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Approved Minutes
Scientific Advisory Committee Meeting
October 18, 2022
Department of Forensic Science, Central Laboratory, Classrooms 1 and 2

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Committee Members Present

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

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Staff Members Present

Mason Byrd, Chief Deputy Director
Sabrina S. Cillessen, Physical Evidence Program Manager
James W. Hutchings, Ph.D., Toxicology Program Manager
Amy C. Jenkins, Department Counsel
Bradford C. Jenkins, Forensic Biology Program Manager
Alka B. Lohmann, Director of Technical Services
Jessica B. Norton, Sr. Legal Assistant
Elise Stroble, Grants and Administrative Program Manager - Secretary
Rebecca Wagner, Ph.D., Chemistry Research Section Supervisor

Call to Order

Ms. Schelling, the Chair of the Scientific Advisory Committee (“Committee” or “SAC”), called the meeting to order at 10:00 a.m.

Ms. Schelling welcomed one new member to the SAC, Christopher Bommarito, and had members and staff introduce themselves.

Adoption of Agenda

Ms. Schelling 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 Committee members via email. Dr. Corrado made a motion to adopt the agenda, which was seconded by Mr. Zercie and passed by unanimous vote of the Committee.

Adoption of Minutes of the April, 20, 2022 Committee Meeting

46 Ms. Schelling noted that the draft minutes from the April 20, 2022 meeting were previously shared
47 with the Committee and asked if there were any proposed changes. Being none, Mr. Zercie made
48 a motion that the minutes be approved, which was seconded by Dr. Corrado. The minutes were
49 approved by unanimous vote of the Committee, with Mr. Bommarito abstaining.

50

51 **SAC Chair's Report**

52 Erin Forry provided a report on the ISO (International Organization for Standardization) TC
53 272/US TAG. She gave a brief history of ISO TC 272, stating that there are 27 participating
54 countries in the organization. She advised that there are three published and three draft standards,
55 and provided the reasons behind these standards. She discussed the US Technical Advisory Group,
56 a partnership between ANSI and ASCLD consisting of 10 organizations. She also briefly
57 discussed the 40th meeting of the TC 272 in Copenhagen, with 15 countries present.

58

59 Director Jackson stated that she would like to hear from Committee members regarding what is
60 happening in their jurisdictions or in their particular fields, either later in this meeting or at future
61 meetings.

62

63 **DFS Director's Report**

64

65 Ms. Schelling called on Director Jackson to provide her report to the Committee.

66

67 Department Updates

68 Director Jackson advised the Committee that this week is Forensic Science Week in Virginia. DFS
69 requested that the Governor declare this week Forensic Science Week to coincide with the
70 Department's 50th Anniversary. She provided a copy of the Governor's proclamation in her slides
71 and gave a brief history of the Department, starting with the establishment of the Bureau of
72 Forensic Science within the Division of Consolidated Laboratory Services in 1972 through the
73 elevation to Department in 2005. She stated that DFS would be celebrating the anniversary at the
74 upcoming Service Awards ceremony on Thursday, October 20, 2022.

75

76 Central Laboratory Project

77 Regarding the Central Laboratory capital project, Director Jackson indicated that the construction
78 permit has been issued by the Division of Engineering and Buildings (DEB). A request for
79 additional funding, due to price escalation, is in the approval process. After approval, pre-
80 construction activities may begin as early as November 1, with project completion anticipated for
81 late 2024 or early 2025. Director Jackson also shared conceptual drawings of the planned project
82 and indicated where the various offices/sections would be housed, including the Office of the Chief
83 Medical Examiner (OCME).

84

85 Agency Outreach

86 The Department has been working on a refresh of its website that is anticipated to launch by the
87 end of 2022. The goals of the refresh include updates to current standards for accessibility,
88 increased flexibility for viewing on mobile devices, and an integration of the internal document
89 control system so that procedure manuals can be automatically updated on the website when
90 published. Eventually, the new website will utilize software, like Power BI (business intelligence),
91 to allow users to get case statistics from the website.

