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**Final Minutes**  
**Scientific Advisory Committee Meeting**  
**October 14, 2020**  
**Department of Forensic Science, Held Electronically**

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**Committee Members Present**

Randall E. Beaty  
Maureen C. Bottrell  
Kathleen Corrado, Ph.D.  
Robin W. Cotton, Ph.D.  
Leslie E. Edinboro, Ph.D.  
Linda C. Jackson  
George C. Maha, Ph.D.  
Richard P. Meyers, *Chair*  
Kristin Schelling  
Jami J. St. Clair  
Kenneth B. Zercie

**Committee Members Absent**

Travis Y. Spinder

**Staff Members Present**

Jeffrey D. Ban, Central Laboratory Director  
David A. Barron, Ph.D., Deputy Director  
Sabrina S. Cillessen, Physical Evidence Program Manager  
Leslie H. Ellis, Human Resources Director  
Katya N. Herndon, Chief Deputy Director  
James W. Hutchings, Ph.D., Toxicology Program Manager  
Amy C. Jenkins, Department Counsel  
Alka B. Lohmann, Director of Technical Services  
M. Scott Maye, Northern Laboratory Director  
Jessica B. Norton, Legal Assistant  
Susan Stanitski, Eastern Laboratory Director  
Jennifer L. Taylor, Procurement Specialist I, Secretary  
Rebecca Wagner, Ph.D., Research Section Supervisor  
Robyn B. Weimer, Chemistry Program Manager

**Call to Order**

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

45 Mr. Meyers, the Chair of the Scientific Advisory Committee (“Committee” or “SAC”), called the  
46 meeting of the Committee to order at 10:04 a.m. Mr. Meyers requested Ms. Taylor to call the roll  
47 to ensure that a quorum was present. Ms. Taylor called the roll as follows:

48 Mr. Beaty – Present  
49 Ms. Bottrell – Not present at time of roll-call, but joined subsequently  
50 Dr. Corrado – Present  
51 Dr. Cotton – Present  
52 Dr. Edinboro – Present  
53 Director Jackson – Present  
54 Dr. Maha – Present  
55 Mr. Meyers – Present  
56 Ms. Schelling – Present  
57 Mr. Spinder – Not present  
58 Ms. St. Clair – Present  
59 Mr. Zercie – Present

60 Ms. Taylor advised that a quorum was present.

#### 61 **Adoption of Agenda**

62 Mr. Meyers noted that the first order of business was the adoption of the draft agenda for the  
63 meeting, which was previously sent to the Committee members. Director Jackson noted that there  
64 were two changes that needed to be made to the agenda: 1) the order of the presentations for the  
65 Division of Technical Services (DTS) should be switched so that Dr. Hutchings would present the  
66 Toxicology Update first and Ms. Lohmann would give the DTS Update last; and 2) Ms. Lohmann  
67 would be presenting the Biology Program Update for Brad Jenkins. Ms. Schelling made a motion  
68 to adopt the agenda with those two changes, which was seconded by Mr. Zercie. A roll-call vote  
69 was taken, and the members voted as follows:

70 Mr. Beaty – Yes  
71 Dr. Corrado – Yes  
72 Dr. Cotton – Yes  
73 Dr. Edinboro – Yes  
74 Director Jackson – Yes  
75 Dr. Maha – Yes  
76 Mr. Meyers – Yes  
77 Ms. Schelling – Yes  
78 Ms. St. Clair – Yes  
79 Mr. Zercie – Yes

#### 80 **Adoption of Minutes of the July 14, 2020 Committee Meeting**

81 Mr. Meyers noted the draft minutes from the July 14, 2020 meeting were previously shared with  
82 the Committee and asked if there were any proposed changes. Being none, Dr. Edinboro made a  
83 motion that the minutes be approved. The motion was seconded by Dr. Corrado. A roll-call vote  
84 was taken, and the members voted as follows:

