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Minutes
Scientific Advisory Committee Meeting
May 8, 2012
Department of Forensic Science, Central Laboratory, Classroom 1

Committee Members Present

Jose R. Almirall, Ph.D.
John M. Butler, Ph.D.
Jo Ann Given, Chair
Pete Marone
Richard Meyers
John Planz, Ph.D.
Alphonse Poklis, Ph.D.
Thomas L. G. Price
Carl Sobieralski
Jami J. St. Clair
Kenneth Zercie

Committee Members Absent

D. Christian Hassell, Ph.D.

Staff Members Present

Wanda Adkins, Office Manager
Stephen Atkinson, Section Supervisor, Central Laboratory Firearms and Toolmarks
Jeffrey Ban, Central Laboratory Director
David Barron, Ph.D., Technical Services Director
Ann Davis, Special Projects Consultant
Leslie Ellis, Human Resources Director
Susan Greenspoon, Forensic Molecular Biologist
John Griffin, Northern Laboratory Director
Linda Jackson, Chemistry Program Manager
Gail Jaspen, Chief Deputy Director
Bradford Jenkins, Biology Program Manager
Alka Lohmann, Training and Calibration Program Manager
Stephanie Merritt, Department Counsel
Steven Sigel, Deputy Director
Robert Scanlon, Forensic Science Group Supervisor, Central Laboratory Forensic Biology
Lisa Schiermeier-Wood, Section Supervisor, Central Laboratory Forensic Biology
Carisa Studer, Legal Assistant

Call to Order

47 Chairman Given called the meeting of the Scientific Advisory Committee (“Committee”) to
48 order at 9:00 a.m.

49

50 **Adoption of Agenda**

51

52 Chairman Given asked if there were any additions or changes to the draft agenda for the meeting.
53 Being none, Mr. Marone moved to adopt the agenda, which was seconded by Mr. Zercie and
54 adopted by unanimous vote of the Committee.

55

56 **Adoption of Minutes**

57

58 Chairman Given asked if there were any changes or corrections to the draft minutes from the
59 October 11, 2011 meeting. Being none, Mr. Zercie moved to adopt the minutes of the October
60 11, 2011 meeting, which was seconded by Dr. Butler and adopted by unanimous vote of the
61 Committee.

62

63 **Chair’s Report**

64

65 Chairman Given welcomed the Committee members and had all members re-introduce
66 themselves. Chairman Given did not have a report to present.

67

68 **DFS Director’s Report**

69

70 Regarding facilities, Director Pete Marone described the laboratory space renovations in each of
71 the Department’s regional laboratories. The Central Laboratory’s administration section has
72 completed its move from the second floor to the first floor. The second floor has been expanded
73 for office space. The Eastern Laboratory is continuing construction on expansion. The
74 administration and latent prints section have moved to the fourth floor. The Western Laboratory
75 is in the planning stage for expansion. The Northern Laboratory does not have any updates at
76 this time.

77

78 Regarding the 30-60-90 day workload summary report, Director Marone summarized average
79 days in the lab system for cases in several different sections and reported on progress being made
80 on old cases. Director Marone noted that all Forensic Biology cases are included in the overall
81 backlog number. It includes cases in special projects such as the post-conviction program, the
82 Familial DNA program, and mitochondrial cases. The majority of cases in Forensic Biology are
83 from 2012. Director Marone also discussed the continued efforts in the Toxicology section to
84 reduce the number of cases in the backlog.

85

86 Director Marone provided an overview on the status of grants that the Department is anticipating
87 receiving. Grants are becoming smaller and there are fewer grants than in the past. The majority
88 of grants that the Department expects to receive will go to the Forensic Biology section. The
89 grant for the Post-Conviction DNA Program has been extended to September 2012.