92 Field Test Regulation Update

93 Director Jackson provided a brief update on 6 VAC 40-30 – Regulations for the Approval of Field
94 Tests for Detection of Drugs. DFS is currently evaluating the first mobile instrument field test and
95 is reevaluating those chemical field tests of current manufacturers who want to remain on the
96 approved list.

97

98 September Workload Statistics

99 Director Jackson reviewed the September Workload Statistics with the Committee. She shared
100 statistics comparing case submissions for each discipline for the third quarter of fiscal years 2019,
101 2020, 2021 and 2022. The Forensic Biology Section has been transferring cases from the Western
102 and Northern Laboratories to the Central and Eastern Laboratories for several months in an effort
103 to normalize the caseload between labs. This effort has been effective, and case transfers will
104 continue as needed. Firearms & Toolmarks submissions for NIBIN entry have dropped due to the
105 use of NIBIN by law enforcement agencies being more widespread. Toxicology submissions have
106 continued to increase. While the 2022 Toxicology submissions seem to demonstrate a reduction,
107 the submissions are artificially low due to the outsourcing of some OCME cases. Director Jackson
108 discussed the continued decrease in Controlled Substances case submissions compared to pre-
109 pandemic levels.

110

111 Current turnaround times were provided for each discipline. Controlled Substances has maintained
112 a 30-day turnaround time, and staff are assisting in other areas. Regarding Toxicology cases, DFS
113 notified user agencies in September of a shortage of blood specimen collection tubes, advising
114 them to use the DUI/DUID kits they had in their inventory that had not expired. DFS has since
115 received a shipment of DUI/DUID kits that can be sent to law enforcement agencies as needed and
116 issued an updated notice on October 17, 2022.

117

118 Budget

119 Director Jackson briefly discussed the FY23-FY24 biennial budget, showing a breakdown by
120 service area and expense category.

121

122 Grants

123 Director Jackson gave an overview of the four grant awards received that had already been
124 approved by the Board. While DFS applied for two research grants, only one notification of award
125 for fire debris research has been received. DFS has since been made aware of an additional grant
126 award from the OCME, the Opioid Overdose to Action Project, that was not anticipated as the
127 funding was slated to end on August 31, 2022. This award will be presented to the Board for
128 approval.

129

130 Discussion

131 Following the Director's report, there was a brief discussion involving supply shortages. Ms.
132 Schelling asked if the Department had experienced any supply shortages aside from the blood tube
133 shortages. It was mentioned that DFS has experienced a paper shortage that will be discussed in
134 the Division of Technical Services report, but that DFS has not experienced any shortages of kits
135 other than for DUI/DUID. Also, Mr. Bommarito raised a question regarding the Toxicology
136 budget being higher in FY23 than in FY24. James Hutchings explained that this is due to an
137 anticipated one-time purchase of four LC-MS/MS instruments in FY23.

138 **Division of Technical Services (DTS) Updates**

139

140 DTS Update

141 Alka Lohmann, Director of Technical Services, announced the full reaccreditation of the
142 Department that was effective on August 24, 2022 and will expire on September 30, 2026. She
143 noted that the updated Certificates and Scopes are available on the DFS website. In particular,
144 trigger pull examinations are once again within DFS' scope of accreditation.

145

146 Ms. Lohmann advised the Committee that the 107th session of the Forensic Training Academy
147 began in September and is being taught by the Forensic Training Manager and one part-time
148 Forensic Trainer. The Section is in the process of recruiting two full-time Forensic Trainer Senior
149 positions. In addition, a new Forensic Administrative Specialist is expected to begin on October
150 25, filling the position that was vacated earlier in the year.

151

152 Ms. Lohmann provided an update on two chemistry research grants:

153

154 ● Paradigm Shift in Forensic Toxicology Screening: The Development and Validation of
155 Two Automated Sample Preparation Techniques for the Comprehensive Screening of
156 Biological Matrices Using High Resolution Mass Spectrometry

157 ○ This grant project will end on December 31, 2022. DFS is working on the
158 finalization of this project.

159

160 ● Expanded Quantitative Cannabinoid Testing in Biological Specimens to Combat the Ever-
161 Changing Cannabis Landscape

162 ○ This grant also has an end date of December 31, but DFS anticipates requesting an
163 extension to allow time for completion of the method validation.

