

# **DRAFT MINUTES**

## **FORENSIC SCIENCE ADVISORY BOARD MEETING**

**Date:** August 11, 2020

**Location:** North Carolina State Crime Laboratory (Via Teleconference)

Chairman Timothy Kupferschmid called the meeting of the Forensic Science Advisory Board to Order at 10.00 A.M. EST. Jennifer Councilman performed Roll Call. A quorum was confirmed.

### **I. ATTENDANCE**

**NCSCCL Present:** Amanda Thompson, Timothy Suggs, Liz Patel, Jennifer Councilman, John Dilday, Alison Gantt, Katy Schell, Zach Kallenbach, Ana Baxter, Erin Biggio, Sarah Farber, Dave Freehling, Aaron Joncich, Wayne Lewallen, Sarah Olson, Chris Parker, Jen Slish, Jody West

**Board Members Via Teleconference:** Tim Kupferschmid, C. Todd Hughey, Michael Coble, Michelle Aurelius, Chris Palenik, Kermit Channell, Tracey Dawson Cruz, Alka Lohmann, Brian Dew, Mike Jiroutek, Nancy McCombs, Tracy Walraven and Vanessa Martinucci

**Board Members via Telephone:** Demi Garvin

**Board Members Absent:** Adam Becnel

**Other Teleconference Participants:** Brittney Edwards (Lab Counsel), Benjamin Zellinger (Board Counsel), and Angela Towns (Recorder)

### **II. MINUTES**

Draft Minutes of the May 5, 2020 meeting were circulated and revisions made. There was a Motion to accept the Minutes and seconded. The Minutes of May 5, 2020 were approved.

### **III. OATH OF OFFICE**

Jennifer Councilman administered the Oath of Office to two (2) new board members, Tracey Walraven and Nancy McCombs.

#### IV. NCSCCL DIRECTOR'S UPDATE [Vanessa Martinucci]

- All of the temps working with law enforcement agencies did a great job getting the SAK inventory completed. We have 16,182 certified which includes 1,296 kits that are Type Anonymous or unreported. They are stored at a DPS location called LESS, and will not be tested at this time.
- Updated preservation of biological evidence that, by General Statute, is every two years. It was last updated in 2019, but we decided to update it again because we needed to provide information on storage and evidence to the Superior Court Clerks. That is now available on our public website if you wish to review it.
- We had an all-lab meeting in January with everyone in person, but the 8/10/2020 all-lab meeting was virtual through MS Teams. Presentations were made by Dir. Martinucci, Liz and Amanda informing everyone what has been going on the last seven (7) months. The meeting went well and we received good feedback.
- DOJ organized a State Safety Director Audit of the NCSCCLs COVID-19 response. DOJ mandated we post signage at every entrance, and perform a mental self-assessment to DHHS questions as to whether we have symptoms or have been exposed to anyone with symptoms of COVID-19. We have provided face masks and mandate they be worn inside the building if you are less than 6 feet away from another person. Face masks are not required if you are alone in your personal office. Face masks and hand sanitizer are provided at the front entrance, and promote the three W's: Wait 6 feet away; Wear a face mask; and Wash your hands. All conference and breakrooms have a maximum occupancy posted according to the square footage of the room. The logistics team is responsible for cleaning all fleet vehicles once they are returned; Triad and Western vehicles are cleaned by the individual who drove the vehicle. Cleaning supplies are available if the next driver chooses to clean again before they go out with the vehicle. Suggestions were made to the Raleigh lab which were addressed, and the information was passed along to the Triad and Western lab.
- Meetings with stakeholders were either cancelled or have gone virtual. Director Martinucci and Liz will be presenting at the Clerks of Court virtual conference in September 2020. Liz and Timothy have been working with the Clerks of Superior Court on evidence procedures. We will speak to that in a joint presentation with Jacqui Greene from the Clerks of Superior Court on evidence handling recommendations.
- Dir. Martinucci has developed some strategic initiatives for Fiscal Year 2020-2021 (July 1 – June 30). Strategic initiatives include:
  - (1) Ensuring that sexual assault kits that were not submitted progress on the developed testing timeline;
  - (2) Reducing the lead time for casework using Lean Six Sigma concepts and methodologies. We have done some Lean Six Sigma projects in the past,

but there are new employees who have not been trained in that. We have an RFP coming to get additional training and develop more projects. We already have people looking at streamlining some of the processes.

(3) Recruiting and retaining employees who support our mission and values. We are having to change our recruitment tactics and gone virtual due to COVID-19. We have some ideas as to assistance we may need from JPS on employee retention. There will be more internal conversations and hopefully present some of that in the annual report due in October.

