

MINUTES

FORENSIC SCIENCE ADVISORY BOARD MEETING

Date: May 4, 2021

Location: North Carolina State Crime Laboratory (Via MS Teams)

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, Aaron Joncich, Wayne Lewallen, Chris Parker, Jen Sligh, Jody West, Karen Morrow, Jennifer West, and Amy Brewer Sligh

Board Members Via Teleconference: Tim Kupferschmid, C. Todd Hughey, Michael Coble, Kermit Channell, Tracey Dawson Cruz, Alka Lohmann, Brian Dew, Mike Jiroutek, Nancy McCombs, Demi Garvin, Adam Becnel, and Vanessa Martinucci

Absent Board Members: Michelle Aurelius, Chris Palenik, and Tracy Walraven

Other Teleconference Participants: Jason Caccamo (Lab Counsel), Ryan Haigh (Board Counsel), Sarah Olson (Guest), Andrew Ewens (Guest), David Burrows (Guest), Chris Mumma (Guest), Sarah Farber (Guest), and Angela Towns (Recorder)

II. MINUTES

It was noted that Sarah Olson be moved from NCSCCL to Other Teleconference Participants. A Motion to accept the February 9, 2021 Minutes with the aforementioned change was made and approved.

III. NCSCCL DIRECTOR'S UPDATE [Vanessa Martinucci]

Completed Actions:

- Governor Cooper has released his recommendations for the 2021-2023 biennium budget. The \$9M NCSCCL requested for SAECK testing is in the budget. An additional \$500K recurring allocation was also recommended to cover the cost of supplies, etc. for in-house kits. Our numbers have doubled since the Survivor Act went into effect. We requested funding to add twelve (12) new scientist positions. Governor Cooper recommended six (6) new scientist positions. He also recommended a DOJ-wide fund to use as needed to address recruitment and retention needs. We have been sitting around 30 vacancies for some time now, and feel additional funding will allow us to do promotions and offer raises to help to encourage retention for scientists to stay at NCSCCL. Currently, FS 1s & 2s stay an average four (4) years, and it takes approximately two (2) years to hire and train. NCSCCL will request a similar reserve fund specific to scientist positions during the legislative short session.

In Progress:

- NCSCCL has several Bills in the General Assembly.
 - HB235/SB307 – Evidence/Dist. Ct. Speedy Trials: Requires district court (not juveniles) (mainly DWI cases) to allow our analysts to testify remotely. Very important to NCSCCL; will save on the amount of time an analyst will spend out of the laboratory traveling, sitting and waiting to testify [in some cases, not testifying]. HB 235 has crossed over to the Senate.
 - HB 292 - Howard Hunter, Jr. Eastern Crime Lab – appropriations pending
 - SB 321 and HB 752 – Amend Controlled Substances Act: NCSCCL helped to make adjustments to align more with federal statutes. SB 321 has crossed over to the House.
 - HB 672 – Modify DNA Evidence Provisions: Looking at biological evidence storage with recommendations from the Clerk of Courts working group – In Committee today
 - HB 674 – Require DNA for Various Charges/DNA Kit Funds: To add additional arrestee charges to the DNA sample collection on arrest bill (includes assault on a female, domestic violence charges, etc) – In Committee today
- The General Assembly is also working on the Biennium Budget. We expect the Senate to release a budget this month, followed by the House, and then to Committee. Recap: We have asked for \$9M for testing of previously untested sexual assault kits and 12 scientist positions.
- Numbers on previously untested SAK: 16,186 inventoried; 2,926 completed; 5400 in process. Of the 2,926 completed, we have entered 1047 profiles in CODIS and received 467 hits (45% hit rate, comparable to what labs are seeing across the country on previously untested projects).

IV. QUALITY SYSTEM UPDATE [Timothy Suggs]

- NCSCCL completed its annual ANAB remote surveillance assessment (on-site document review) the third week in April. There were no findings, and we received notification from ANAB of our continued accreditation.