85 Mr. Beaty – Yes  
86 Dr. Corrado – Yes  
87 Dr. Cotton – Yes  
88 Dr. Edinboro – Yes  
89 Director Jackson – Yes  
90 Dr. Maha – Yes  
91 Mr. Meyers – Yes  
92 Ms. Schelling – Yes  
93 Ms. St. Clair – Yes  
94 Mr. Zercie – Yes

95 **Chair’s Report**

96 Mr. Meyers indicated that he did not have anything to report.

97 **DFS Director’s Report**

98 Agency Updates

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

103 Facilities:

104 Director Jackson provided an update on the Central Laboratory facility project. The schematic  
105 design phase was completed in September 2020, and the preliminary design phase is in progress  
106 with preliminary drawings scheduled to be submitted to the Department of General Services’  
107 Division of Engineering and Buildings by January 1, 2021. Because the project transitioned from  
108 renovation/expansion of the existing Central Laboratory to construction of an entirely new facility,  
109 the budget for the project will be re-evaluated once the preliminary drawings have been approved.

110 Agency Initiatives:

111 Director Jackson informed the Committee that the Performance Audit of DFS by the Office of  
112 the State Inspector General (OSIG) had been suspended. The Department was notified on August  
113 14, 2020 that the audit would be suspended until OSIG can contract for resources better suited to  
114 analyze the technical, scientific processes used by DFS.

115 Director Jackson advised that the amendments to the Department’s Regulations for the Approval  
116 of Field Tests for Detection of Drugs went into effect on October 1, 2020. The amendments  
117 expanded the definition of field test to include presumptive mobile instruments and set up a  
118 process for the approval of presumptive mobile instruments.

119 Director Jackson announced that, on September 29, 2020, DFS completed its reviews of the data  
120 from all Physical Evidence Recovery Kits tested by the private laboratory under the Sexual  
121 Assault Kit Initiative (SAKI) Grant. A total of 894 kits from 78 Virginia law enforcement

122 agencies were sent for testing under the SAKI Grant, and 337 cases had DNA profiles uploaded  
123 for searching in the Data Bank. As of September 30<sup>th</sup>, DFS had reported 148 Data Bank hits in  
124 the SAKI cases. She also reminded the SAC of the work of staff to conduct similar reviews of  
125 kits tested under the District Attorney's Office of New York (DANY) Grant, and noted that, as  
126 of September 30<sup>th</sup>, there had been 243 hits reported in DANY cases. Director Jackson  
127 acknowledged the hard work of the 35 DNA scientists across the state who worked over 2,800  
128 hours of overtime to complete these two projects and, in particular, Central Forensic Biology  
129 Group Supervisor Theresa Francis, who coordinated the projects for DFS.

#### 130 Budget:

131 Director Jackson presented an overview of the DFS Budget to the Committee, including the  
132 Department's pledged savings for FY20, COVID-19 funding, new budget items that were  
133 unallocated and subsequently removed from the DFS budget, and the Department budget for  
134 FY21/FY22. She noted a hiring freeze was put in place due to COVID-19 in April, but explained  
135 that there is an exemption in place for positions directly related to public safety, which applies to  
136 DFS scientist and Evidence Receiving positions.

#### 137 Grants:

138 Director Jackson presented a summary of DFS grants, including three grants that DFS was just  
139 notified that it had been awarded.

#### 140 Workload/Backlog:

141 Director Jackson provided an update on statistical trends in each of the scientific disciplines, as  
142 well as turnaround times for September. She presented Q3 (July-September) statistics for 2020 as  
143 compared to the same period in 2019. Overall, case submissions were down 8%, but that decline  
144 was really driven by the 23% decrease for Controlled Substances as that section sees the largest  
145 volume of cases. For Q3 2020, the Firearms & Toolmarks, Forensic Biology, and Toxicology  
146 Sections all had an increase in submissions over Q3 2019. Director Jackson pointed out that the  
147 reduced submissions for Controlled Substances, which have occurred since the beginning of the  
148 pandemic, allowed DFS to significantly reduce its drug case backlog. At the end of September  
149 2019, the backlog was 12,323 cases, but it was down 65% by the end of September 2020 to 4,263  
150 cases.