## **V. QUALITY SYSTEM UPDATE [Timothy Suggs]**

- I reported last meeting we had our ANAB surveillance assessment. It is complete—there were no findings. A part of that assessment was a scope assessment request for the Western Lab to include IBIS. We are currently waiting on our updated scope. In June, ANAB updated their Scope of Accreditation template. We are working through trying to get that updated template with our Scope of Accreditation. Some things that may be of interest to the Board, they have combined digital evidence. ANAB had split Digital Evidence into two separate disciplines: Digital Evidence (including Audio examinations) and Video Examinations. Now, ANAB has combined those disciplines back so that the Digital Evidence discipline now includes computer forensics, audio examinations, and video examinations.
- Gunshot residue from a trace standpoint was a standalone discipline but has now been moved back to the trace discipline.
- We are running our internal audits. We have done our lab-wide systems audit and completed one section audit. We have one audit in process this week, so we will be running those now through November to wrap up the year. Our annual customer survey is also in process. Anyone who would like to give feedback on lab services may do so through our customer survey by selecting the link on the laboratories web page on the DOJ website. We welcome all feedback on our services.

## **VI. ADMINISTRATIVE OPERATIONS UPDATE [Amanda Thompson]**

### **Grants:**

- We apply for grants on an annual basis. Approximately \$12.2M in grants awarded or pending to SCL as follows:
  - Governor's Highway Safety Program (\$213K-most recently added; recipient for 3rd year in a row)
  - \$518,728K – 2020 Coverdell Formula
  - \$250K – 2020 Coverdell Competitive

- Secured funding through GCC which allows us to update some of the forensic biology instrumentation Qiagilities and quant systems. We are looking to secure funding in the future as they look to replace their current instruments and move to a more automated platform to process sexual assault kits in a batch format.
- Our funding source for VOCA and SAKI analysis remain on the list although at this time, we are only using the \$6M in state funding provided by the legislature for kit testing.
- We are moving to the next phase of our SAKI grant in the testing of all sexual assault kits in which we are providing our SAKI site coordinator as well as our retired LEO currently working as a temporary employee. CODIS hit follow-up by law enforcement and prosecutors to encourage follow-up once the CODIS hit notification. It will be a touch base, informative list of the hits had during this project.
- We continue to hold bi-monthly crime lab meetings on SAKI and GCC progress as it relates to sexual assault kits outsourcing. For the last several months, we have worked with an individual who is a Power BI developer. They have developed an all things sexual assault kit dashboard which we will demonstrate for DOJ this afternoon. The intent is a portion of this dashboard will be public at some point. It will be rolled out to the public to see the testing of all sexual assault kits. We will demonstrate this to you at the next board meeting.
- Oftentimes with grants, we have to do quarterly and semi-annual progress reports. We were contacted by the NC Highway Safety Department of Transportation and informed they wish to spotlight the NCSCSL on all of their social media outlets. I reached out to one of the managers in Toxicology to find a volunteer to do a quick shot of what the Governor's Highway Safety Grant has afforded us. Amber Rowland, a toxicologist in the Western Lab recorded a 30-second clip [video presented]. We also have a video by Raleigh toxicology as well. Both videos will be shown on their website.

**Procurement:**

- Awarded two vendors for outsource analysis of previously unsubmitted sexual assault kits. One vendor already had a pre-existing contract with the SCL. That is well underway. We are moving forward with drafting an RFP for LSS training. The last time it was offered at the lab was approximately 2014. There are a small number remaining from that time; however, we are seeking individuals in all disciplines put back through the program. The RFP is expected to be released within the next two months.

**Vacancies:**

- There are 29 total vacancies with 14 people in progress; 2 pending new hires; 16 individuals were hired in 2020; hopefully 18 by the end of the week. We have had 10 resignations this year and one retirement. Last year, we were tied with 10 resignations. COVID has been kind to the lab in some ways. We have been able to push through the hiring process and been very successful. We hired a total of 9 people in a 3-week window due to our insistence on continuing

the hiring process through COVID. The breakdown of vacancies is 19 Raleigh (15 forensic scientists, 2 admin and 2 chemistry techs), 4 Triad (3 forensic scientists and 1 admin) and 6 Western (5 forensic scientists and 1 chemistry tech). We have seen an increased candidate pool.

- Update on Digital: We hired an additional FS-1 (person in the building; FS-2, and FS-3 candidate in progress. Since we last met, we also converted our digital forensics scientist manager position to a Forensic Scientist Supervisor position, and are in the position of prepping that to post. Timothy is currently the acting manager of that discipline and will remain over it indefinitely as we grow the staff. We are transitioning to virtual recruitment due to COVID.
- The Western Lab has had the opportunity to partner with the colleges out west to create recruitment videos for students at the college. We intend to do something like that in Raleigh for the purpose of posting recruitment for the crime lab. Essentially, it is a day in the life of/behind the scene of...just an educational snapshot of what the work is like for interested students. We will do one for forensic scientists in every discipline. [Shared video at Western Lab to give Board an idea what we are doing.]

#### **Renovations/Construction:**

- No recent updates on the Eastern Lab—still pending in the General Assembly.
- Fourth floor renovations were expected to begin in the Fall 2020, but due to architectural delays as a result of COVID, renovations will begin with the roof replacement followed by renovation of the 4<sup>th</sup> floor on December 1, 2020.
- The Triad Lab is set to go before the Council of State which is necessary for approval, and at that point, we can begin the expansion of that laboratory. That is private property that we lease, and should move very quickly once the Council of State approves the expansion plans which is set for early September.
- There are Capital R&R requests that still need to be monitored, including Building Envelope Study of the Raleigh Lab, renovation of Evidence Control and renovation of Firearms Section which includes the purchase and installation of custom shoot tank.

