

1 **Minutes**
2 **Microscopic Hair Comparison Case Review Subcommittee of the**
3 **Forensic Science Board**
4 **May 13, 2019**
5 **Department of Forensic Science, Central Laboratory, Classroom 1**
6

7 **Subcommittee Members Present**

8 Vince S. Donoghue, Essex Commonwealth’s Attorney (Designee of Senator Mark D. Obenshain,
9 Chair of the Senate Courts of Justice Committee) – Subcommittee Chair

10 David Lett, Esq., Public Defender, Petersburg Public Defender’s Office

11 Lieutenant Colonel Tracy Russillo, Deputy Superintendent, Virginia State Police (Designee of
12 Colonel Gary T. Settle, Superintendent, Virginia State Police)

13
14 **Staff Members Present**

15 Amy M. Curtis, Department Counsel

16 Carisa M. Studer, Legal Assistant

17 Jennifer L. Taylor, Administrative Assistant

18
19 **Call to Order by Subcommittee Chair Vince Donoghue**

20
21 Vince Donoghue, Chair, called the meeting of the Microscopic Hair Comparison Case Review
22 Subcommittee (“Subcommittee”) to order at 2:09 p.m.

23
24 **Adoption of Agenda**

25
26 The Chair asked if there were any additions or changes to the draft agenda for the meeting. Being
27 none, Lt. Col. Russillo made a motion to adopt the agenda, which was seconded by Mr. Lett and
28 adopted by unanimous vote of the Subcommittee.

29
30 **Approval of Draft Minutes of the November 19, 2018 Meeting**

31
32 The Chair asked if there were any changes or corrections to the draft minutes from the November
33 19, 2018 meeting. Being none, Lt. Col. Russillo made a motion to adopt the minutes, which was
34 seconded by Mr. Lett and adopted by unanimous vote of the Subcommittee.

35
36 **Review Team Recommendations**

37
38 Amy Curtis, Department Counsel, presented for the Subcommittee’s consideration the
39 recommendations of the Review Team from its March 11, 2019 meeting. Mr. Donoghue moved
40 that the Subcommittee go into a closed session pursuant to Virginia Code §2.2-3711(A)(35),
41 because the Subcommittee would be discussing specific information from criminal investigative
42 files as part of the Review Team’s results, which was seconded by Lt. Col. Russillo and approved
43 by unanimous vote of the Subcommittee.

44
45 The Subcommittee met in closed session. Department Counsel Amy Curtis, Forensic Board
46 Secretary Carisa Studer, and Forensic Administrative Assistant Jennifer Taylor, remained in the

47 closed session to assist the Subcommittee members with its consideration of the Review Team's
48 recommendations.

49
50 The Subcommittee concluded the closed session and reconvened in an open meeting at 2:30 p.m.

51
52 A roll call vote was taken of each Subcommittee member to certify that, to the best of each
53 member's knowledge, only exempt information was discussed, and only matters identified in the
54 motion were heard, considered and discussed. The Chair, Mr. Lett, and Lt. Col. Russillo each
55 certified that only exempt information was discussed, and only matters identified in the motion
56 were heard, considered and discussed.

57
58 The Subcommittee directed DFS staff to move forward with preparing notification letters for the
59 five cases agreed upon during the closed session.

60
61 In response to questions from the Subcommittee members, Ms. Curtis discussed the outcome of
62 the notice distributed by the Department of Corrections to inmates for identifying cases for the
63 Microscopic Hair Comparison Case Review project. She also updated the Subcommittee on the
64 continuing research for conviction orders and testimony transcripts for the project.

65
66 **Public Comment**

67
68 There was no public comment.

69
70 **Next Meeting**

71
72 The next Subcommittee meeting is to be determined.

73
74 **Adjournment**

75
76 Lt. Col. Russillo made a motion that the meeting of the Subcommittee be adjourned, which was
77 seconded by Mr. Lett, and passed by unanimous vote.

78
79 The meeting adjourned at 2:34 p.m.