#### 151 **Division of Technical Services Updates**

##### 152 Toxicology Update:

153 Toxicology Program Manager James Hutchings, Ph.D., informed the Committee of the  
154 Department participating in the National Governors Association Learning Collaborative on State  
155 Strategies to Strengthen and Leverage Data to Address Impaired Driving. Virginia is one of ten  
156 states involved in this initiative.

157 Dr. Hutchings advised that the Department had 37 staff attend the Society of Forensic  
158 Toxicologists Annual Meeting, which was held virtually in September 2020. DFS had three staff  
159 members who presented as part of the program.

160 Dr. Hutchings provided an update on implementation of the Hamilton Automated Liquid Handling  
161 Systems.

162 Dr. Hutchings also provided an overview of two recently validated methods:

- 163 • Fentanyl Derivative Quantitation and Confirmation by Solid Phase Extraction
- 164 • Fentanyl Derivative Qualitative Analysis by Solid Phase Extraction

165

166 Validation documentation for the two methods was provided to the Toxicology Subcommittee  
167 members for review in advance, and the Subcommittee members advised the Department that  
168 they did not believe a Subcommittee meeting was necessary to discuss the documentation. Dr.  
169 Edinboro made comments for the Department to consider and provided recommendations with  
170 respect to validation parameters and potential interferents.

171

172 Dr. Edinboro brought up a recommendation made by the Toxicology Subcommittee at its July  
173 2020 meeting. In closing its review of the validation/verification documentation for several  
174 methods in July, the Subcommittee recommended, on a 3-1 vote, that the Department  
175 experimentally determine the limit of detection of each compound present versus using an  
176 administratively determined limit of detection concentration. Dr. Hutchings explained the  
177 incorporation of new terminology to address this recommendation. Dr. Edinboro requested that  
178 DFS report back at the next SAC meeting with actions taken in response to the recommendation  
179 from July 2020.

180

181 Dr. Hutchings discussed recently added Toxicology methods, as well as future methods. He also  
182 reviewed Toxicology statistics for 2020, noting that although there has been a reduction in vehicle  
183 travel as a result of the pandemic, the volume of submissions for Toxicology cases for the first  
184 half of 2020 was higher than the same period in 2019. This is true for DUI/DUID cases, as well  
185 as OCME and other Toxicology cases.

186

187 Dr. Hutchings provided a staffing update on the Toxicology Program Area, which included a  
188 review of staffing in the Toxicology and Breath Alcohol Sections.

189 The Breath Alcohol Section expanded its online recertification course for Breath Alcohol operators  
190 due to restrictions on in-person training. The Section resumed in-person training for initial  
191 operators in June 2020, but the classes are limited to 15 students to allow for social distancing.  
192 This has required DFS to increase the number of classes offered. In-person recertification has  
193 resumed as well.

194 Dr. Hutchings provided an update on the Breath Alcohol instrument enhancement. He also  
195 reviewed statistics showing a marked reduction in the number of breath tests conducted since  
196 March 2020 as compared to the same period in 2019.

#### 197 Chemistry Program Update:

198 Chemistry Program Manager Robyn Weimer provided an update on the Chemistry Program Area.  
199 She started with the Trace Evidence Section, including a staffing update, as well as education for

200 staff that was obtained through a free online symposium held in July 2020 on Current Trends in  
201 Forensic Trace Analysis, which covered primer residue, paint, glass, and tape.

202 Ms. Weimer updated the Committee on report wording changes for the Trace Evidence Section  
203 that are applicable to all Trace Evidence examinations that involve a comparison. This change,  
204 which will occur in October 2020, implements assessments of significance into report conclusions.  
205 Information about the change has been incorporated into trainings for customers so they are aware  
206 that it will soon be implemented.