#### **Other:**

- We have secured funding for our overtime project for staff to get numbers down to accomplish certain administrative projects that are outstanding. As of this week, individuals interested, both forensic scientists and administrative staff, have now been approved to work overtime from one of two pots of money: one is state-funded and the other is our SAKI grant with staff in forensic biology specifically to do reviews on outsourcing sexual assault kits. This is effective August 2020 through the end of January 2021.
- We have worked for some time on the SCL Alcohol and Drug Free Workplace Policy.
- Kermit inquired about videos presented. Amanda indicated the videos presented at today's meeting would not appear on the DOJ website, but that the SCL intends to create their own videos in every discipline and dedicate an

entire page to recruitment. The Board will receive a link to review the videos once they are completed. Dr. Martinucci reported the hope is to complete the videos before Forensic Science Week because there are several groups who come in to tour the Lab, but unfortunately, will not be able to do that this year due to COVID. The alternative is to be able to send parties to the website to view the videos during Forensic Science Week.

## VII. **TECHNICAL OPERATIONS UPDATE [Liz Patel]**

- We currently have approximately 20K cases for the entire laboratory, and have hovered at that number, consistently, over the past six months. There are a number of people in training doing a bunch of mock trials. Our hope is to get the numbers down with the hiring of new scientists.
- There were 16K cases completed in Quarters 1 and 2 combined. Toxicologists have gone to district court which has helped to complete cases.
- Turnaround time is 222 days which is down from last quarter. Set turnaround time around 60 days to process the actual examination.
- **Training Update:**
  - 11 new scientists in training
  - 7 scientists cross training in a second (or more) discipline
  - Latent evidence completing footwear and tire tracks, and will be fully cross-trained in all latent evidence
- **New Equipment:**
  - Micro SRF – verification complete
  - Comparison Scope was installed over the past 6 months
  - GC FID MS
  - Lady – our therapy dog in Digital Evidence
  - Change in mobile devices analysis. Limited security code bypass attempts to 9 months if the code has not been broken.
  - Raleigh Lab has a new remote firing station. Western Lab has a system like this already.
  - Trying to get IBIS/NIBIIN entries down to what they recommend which is 48 hours. NCSCCL reduced its entry time to an average of 14 days.
  - Lean Six is in Phase 1 where we split our cases up (Caliber, Serial Number Restoration and Function Test cases) to get them completed and out during COVID. Our 2020-2021 focus will be strictly streamlining comparison examinations. We are in discussions with the Conference of DA's to discuss case processing to ensure we provide customers and stakeholders with exactly what they need.
- **Latent Evidence:**
  - Overall focus is to reduce caseload and upgrade SAFIS ~~upgrade~~ which is now complete.
  - By month's end, 3 additional Latent scientists will be signed off on Footwear/Tire Impressions and working cases.
- **Drug Chemistry:**

- Received a new GC/MS with a digital display. Also in discussions with the Conference of DA's on how to screen drug examinations.
- Top controlled substances for Q1 & Q2 in 2020: methamphetamine (84% of total completed); cocaine (43%); heroin (25% of total completed); fentanyl (22% of total completed); and plant material (8% of total completed).
- **Toxicology:**
  - The QTOF went live in January 2020 enabling us to identify more drugs than the Lab had been able to identify with previous methodologies.
- **Forensic Biology (Jody West)**
  - One and one-half years in the making, validation and implementation of STRmix went live on July 1. Purchased the software and began validation with ESR. Training took quite some time. It was a week-long training. Sent some people to a lab in New York City for training. Also had training with Dr. Coble. Internal training is a 3-week program which consisted of lectures on various topics, then hands-on demo of software, and lastly, Q&A session where they had to explain how it all worked in sort of a mock trial setting. Hasn't seen one go to court yet in that courts are closed due to COVID.
  - Outreach – Dr. Coble made a presentation to the Conference of DA's and defense attorneys which proved to be beneficial.
- **DNA Database:**
  - Uploaded nearly 8K samples this year which produced over 430 CODIS hits.
  - They are working on two projects: GDAC to streamline the expungement process by connecting data from AOC, CJLEADS and SpecMan and a CODIS hit portal that the Sheriffs (by county) can access and review.

**VIII: WINTER MEETING:**

The Winter meeting will be held via MS Teams at 10:00 a.m. on October 13, 2020. We will return to breakout sessions in the afternoon from 1:00 p.m. to 3:00 p.m.

Dir. Martinucci will provide new board members with contact information for Jennifer Slish and Timothy so they can get acclimated on Forensic Services they have been assigned to and links on specific policies and procedures.

**IX: ADJOURNMENT:**

A motion was made and seconded to adjourn the meeting. Meeting was adjourned at 11:02 A.M. EST.