164

165 DFS continues to have a number of staff members serving as representatives to the OSAC
166 subcommittees that are developing standards for the various forensic disciplines. DFS routinely
167 provides comments on draft standards that are proposed.

168

169 Chemistry Program Update

170 Ms. Lohmann then provided an update on the Trace Evidence and Controlled Substances Sections.
171 She discussed staffing levels and the various training opportunities that were provided to the staff
172 in these sections to meet the agency goal of 16 hours of continuing education. In the Central
173 Laboratory Trace Evidence Section there is one trainee who is expected to complete their training
174 in Primer Residue analysis and one trainee who will complete training in Tape analysis. Both are
175 expected to be completed in the first quarter of 2023. Ms. Lohmann noted that, for the first time
176 in a long while, there are no trainees in the Controlled Substances Section, as they are fully staffed.

177

178 Ms. Lohmann advised the Committee that the ten (10) compounds DFS recommended to the Board
179 of Pharmacy (Board) in April 2022 for expedited scheduling were approved and became scheduled
180 on September 14, 2022. She also stated that DFS recommended five additional compounds in July
181 2022 that are awaiting final approval; and another five compounds were recommended in early
182 October that will be considered at the Board's December 6th meeting.

183 Ms. Lohmann discussed the expansion of the Department's semi-
184 quantitative method for plant material to include other
185 tetrahydrocannabinol (THC) isomers $\Delta 8$ -THC, $\Delta 10$ -THC, and $\Delta 6a$, $10a$ -
186 THC. DFS is in the process of finalizing the validation documentation.
187 This expansion currently does not include edibles or residues. The
188 current method can identify cannabinoids present in edibles, but it
189 cannot quantify the THC concentration. DFS is in the process of
190 seeking outsourcing of testing for these cases and will evaluate
191 caseload to determine if an internal method should be developed.
192 Additionally, a secondary method expansion is anticipated that will
193 include cis $\Delta 9$ -THC and $\Delta 7$ -THC.

194

195 Forensic Biology Program Update

196 Brad Jenkins, Forensic Biology Program Manager, presented an update on the Forensic Biology
197 Program Area, including staffing. He stated that the Data Bank is now fully staffed.

198

199 Mr. Jenkins discussed the continued training for staff on the STRmix software, which went online
200 in December 2021. The first court cases using this new method have gone well, and he anticipates
201 the Section using STRmix more in the future. He reviewed several validations either in progress
202 or currently pending for Forensic Biology. DFS has been conducting grant funded research on the
203 use of robotics for automated differential lysis and has made good progress. This funding ends on
204 December 31, 2022. Mr. Jenkins also discussed a direct amplification method that is being
205 deployed for casework reference samples. This new method will allow for several steps to be
206 removed from the process and will free up space for more evidence samples on the robotics.

207

208 Mr. Jenkins also discussed the outsourcing of 600 pre-CODIS and terminated kits for testing under
209 the SAKI (Sexual Assault Kits Initiative) grant program, as well as the DNA Data Bank Sample
210 Tracking System that went live on July 1, 2022.

211

212 Physical Evidence Program Update

213 Sabrina Cillessen, Physical Evidence Program Manager, updated the Committee on the staffing
214 for the Latent Prints & Impressions, the Firearms & Toolmarks and the Digital & Multimedia
215 Evidence (DME) Sections as well as the various training opportunities that staff have participated
216 in, including several teach back sessions. She advised the Committee that the Latent Prints &
217 Impressions Section is fully staffed and there are three examiners currently in training. The
218 Firearms & Toolmarks Section also has several positions in recruitment as well as two in training.
219 Ms. Cillessen also discussed NIBIN capabilities at local law enforcement agencies as well as the
220 use of Ballistics IQ portable devices by law enforcement has caused a decrease in submission of
221 these types of cases to DFS. Ms. Cillessen discussed recent advancements in Digital & Multimedia
222 Evidence analyses that have assisted investigators in several unusual cases involving a dive
223 computer, a memory chip from a car crash, and a mobile device that had been run over by a vehicle.

