with preliminary drawings were submitted to the Department of  
111 General Services’ Division of Engineering and Buildings (DEB) by January 1, 2021. Because the  
112 project transitioned from a renovation/expansion of the existing Central Laboratory to construction  
113 of an entirely new facility, the budget for the project will be re-evaluated once the preliminary  
114 drawings have been approved.

115 Agency Initiatives

116 Director Jackson reminded the Board of the surveillance assessment DFS underwent in May  
117 2020. DFS received notification on September 25, 2020 of its successful completion of the  
118 ISO/IEC 17025 surveillance assessment for Testing and Calibration. The Department completed  
119 DNA onsite QAS audits in December 2020.

120 Director Jackson reviewed the 2019 Drug Cases Submitted to the Department Report were she  
121 discussed that the use of illicit synthetic opioids continues to rise.

122 Director Jackson shared with the Board a list of the 12 compounds DFS recommended to the  
123 Board of Pharmacy to consider scheduling through the expedited regulatory process. The  
124 compounds were considered by the Board at its December meeting and are pending final  
125 approval.

126 Director Jackson discussed the Laboratory Information Management System (LIMS). Due to  
127 COVID-19, it has highlighted the need for a PreLog for Casework. A PreLog for the DNA Data  
128 Bank is a grant funded project with TCSC and legislation is required for implementation. Director  
129 Jackson also discussed that the PERK Tracking System has been integrated with LIMS.

130 Director Jackson announced that as an agency outreach initiatives, the Department has sent  
131 satisfaction surveys for the PERK Tracking System and has also published a Legal Resources  
132 webpage.

### 133 Budget

134 Director Jackson presented an overview of the DFS Budget to the Board. She noted the hiring  
135 freeze that was put in place due to COVID-19 was lifted on October 26, 2020. Director Jackson  
136 reviewed the Department's pledged savings for FY20, COVID-19 funding, new budget items, and  
137 the Department budget for FY21/FY22.

138

### 139 Grants

140 Director Jackson presented a summary of DFS grants.

141

### 142 Old Business

#### 143 Microscopic Hair Comparison Case Review Update

144 Amy Jenkins, Department Counsel, provided an update on the Microscopic Hair Comparison Case  
145 Review. DFS is continuing to review cases for positive, probative hair associations to identify  
146 additional cases for the project.

### 147 New Business

#### 148 Periodic Review of Regulations

149 Ms. Jenkins announced to the Board that it is time to begin the Periodic Review of DFS  
150 Regulations. She reviewed the timeline for the Review to meet all the Review requirements. The  
151 deadline for Review is May 30, 2021.

152

153 Mr. Hade made a motion to initiate the Board's review of Periodic Review of Regulations. The  
154 motion was seconded by Delegate Herring. A roll-call vote was taken, and the Periodic Review of  
155 Regulations was approved. The members voted as follows:

156 Colonel DeBoard – Yes

157 Director Dion – Yes

158 Dr. Edinboro – Yes  
159 Dr. Gormley – Yes  
160 Mr. Hade – Yes  
161 Delegate Herring – Yes  
162 Mr. Lett – Yes  
163 Ms. McEachin – Yes  
164 Mr. Meyers – Yes  
165 Colonel Settle – Yes  
166 Dr. Toney – Yes  
167 Ms. Wood – Yes

168 **Public Comment**

169 Mr. Lett inquired whether any member of the public would like to provide any comments. No  
170 member of the public provided comment.

171 **Adjournment**

172 Mr. Lett called for a motion to adjourn. Ms. McEachin made a motion to adjourn the meeting,  
173 which was seconded by Dr. Gormley. A roll-call vote was taken, and the motion was adopted. The  
174 members voted as follows:

175 Colonel DeBoard – Yes  
176 Director Dion – Yes  
177 Dr. Edinboro – Yes  
178 Dr. Gormley – Yes  
179 Mr. Hade – Yes  
180 Delegate Herring – Yes  
181 Mr. Lett – Yes  
182 Ms. McEachin – Yes  
183 Mr. Meyers – Yes  
184 Colonel Settle – Yes  
185 Dr. Toney – Yes  
186 Ms. Wood – Yes

187 The meeting adjourned at 10:17 a.m.