90

91 Linda Jackson, Chemistry Program Manager, updated the SAC on Synthetic Cannabinoids and
92 Bath Salts. She discussed how the Department will be keeping statistics on the many different

93 substances that the labs receive for analysis. Due to state law, the Department is unable to
94 evaluate field test kits for Synthetic Cannabinoids at this time. Ms. Jackson indicated the
95 prohibited compounds added to the Code in 2012 legislation. The Department is ready to
96 analyze those substances when they are submitted to the Laboratory. The Department is
97 currently working on the how the analysis will be reported on the Certificates of Analysis.
98

99 Dr. Almirall inquired about the use of the Gas Chromatography Mass Spectrometry instruments
100 in the Controlled Substances Section. Ms. Jackson answered that the Department is currently
101 using Gas Chromatography Mass Spectrometry. Dr. Almirall inquired about all of the different
102 compounds found in Synthetic Cannabinoids and Bath Salts. Ms. Jackson and the SAC
103 discussed how the Department was addressing the compounds and the instrumentation that will
104 be used.
105

106 Ms. Jackson gave an update on clandestine meth laboratory submissions to the Department. The
107 majority of the cases have been submitted to the Western Laboratory. The Western Laboratory
108 has a Meth Lab team, and Ms. Jackson explained the expected operation of the team. The SAC
109 discussed the involvement of the Drug Enforcement Administration in training Virginia State
110 Police to investigate clandestine drug labs.
111

112 Director Marone updated the SAC on the continued effect of *Melendez-Diaz* on Department
113 witness subpoenas. A graph compared the total number of witness subpoenas received, the total
114 number of staff courthouse appearances, and the total number of times staff testified. Director
115 Marone discussed the efforts being made in the DFS Toxicology Section of the Department to
116 meet case and court demands. There will be additional staffing and instrumentation added to the
117 Toxicology section. Linda Jackson provided an overview of the new instrumentation that is
118 being added.
119

120 Director Marone informed the SAC that as of July 1, 2012 the Questioned Documents section
121 will be condensed by moving the staff from the Central Laboratory to the Western Laboratory.
122 The Questioned Documents section will also be losing one staff member. The Department will
123 be losing the Blood Stain section on July 1, 2012 which will result in the loss of one staff
124 member.
125

126 Ms. St. Clair inquired about the staff in the Controlled Substances Section and whether they will
127 need additional training for analyzing bath salts. Ms. Jackson replied that training was being
128 provided to the Section regarding the analysis and reporting of the newly scheduled substances.
129 Ms. Jackson also stated that because of the limited body of published research on the effects of
130 bath salts, Toxicologists are being conservative on what they testify. Commonwealth's
131 Attorneys' Offices interested in prosecuting cases using the "designer" drug act have been made
132 aware of the issue Toxicologists face insofar as to what they are able to testify.
133

134 Chief Deputy Director, Gail Jaspén, updated the SAC on the progress of the Post-Conviction
135 DNA Program. Ms. Jaspén gave a summary of the program from its start in 2005 to the present.
136 The Department will be focusing on alerting local law enforcement and the Commonwealth's
137 attorneys about the 134 need knowns cases in the program. The Department will be able to

138 complete those 134 cases if given a known sample. Ms. Jaspen summarized the suspect
139 notification process and the use of volunteers to help locate suspects.

140
141 Ms. Jaspen also updated the SAC on the 2012 General Assembly Session and its impact on the
142 Department. She presented the list of compounds added to the Synthetic Cannabinoids/Bath
143 Salts legislation. Ms. Jaspen then presented an explanation of the budget language that will
144 require the Department to provide certain records pertaining to the Post-Conviction DNA Testing
145 Program in response to specific Freedom of Information Act (FOIA) requests.

146
147 Ms. Given called for a 10 minute recess at 10:25 a.m.

148
149 Ms. Given reconvened the meeting at 10:35 a.m.

150
151 **Old Business**

152
153 Brad Jenkins, Biology Program Manager, gave an update to the Committee on Population
154 Statistical Calculations. Due to revised Scientific Working Group on DNA Analysis Methods
155 (SWGDM) guidelines that were released in October 2011, the Forensic Biology section has
156 taken steps to ensure the Department meets these guidelines. The first step was to establish a
157 contract with CyberGenetics (CG) to perform population statistical calculations.. To date, CG
158 has issued 72 reports for the Department and testified five times. The second step was to
159 purchase “Truallele” software, which was done in January 2012. The validation process was
160 started immediately, and four staff members have completed two of three phases of training.
161 The third step will be the evaluation of “Armed Expert,” and ensure it will satisfy the needs of
162 the Department. Validation is being conducted on Armed Expert software. The final step will
163 be the validation review by the SAC for the October 2012 meeting. When the data becomes
164 available on Population Statistical Calculations, Mr. Jenkins will provide it to the SAC’s
165 Forensic Biology subcommittee.

