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Draft Minutes
Scientific Advisory Committee
October 8, 2024
All-Virtual Meeting

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Committee Members Present

Randall E. Beaty
Christopher Bommarito
Jennifer Breaux
Kathleen Corrado, Ph.D., *Chair*
William E. Demuth, II
Erin P. Forry
Linda C. Jackson
Marc A. LeBeau, Ph.D.
George C. Maha, Ph.D.
Richard P. Meyers
Aine Ramirez
Peter M. Vallone, Ph.D., *Vice Chair*
Kenneth B. Zercie

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Department of Forensic Science (DFS) Staff Members Present

David Barron, Ph.D., Deputy Director
Samantha Glass, Physical Evidence Program Manager
James W. Hutchings, Ph.D., Toxicology Program Manager
Amy Jenkins, Department Counsel
Bradford C. Jenkins, Forensic Biology Program Manager
David Koppenhaver, Eastern Laboratory Director
Joshua Kruger, Northern Laboratory Director
Alka B. Lohmann, Director of Technical Services
Scott Maye, Central Laboratory Director
Jessica B. Norton, Sr. Legal Assistant
Farryl Sorokin, PERK Tracking Coordinator
Ellen Spain, Forensic Evidence Program Manager
Elise Stroble, Grants & Administration Program Manager – SAC Secretary
Rebecca Wagner, Ph.D., Chemistry Research Section Supervisor
Robyn Weimer, Chemistry Program Manager

Call to Order

Dr. Corrado, Chair of the Scientific Advisory Committee (Committee or SAC), called the meeting to order at 10:01 a.m. She advised the Subcommittee members that, for purposes of a quorum, all members must keep their cameras on, pursuant to a change to the Virginia public meeting laws that became effective on July 1, 2024.

Adoption of Agenda

45 Dr. Corrado advised that the first order of business was the adoption of the draft agenda for the
46 meeting and noted that the agenda was previously shared with the Committee members by Ms.
47 Stroble. With there being no questions or changes, Dr. Corrado then called for a motion to adopt
48 the agenda. Mr. Zercie made the motion, which was seconded and passed by unanimous vote of
49 the Committee.

50

51 **Approval of Minutes from the April SAC Meeting**

52 Dr. Corrado noted that the draft minutes from the April 9, 2024 meeting were previously shared
53 with the Committee by Ms. Stroble and that a revision to the draft minutes was later sent on
54 October 7th addressing the locations for several members who attended remotely and updating in-
55 person attendance. Dr. Corrado asked if there were any questions or changes to the draft minutes.
56 Being none, Mr. Bommarito made a motion that the minutes be approved, which was seconded
57 and passed by unanimous vote of the Committee.

58

59 **SAC Chair's Report**

60 Dr. Corrado stated that she did not have a report.

61

62 **Report from the Trace Evidence Subcommittee**

63 Mr. Bommarito, Subcommittee Chair, reported on the July 23, 2024 Subcommittee meeting. He
64 reported that the members of the Trace Evidence Subcommittee met to discuss the validation of a
65 gasoline sufficiency method as well as the Trace Evidence Section Procedures Manual. All
66 members agreed that the method and procedures were very good and moved to close their review.

67

68 Dr. Corrado asked if there were any questions. Being none, she called for a motion to approve the
69 report from the Trace Evidence Subcommittee. Dr. Vallone made the motion, which was seconded
70 and passed unanimously by roll call vote, with Dr. Maha abstaining.

71

72 **Report from the Controlled Substances Subcommittee**

73 Mr. Meyers, Subcommittee Chair, reported on the October 7, 2024 Subcommittee meeting. He
74 reported that the members of the Controlled Substances Subcommittee met to discuss a method
75 validation summary for the *Addition of Delta-7- and cis-Delta-9- Tetrahydrocannabinol (THC)*
76 *Isomers to Existing Semi-Quantitative Gas Chromatography-Flame Ionization Detection/Mass*
77 *Spectrometry (GC-FID/MS) Method* and a method validation plan for the *Quantitative Analysis of*
78 *Fentanyl using Gas Chromatography-Flame Ionization Detection/Mass Spectrometry (GC-*
79 *FID/MS)*. He advised that, after discussion, the Subcommittee members had no recommendations
80 for improvement and moved to close the reviews.

81

82 Dr. Corrado asked if there were any questions. Being none, she called for a motion to approve the
83 report from the Trace Evidence Subcommittee. Dr. Vallone made the motion, which was seconded
84 and passed unanimously by roll call vote.

85

86 **DFS Director's Report**

87 Director Jackson began her report with a recognition of Forensic Science Week, which was
88 September 15-21, 2024, sharing the various activities that occurred at the DFS Laboratories. She
89 also provided an update of the Central Laboratory capital project and shared a video of the progress
90 to date, describing the locations of various DFS and OCME offices and laboratory spaces. Her
91 report also discussed various other new and ongoing activities of the Department, which included
92 case statistics, staffing, budget items, and grant awards.

93
94 There was a question from a Committee member regarding how the submissions are counted for
95 case statistics, whether it was by case or number of items in a case. Director Jackson explained
96 that when she lists submissions for each of the sections, they are counted by case and that a case
97 could include one or multiple items. If a case requires analyses by different sections, it would be
98 counted as a case for each of those sections. For the *Drugs Submitted to the Department of Forensic*
99 *Science in Calendar Year 2023* report, a case is counted separately for each substance that is found,
100 such as cocaine or heroin. Each substance only counts as one case, regardless of the number of
101 items of each substance in that case.

