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**Minutes**  
**Meeting of the Review Subcommittee**  
**of the Scientific Advisory Committee**  
**October 10, 2023, 10:00 a.m.**  
**Department of Forensic Science, All Virtual Meeting**

**Subcommittee Members Present**

Kathleen Corrado, Ph.D., *Subcommittee Chair*  
Jennifer Breaux  
Erin Forry, MS  
George Maha, Ph.D.  
Peter Vallone, Ph.D., *Subcommittee Co-Chair*

**Staff Members Present**

Karen Ambrozy, Forensic Scientist  
David A. Barron, Ph.D., Deputy Director  
Mason Byrd, Chief Deputy Director  
Linda C. Jackson, Director  
Amy C. Jenkins, Department Counsel  
Bradford Jenkins, Forensic Biology Program Manager  
Alka B. Lohmann, Director of Technical Services  
Jessica B. Norton, Senior Legal Assistant  
Anne Pollard, Forensic Scientist  
Robert W. Scanlon, Forensic Scientist, Forensic Biology  
Kelly Shelton, Administrative Specialist  
Elise Stroble, Grants and Administration Program Manager

**Call to Order by Subcommittee Chair**

Dr. Kathleen Corrado called the meeting of the Review Subcommittee (“Subcommittee”) to order at 10:01 a.m. and asked the members of the Subcommittee to introduce themselves.

**Adoption of Agenda**

Dr. Corrado advised that the first order of business was the adoption of the draft agenda for the meeting and noted that the agenda was previously shared with the Subcommittee members. Dr. Maha made a motion to adopt the agenda, which was seconded and passed by unanimous vote of the Subcommittee.

**New Business**

Amy Jenkins, Department Counsel, provided an overview of the Podcast, *Admissible: Shreds of Evidence* (the “Podcast”) by Virginia Public Media (“VPM”). DFS became aware of VPM’s interest in 2019, by a request for personnel files from the podcast hosts. These FOIA requests continued until February 2022. Director Jackson and Brad Jenkins provided an interview to the hosts in February 2022. Shortly after the interview, DFS requested the documents referenced by the Podcast reporter during the interview. Some of the documents were provided by VPM in July 2023. DFS became aware that the podcast had been released in early 2023. Ms. Jenkins provided a brief overview of each episode and let the Subcommittee know that the transcripts of each of the episodes are available on-line through VPMs website.

47 Ms. Jenkins provided a brief overview of the DFS case files that were subject to the Podcast. DFS has  
48 posted the redacted case files and documents provided by VPM on the Department's website.  
49

50 **Review of Serology Cases**

51 Robert Scanlon, a previously retired forensic scientist with the Department, started with the Department as  
52 a serologist. He provided an overview of serology testing and procedures conducted by the Department  
53 (then Bureau). Mr. Scanlon let the Subcommittee know that procedures, method validations, and  
54 accreditations were not a part of the laboratory processes at this time. Mr. Scanlon provided samples and  
55 explanations of serology testing.  
56

57 **Subcommittee Discussion**

58 In advance of the meeting, the members of the Subcommittee were provided copies of the materials for  
59 discussion. Dr. Corrado opened the discussion for questions and comments from the Subcommittee.  
60

61 Dr. Maha started the discussion, stating he listened to and reviewed the Podcast. Dr. Maha discussed the  
62 limitations in technology in the 1970s and even in the late 80s to early 90s with RFLP analysis.  
63

64 Dr. Corrado asked a few questions of Mr. Scanlon regarding the multiple copies of Requests for Laboratory  
65 Examinations (RFLE's) contained in the Department's case files. Mr. Scanlon responded with there is one  
66 (1) master copy of the RFLE, but multiple copies could be generated, with one memorializing the initial  
67 receipt of the evidence and then one copy memorializing the return of the evidence. Because it is very  
68 common to have multiple copies in the DFS case file, Mr. Scanlon suggested that the Subcommittee look  
69 for the most complete RFLE with the return of the evidence to the law enforcement agency noted.  
70

71 Dr. Corrado asked about the dictated and typed notes and if it was the practice of the lab to retain those  
72 drafts. According to Mr. Scanlon, Dictaphone recordings were not saved once the report was released.  
73 Sometimes there may have been handwritten notes, but Ms. Burton was a big proponent of the Dictaphone  
74 method instead of handwritten reports, and it is very rare to find any handwritten reports in her files.  
75

76 Dr. Corrado asked about the case files received, and inquired if the members of the Subcommittee had  
77 complete case files and is it possible that other paperwork would be in the other files or if there could be  
78 missing paperwork from the case files. Mr. Scanlon stated that, as far as DFS was aware, the Subcommittee  
79 members should have a copy of all the paperwork contained in the case files. The logbook photocopies  
80 were not in the case file, but in the VPM documents. The Podcast indicated that Gina Demas and Shirley  
81 Patterson were photocopying the logbooks. It does not appear that the logbooks were made part of the case  
82 file documentation at this time.  
83

84 Dr. Maha commented that there are some worksheets in the logbooks labeled before and after and cautioned  
85 the Subcommittee that the focus should be on the official documentation contained in the case file. The  
86 Department does not have the original logbooks anymore. Dr. Maha further discussed the accreditation of  
87 the laboratory now and the changes in procedures, etc., since the 1970s.  
88

89 **Public Comment**

90 Ben Paviour, a reporter with VPM, provided comments about the synopsis of the Podcast. He stated that  
91 multiple sources provided information to VPM about Ms. Burton working evenings and weekends alone.  
92 Mr. Paviour reminded the Subcommittee members that Pete Marone had acknowledged that the lab could  
93 not get accredited while Ms. Burton was employed. Mr. Paviour asked what additional action would be  
94 taken based on the Podcast. Dr. Corrado responded that there is so much information and the Subcommittee  
95 wants to reserve opinion until all documents have been reviewed.

96  
97 Ellen Horne, Executive Producer of the Podcast, stated the Podcast reporters are available and interested in  
98 sharing what they know. They are interested in finding out what the Department is going to do and how  
99 they are going to take responsibility for what they have learned from the Podcast.

100  
101 The Subcommittee requested a list of allegations that the Podcast has brought forward. Department staff  
102 indicated that they would provide such a list.

103  
104 **Set Future Meeting Date**

105 The Subcommittee set another review for January 9, 2024, at 10:00 a.m. This meeting will be an in-person  
106 meeting. All members of the Subcommittee agreed to the next date.

107  
108 Erin Forry asked about the Post-Conviction DNA Testing and Notification Project. Brad Jenkins provided  
109 information on the audit process for the PC testing, and how the cases went for testing if they met 3 criteria:  
110 (1) was evidence taped down in the files and was it suitable for DNA testing, (2) was there a conviction,  
111 and (3) did the criminal conviction meet the requirements (felony or certain misdemeanors). A separate  
112 issue was raised by the Podcast regarding the serology testing in the Washington exoneration. Ms. Jenkins  
113 noted that documents regarding the PC projects and the audits and reports discussing the Washington  
114 exoneration would be provided or had been provided to the Subcommittee.

115  
116 **Adjournment**

117 Dr. Corrado asked for a motion to adjourn the meeting. Dr. Vallone made a motion to adjourn the meeting,  
118 which was seconded and passed by unanimous vote of the Subcommittee. The meeting adjourned at 11:31  
119 a.m.