V. IT RELATED UPDATE (John Dilday)

- **AIS:** Scanning project for legacy case files – All 500+ boxes sent to be scanned are completed and we have the digital files. Our review team is back in the lab and reviewing the cases. Once data is reviewed for accuracy, the information will be entered into Forensic Advantage for permanent storage.
- **STIMS:** Sexual assault kit tracking is continuing to grow. We have more users. We are up to more than 6K kits collected since the system went live on October 1, 2018. The kits are being tracked in the application. We have 16,186 in inventory in the application also and we are tracking those. We are still under the Phase 4 development which will add more functionality to the application, and we are about to begin testing that before we can do live with Phase 4.
- **Stop Works and Blood Destructions:** At the last meeting, we discussed revamping the blood destruction rules for cases we have that might be eligible for destruction of DWI blood samples. Those business rules worked very well. We are getting out a lot of these samples that do not need to be retained. We do see a number of things we can tweak the business rules to get even more cases out.
- **Forensic Advantage:** We upgraded the Forensic Advantage website to 20.0 in March 2021. The upgrade gave lab employees and customers needed improvements thereby making things easier for everyone. We are still waiting for final lab report templates to be delivered, and working on closing out old tickets with the new version
- **Network Separation:** A couple of weeks ago, we separated from the SBI network to our own DOJ network. We had been on the SBI network since the date the lab was built in its current location. This will give us more control over our own network, less outages and better functionality.

VI. ADMINISTRATIVE OPERATIONS UPDATE [Amanda Thompson]

Grants:

- We are currently sitting at approximately \$6.4M in grant funding, with \$1M pending from the Governor's Highway Safety Program which will enable us to replace our LCMS instruments in all three (3) labs. All remaining grants are active. We closed out the 2019 DNA backlog reduction, Coverdell, Governor's Highway Safety, and 2020 Governor's Highway Safety, bringing our \$9.4M in grants to \$6.4M. We are actively seeking solicitations for more funding sources.
- The Administrative Operations position has handled grants management since Amanda started five (5) years ago. Approximately four (4) persons assist with

- this task. A full-time grants manager began on April 26, 2021. She has experience managing up to \$50M in grants at any given time. She has also worked with Governor's Crime Commission and has familiarity with being the recipient of funding as well as being the pass-through entity. The grants manager will begin meeting managers over the next couple of weeks to gain a better understanding of the needs of the lab and applying for solicitations.
- **SAKI Grant:** The lab continues to prompt sending of previously untested sexual assault kits and have moved to follow-up with prosecution and law enforcement regarding hits made to previously untested kits. We have also begun identifying partially tested kits to confirm they are still is LEA possession awaiting further testing.
 - **SAK Dashboard:** We are building a SAK dashboard through SAKI funding with blessings from DJA. It is still in the works and will keep the board updated as to when it is ready to go public.
 - **Procurement:** We now have two (2) procurement specialists in the lab; one (1) recently resigned. We have been working on establishing a contract for LSS training, and have completed four (4) projects. This will include 20 participants in the disciplines of Firearms, Drugs, Tox and Latent with a start date of mid-May and run through the end of September 2021. More details to come as it progresses. The plan is to have individuals go through the training every few years.
 - **Renovation/Construction:** Fourth floor renovations began on February 17, 2021, with projected completion in September this year. The space has been cleared out and framing of walls has begun. The area will be divided by disciplines, and cubicles will allow more space/shared space for staff. We are still working with the new property owner on the Triad Laboratory lease to get that project underway. This is a much more limited renovation in scope and time as a privately leased property. It is our hope that the project will be heard at the June Council of State meeting.
 - **Other:** We allocated approximately \$100K in overtime to produce case work and administrative projects currently ongoing. To date, we have spent the \$100K allocated. Of the nearly 2,900 cases, 1,620 reviews have been completed; 80 SAK inventories in the forensic biology section completed, and 522 database samples processed. Resources were allocated to the SAKI grant funding for outsourced SAK cases, 300 of which have been completed.
 - **Personnel:** NCSCL has been hovering around 30 vacancies for quite some time (22 scientist positions, 8 administrative). Of the 30 vacancies, nine (9) candidates are in progress; nine (9) positions are in interviews, with the remaining positions in process of posting, reallocation, or transfer. The breakdown of the 30 vacancies are 18 in Raleigh, six (6) in the Triad, and six (6) in Western. There were 25 hires in 2020 with 20 losses. We have 6 hires in the second quarter of 2021 and nine (9) losses to date (three of which are retirements. We have additional retirements pending later this year and several in 2022 that are highly technical with 30 or more years of service. We are working on succession planning and the overall organization as it relates to vacancies. Virtual recruitment efforts are underway. The hiring process is an