166
167 Mr. Marone moved that the SAC accept Mr. Jenkin’s proposal to have the Forensic Biology
168 subcommittee review the new validation materials and present a report at the next SAC meeting
169 on October 9, 2012, which was seconded by Ms. St. Clair and adopted by unanimous vote of the
170 Committee.

171
172 Dr. Butler inquired about how much of the validation work has been currently completed. Mr.
173 Jenkins explained what had been completed and that manuals have been put into place. Mr.
174 Jenkins assured the subcommittee that they will be given materials with sufficient time for
175 review, If the subcommittee wishes to meet before the next SAC meeting, a date and time to do
176 so can be set.

177
178 Mr. Jenkins concluded with an update on Familial DNA searching. The Department has been
179 conducting Familial DNA searching for approximately one year. Mr. Sobieralski and Dr. Plans,
180 the SAC’s two newest members, have both reviewed the Familial DNA program. Mr. Jenkins
181 gave a brief overview of the definition of Familial DNA, how it is conducted, the screening
182 process, and what the Department does with the information. Currently the Department is

183 conducting its sixth search. The Department does not comment on results and/or successes.
184 There was discussion on how Familial DNA is being used with CODIS and NDIS.
185

186 **New Business**

187
188 Ann Davis, Special Projects Consultant, gave a slide presentation on the Firearms and Toolmarks
189 section. She provided an overview on the procedures manual and the examiners' training. Ms.
190 Davis indicated the sections that were modified as a result of the SAC review. Ms. Davis'
191 presentation included an overview of proficiency testing, report formatting, manuals,
192 instrumentation, and the NIBIN system. There was discussion about the training program and
193 blind verifications.
194

195 Ms. Given announced that Dr. Dale Carpenter has submitted his letter of resignation and will no
196 longer be able to sit as a member of the Scientific Advisory Committee. Ms. Given appointed
197 Ms. St. Clair to Dr. Carpenter's seat for the Forensic Science Board meeting on Wednesday,
198 May 9, 2012.
199

200 Dr. Almirall inquired about the SAC reviewing the Trace Evidence Section's manual. Dr.
201 Barron explained that the manual is undergoing a comprehensive review. Components of the
202 manual can be supplied to the SAC for Trace Evidence as they are completed. Ms. St. Clair
203 moved to establish a subcommittee to review the Trace Evidence manual and to present a
204 preliminary report to the SAC at the October 9, 2012 meeting, which was seconded by Mr.
205 Marone and adopted by unanimous vote of the Committee. Dr. Almirall and Ms. Given will sit
206 on the Trace Evidence subcommittee and work with other members as needed.
207

208 **Annual Election of Committee Chair and Vice Chair**

209
210 Ms. Given, whose term is expiring, called for the annual election of the Committee Chair and
211 Vice Chair. Ms. Given asked for nominations for Chair of the Committee, and Mr. Meyers
212 moved that Ms. St. Clair be appointed as Chair. The nomination was seconded by Dr. Poklis and
213 passed by unanimous vote of the Committee. Ms. Givens asked for nominations for Vice Chair.
214 Dr. Poklis nominated Mr. Price to the Vice Chair position. The nomination was seconded by
215 Ms. St. Clair and passed by unanimous vote of the Committee.
216

217 **Public Comment**

218
219 None
220

221 **Next Meeting**

222
223 The next meeting of the Scientific Advisory Committee will be Tuesday, October 9, 2012.
224

225 **Adjournment**

226

227 Chairman Given asked if there was a motion to adjourn. Dr. Poklis moved that the meeting of
228 the Committee be adjourned, which was seconded by Mr. Marone and passed by unanimous
229 vote.

230

231 The meeting adjourned at 12:00 p.m.

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