207 Ms. Weimer advised that there has been an increase in requests for juvenile Primer Residue cases,  
208 which are required to be rushed. Comparing March through September of 2020 to the same period  
209 in 2019, the volume of requests has increased 40%. These cases tend to have multiple suspects  
210 which equates to a longer analysis time and can, therefore, impact turnaround time for other cases.

211 Ms. Weimer provided an update on staffing in the Controlled Substances Section, as well as the  
212 approximately eight hours of training Controlled Substances staff received by attending the  
213 Southwestern Association of Forensic Scientists annual meeting, which was hosted online from  
214 October 5-8, 2020.

215 Ms. Weimer provided an update on the use of the Board of Pharmacy (BoP) expedited regulatory  
216 scheduling process. The Department recommended 13 compounds in July 2020. These compounds  
217 were considered by the BoP at its September meeting and are pending final approval.

218 Ms. Weimer concluded with an update on several validations related to the analysis of cannabis,  
219 including a semi-quantitative method for non-plant material matrices for THC and full quantitative  
220 method for THC using gas chromatography mass spectrometry in selected ion monitoring mode.

221 Physical Evidence Program Update:

222 Physical Evidence Program Manager Sabrina Cillessen provided the Committee with an update on  
223 the Physical Evidence Program Area. She gave an overview of staffing for the Firearms &  
224 Toolmarks, Latent Prints & Impressions, and Digital & Multimedia Evidence (DME) Sections.

225 The Latent Prints Section received 16 hours of training at the Virtual 2020 Chesapeake Bay  
226 Division - International Association for Identification (IAI) Educational Conference.

227 For Firearms, Ms. Cillessen reported on the validation of the Cadre 3D scanner equipment and the  
228 evaluation of the Uncertainty of Measurement in the Distance Determination method.

229 Ms. Cillessen gave an update on the ATF Minimum Required Operating Standards for the National  
230 Integrated Ballistic Information Network (NIBIN) equipment. Two additional law enforcement  
231 agencies acquired new NIBIN systems, the Richmond Police Department and the Norfolk Police  
232 Department.

233 Now that the DME Section is fully staffed, the Section has been reducing its backlog. They have  
234 also updated their procedures to improve turnaround times through implementation of date and  
235 time filters to reduce the amount of data they are looking at and that is returned to the submitting  
236 agency. The Section has also enhanced their capabilities with their existing equipment and

237 methods, including identifying key components of an iPhone that are damaged and preventing  
238 charging and/or data connectivity, analyzing iPhone logs that document application usage activity,  
239 and analyzing Microsoft Windows 10 “Your Phone” application.

240 Forensic Biology Program Update:

241 Alka Lohmann, Director of the Division of Technical Services (DTS), provided a staffing update  
242 for the Forensic Biology program area.

243 Ms. Lohmann noted that there are four examiners in Y-STR training. She also shared information  
244 on the deployment of STRmix, noting that the training of the first set of examiners continues and  
245 that external training is scheduled for eight examiners.

246 Ms. Lohmann provided an update on the status of various validation projects, including STRmix  
247 and new Real-Time PCR instruments.

248 Ms. Lohmann shared information on a DNA Research Grant that has been awarded to the  
249 Department for an automated or semi-automated differential extraction method.

250 DNA examiners attended the Promega meeting remotely in September. A virtual National CODIS  
251 meeting is scheduled in December for state and local CODIS administrators.

252 Ms. Lohmann also reported on the new Quality Assurance Standards (QAS) that went into effect  
253 on July 1, 2020. DFS has updated all of its manuals and is in compliance with the new standards.  
254 An external audit of DFS to the new QAS is scheduled for December 2020.

255 Ms. Lohmann advised the Committee on the Data Bank’s planned transition to a prelog, electronic  
256 portal for sample information and pre-submission data. The Data Bank is expected to start testing  
257 the system in the staging environment before the end of the year.