224

225 Toxicology Program Update

226 James Hutchings, Ph.D., Toxicology Program Manager, updated the Committee on the Toxicology
227 and Breath Alcohol Sections. Dr. Hutchings provided a staffing update for both sections, noting

228 various vacancies that are in recruit, as well as personnel in training. Dr. Hutchings updated the
229 Committee on the two (2) awards that have been received for the DMV Highway Safety Office
230 grant. Dr. Hutchings discussed the change in the DUI/DUID testing policy that will go into effect
231 on January 1, 2023. Currently, absent a customer request, cases with a blood alcohol content
232 (BAC) of greater than or equal to 0.100% are not screened for drugs. Under the new policy, such
233 cases will additionally be screened for tetrahydrocannabinol. Screening for tetrahydrocannabinol
234 and additional drugs is currently performed on all samples with a BAC of less than 0.100%
235

236 Dr. Hutchings advised that evidential breath tests are still down from pre-pandemic levels: ~10,000
237 tests per year, down from ~15,000 tests per year. He informed the Committee that the Section is
238 in the process of developing an Invitation for Bids for new breath test instruments. These new
239 instruments are anticipated to provide high speed communication and allow for the use of laser
240 printers. He also briefly discussed the colored paper shortage and how it is being addressed.
241

242 Discussion

243 After the DTS report, Dr. Marc LeBeau asked Dr. Hutchings if the Toxicology section was
244 planning to be in alignment with the current ASB documents related to the scope and sensitivity
245 of testing. Dr. Hutchings described the current process for testing and the difficulties, financial
246 and logistical, to attaining full alignment. Randall Beatty followed up with a question asking if
247 the expansion of testing on January 1, 2023 was related to the legalization of marijuana and Dr.
248 Hutchings described the requests and the Department's response to those requests for the expansion
249 of testing.
250

251 New Business

252 Review of a Cannabinoid Method Development Summary and Validation Plan

253 Dr. Hutchings, Toxicology Program Manager, provided a brief presentation discussing the various
254 issues related to this research and potential plans to modify the approach. He anticipates presenting
255 a proposal to the Toxicology Subcommittee sometime in 2023, perhaps in April.
256
257

258 Review of Policy Regarding Electronic Meetings

259 Amy Jenkins, Department Counsel, gave an overview of a draft policy related to individual
260 members' participation by electronic means and the convening of all-virtual public meetings. She
261 outlined the changes to the statutory requirements and the various limitations involved with
262 electronic participation and all-virtual meetings. She stated that the policy mirrors the draft policy
263 of the FOIA Council. Ms. Schelling asked for a motion to adopt the Policy on Individual
264 Electronic Participation and All-Virtual Forensic Science Board Meetings under § 2.2-3708.3,
265 which was made by Dr. Corrado and seconded by Mr. Zercie. A brief discussion followed, which
266 resulted in the Committee recognizing a general benefit to conducting an all-virtual meeting each
267 October. Ms. Schelling called for a vote on the draft policy, which was passed by unanimous
268 consent.
269

270 Public Comment

271 No public comment was provided or received. The Committee was offered an opportunity to raise
272 issues or discuss updates from their areas of expertise. Dr. Vallone mentioned that NIST would
273 be hosting Forensics at NIST in November. Dr. Corrado stated that ASCLD has a Forensic
274 Research Committee, a collaboration between laboratories and academia, which led to a brief
275 discussion. Erin Forry commended the Department for all of the training it provides for its
276 stakeholders.

277

278 **Confirm 2023 Meeting Dates**

279 Ms. Schelling called on Elise Stroble, Committee Secretary, to provide the proposed meeting dates
280 for 2023. Ms. Stroble stated that the proposed dates were Tuesday, April 11th and Tuesday,
281 October 17th. The Committee discussed the fact that there were some conflicts with the October
282 date, and it was decided to meet on Wednesday, October 11th instead. The Committee agreed
283 upon the following meeting dates for 2023: Tuesday, April 11th and Wednesday, October 11th.

284

285 **Adjournment**

286 Ms. Schelling asked for a motion to adjourn. Dr. Corrado made a motion to adjourn the meeting
287 of the Scientific Advisory Committee, which was seconded by Dr. Vallone and passed
288 unanimously.

289

290 The meeting adjourned at 12:06 p.m.