102
103 Dr. Corrado commended the Department for its LIMS Prelog project and stated that this type of
104 system has been very helpful in her agency for their customers.

105 106 **Division of Technical Services (DTS) Updates**

107 Alka Lohmann, Director of Technical Services, provided an update on the Division of Technical
108 Services. Her report included updates on agency accreditation, the graduation of the 112th Session
109 of the Forensic Science Academy and the various other courses that have been offered by the
110 Forensic Training Section since April, ongoing research projects, staffing, and training. She
111 advised that, while the agenda listed an update by the Evidence Receiving Program Manager, there
112 would not be a report today but that there will be reports in the future.

113
114 The Program Managers for the Chemistry, Forensic Biology, Physical Evidence, and Toxicology
115 program areas provided updates on staffing, training, new methodology and caseload statistics for
116 the various subdisciplines within those program areas.

117
118 Following the Forensic Biology report, questions and comments were raised by Committee
119 members and were addressed by Brad Jenkins, Forensic Biology Program Manager, regarding
120 validation of a new quantitation kit, Rapid DNA instruments, and outsourcing of less complex
121 DNA cases. Additionally, a brief discussion of a recently published DFS article on probabilistic
122 modeling ensued.

123
124 Dr. Corrado congratulated the Department for its continued accreditation.

125 126 **Old Business**

127 Amy Jenkins, Department Counsel, provided an update on the Review Project. Ms. Jenkins stated
128 that DFS has had a great working relationship with the Virginia State Crime Commission (VSCC)
129 and thanked them for all of their work on the project. Her report included updates on
130 communication between DFS and law enforcement agencies, Commonwealth's Attorneys, and
131 Clerks of Court regarding potentially incarcerated individuals. To date, notification letters have
132 been sent to 65 incarcerated individuals in 75 cases. There are 35 cases with inquiries still pending.

133
134 Ms. Jenkins also provided information on the next steps, which will include notifications to
135 convicted individuals who are not incarcerated. She advised that DFS remains committed to
136 offering DNA testing for affected individuals if agreed to by the parties or ordered by the courts.
137 The Mid-Atlantic Innocence Project (MAIP) will review cases having exonerated and executed
138 individuals and will provide a report on their findings by the April meeting.

139
140 Ms. Jenkins thanked DFS Senior Legal Assistant Jess Norton, Dr. Christina Arrington, Senior
141 Methodologist with the VSCC, and Shawn Armbrust with the MAIP for all of their hard work on
142 the project.

143
144 A question was raised regarding what happens when a defendant reaches out to have their case
145 looked at, but no evidence is available for DNA testing. Would the case file documentation be
146 reviewed? Ms. Jenkins explained that there is currently no plan to review serology results, but that
147 could change as the project moves forward depending on the number of cases with no evidence
148 and any General Assembly directives.

149
150 Dr. Corrado then called on Dr. Arrington with the VSCC to provide an overview of their work on
151 the project. Dr. Arrington provided information regarding cases where analysis was performed by
152 Ms. Burton. She shared that the VSCC staff had reviewed the DFS Historic Case File Project
153 records to determine unique cases, cases with at least one named suspect, those with scientific
154 testimony by Ms. Burton, and those that were linked to the previous Virginia Post-Conviction
155 DNA Testing Program and Notification Project. Dr. Arrington then explained the work plan
156 moving forward and provided a workflow of the project showing current progress.

157 **New Business**

158 **Smith v. Arizona**

159
160 Ms. Jenkins provided an overview of the *Smith v. Arizona* case and the Department's response,
161 particularly in regard to batch processing. No action was required by the Committee.

162
163
164 After the presentation, Ms. Forry commended Ms. Jenkins and the Department for their objective
165 response to the case. Also, a question was raised regarding the type of honorarium that is being
166 provided to former employees who agree to come back and testify on cases they worked at DFS.
167 Director Jackson briefly discussed the honorarium amount, the policy, and the process involved.
168 Discussion followed surrounding an employee being allowed to use their current agency's time,
169 rather than having to take leave, to provide testimony for a previous employer and any potential
170 limitations.

171 172 **Revised Policy on Electronic Meetings**

173 Dr. Corrado briefly discussed the draft, updated Electronic Meetings Participation Policy and
174 noted that the one change to the policy is based on a recent change to Virginia Code § 2.2-3708.3
175 regarding the allowable percentage of public meetings that can be electronic. In addition, the law
176 now requires public bodies to adopt a policy on an annual basis, regardless of whether changes are
177 made. She asked if there were any questions or comments. Being none, she called for a motion to
178 adopt the revised policy. The motion was made by Dr. Vallone, which was seconded and passed
179 unanimously by roll call vote.

180

181 **Public Comment**

182 There was no public comment.

183

184 **Confirm Future Meeting Date**

185 Dr. Corrado called on Ms. Stroble to provide the suggested meeting dates for 2025. Ms. Stroble
186 provided the following dates for 2025:

187

- 188 • Tuesday, April 22 @ 10:00 a.m. – in person
- 189 • Tuesday, October 7 @ 10:00 a.m. – all-virtual

190

191 Dr. Corrado asked if there were any concerns with the dates and times provided, and being none,
192 she confirmed those dates and times.

193

194 **Adjournment**

195 Dr. Corrado asked for a motion to adjourn. Dr. Vallone made a motion to adjourn, which was
196 seconded and passed by unanimous vote. The meeting adjourned at 12:22 p.m.