258 Division of Technical Services Update:

259 Ms. Lohmann provided a staffing update for the Division of Technical Services.

260 The Department was notified on September 25, 2020 of its successful completion of the ISO/IEC  
261 17025 surveillance assessment for Testing and Calibration.

262 Ms. Lohmann advised that the 101<sup>st</sup> Forensic Science Academy class is currently in session. DFS  
263 received funding from the Department of Criminal Justice Services (DCJS) for the part-time  
264 Forensic Trainer position. Accordingly, three Forensic Science Academy sessions are planned for  
265 2021.

266 Ms. Lohmann informed the Committee that Coronavirus Emergency Supplemental Funding  
267 through DCJS will ensure the continuity of operations and safety of staff and students for Breath  
268 Alcohol and Forensic Training courses. The funding will assist in moving toward paperless Breath  
269 Alcohol instrument certifications and provide equipment to increase capacity for online course  
270 delivery.

271 Ms. Lohmann concluded by informing the Committee of the Department’s continued participation  
272 in the reorganized Organization of Scientific Area Committees. Ms. Lohmann also discussed the  
273 Department’s involvement in standards development activities, including the ASTM E30  
274 Committee on Forensic Science, and the standards developed by the AAFS Standards Board  
275 (ASB), and the International Organization of Legal Metrology’s R126 Recommendation on Breath  
276 Alcohol Analyzers.

277 Mr. Meyers reminded the Committee that it needed to take action with respect to the validation  
278 documentation for the two fentanyl derivative methods that were discussed during Dr. Hutchings’  
279 presentation. After discussion, Dr. Edinboro made a motion to close the review of the validation  
280 with a recommendation that the Department consider his comments and report back with  
281 appropriate follow up on the comments at the next SAC meeting. Ms. St. Clair seconded the  
282 motion. A roll-call vote was taken, and the Committee members voted as follows:

- 283 Mr. Beaty – Yes
- 284 Ms. Bottrell – Yes
- 285 Dr. Corrado – Yes
- 286 Dr. Cotton – Yes
- 287 Dr. Edinboro – Yes
- 288 Director Jackson – Yes
- 289 Dr. Maha – Yes
- 290 Mr. Meyers – Yes
- 291 Ms. Schelling – Yes
- 292 Ms. St. Clair – Yes
- 293 Mr. Zercie – Yes

294 **Old Business**

295 **Microscopic Hair Comparison Case Review:**

296 Amy Jenkins, Department Counsel, provided an update on the Microscopic Hair Comparison Case  
297 Review. The Forensic Science Board’s Microscopic Hair Comparison Case Review Subcommittee  
298 met on September 2, 2020 to consider recommendations from the Review Team with the respect  
299 to nine transcripts. Ms. Jenkins advised that the Subcommittee approved notifications with respect  
300 to four of the nine transcripts. DFS is continuing to review cases for positive probative hair  
301 associations to identify additional cases for the project.

302 **Future Meeting Date**

303 The Scientific Advisory Committee will meet on April 20, 2021 and October 13, 2021.

304 **Public Comment**

305 Mr. Meyers inquired whether any member of the public would like to provide any comments. No  
306 member of the public provided comment.

307 **Adjournment**



308 Mr. Meyers asked for a motion to adjourn. Dr. Edinboro made a motion to adjourn the meeting of  
309 the Scientific Advisory Committee, which was seconded by Mr. Zercie. A roll-call vote was taken,  
310 and the members voted as follows:

311 Mr. Beaty – Yes  
312 Ms. Bottrell – Yes  
313 Dr. Corrado – Yes  
314 Dr. Cotton – Yes  
315 Dr. Edinboro – Yes  
316 Director Jackson – Yes  
317 Dr. Maha – Yes  
318 Mr. Meyers – Yes  
319 Ms. Schelling – Yes  
320 Ms. St. Clair – Yes  
321 Mr. Zercie – Yes

322 The meeting adjourned at 11:40 a.m.