8-10 week process; however, it takes approximately two (2) years to get the new hired training and up to speed.

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

- Our current caseload is 22,603, which is up approximately 4K cases from one and one-half years ago.
- **Turnaround Time:** Q-1 totals for 2021 is sitting at 239 days from lead time; turnaround time for examination by the analyst from start to finish is 66 days. Quarterly output for cases handled in the lab during COVID was as good as in 2019.
- **Training Update:** We added two (2) more forensic biologists and a new FB who started yesterday. Currently, there are 16 new scientists in training with 13 to complete training by June.
- **Discipline Updates:**
 - **Drug Chemistry:** We provided updates to the Controlled Substance Act (CSA) based on trends we are seeing in our laboratory and across the nation. We had one scientist accepted to the OSAC group.
 - **Digital Evidence:** We completed FSI training to do mobile, audio and video analysis. There are currently four (4) vacant scientist positions in various stages of recruitment.
 - **Latent Evidence:** We are working on footwear validations. Final results are being reviewed. Two (2) scientists completed and passed IAI certification.
 - **Forensic Biology:** We are looking at a new method for validation and performance checks to extract shell casings.
 - **DNA Database:** The system is being upgraded to 365. The expungement project is on hold due to other projects the external vendor is working on.
 - **Firearms:** We are updating procedures to begin NIBIN as a first-step to help speed up firearm examinations.
 - **Toxicology:** There are four (4) scientists in training. We will be going live with the MassHunter software which will be used to speed up the data analysis portion (minutes vs. hours). There is one (1) additional piece of equipment for the GC-FID/MS validation BAC analysis.
 - **Trace:** ABC exam for Criminalistics is dropping the Trace portion of the examination for certification. We are exploring options to replace it. We will have a couple of people to complete Trace before it ends, but we will be looking at how to handle that piece.
- **2021 Goals:**
 - Working on a Dashboard to collect all of our data with the ability to turn portions of it live so that stakeholders and customers can see their turnaround time online.
 - Standard Tracker was implemented which follows all documents going out and lab implementation of those documents
 - Lean Projects – Drug Chemistry, Toxicology, Latent and Firearms

VIII: QUESTIONS/COMMENTS:

Tracy asked if there are other disciplines specific to certification for Trace. Liz responded there are not. Additionally, there are only 14 persons nationwide (3 of which are NCSCCL) with Trace certification. However, the Comprehensive Criminalistics exam tests every discipline. NCSCCL has a few people in Drug Chemistry and Tox planning to take the ABC or ABFT exam later this year.

Andrew expressed concern on the usefulness of data that is not quantitative. NCSCCL deals with qualitative only.

IX: FALL MEETING:

The Fall meeting will be held via MS Teams at 10:00 a.m. on August 3, 2021. Jennifer will send out official invites.

X: ADJOURNMENT:

With there being no other business, a motion was made and seconded to adjourn the meeting. Meeting was adjourned at 11:05 A.M. EST.