

# **MINUTES**

## **FORENSIC SCIENCE ADVISORY BOARD MEETING**

**Date:** November 19, 2024

**Location:** North Carolina State Crime Laboratory (Virtual)

Chairperson Demi Garvin called the meeting of the Forensic Science Advisory Board to Order at 10:00 a.m. EST. Angie Byrd performed Roll Call. A quorum was confirmed.

### **I. ATTENDANCE**

**NCSCL Present:** Amanda Thompson, Elizabeth Patel, Timothy Baize, Timothy Suggs, Jody West, Zachary Kallenbach, Karen Morrow, Katy Schell, Wayne Lewellen, Jennifer Sligh, Summer Maffett, Elizabeth Reagan, Amanda Venable, Jason Caccamo, David Freehling, Michelle Hannon, Ivory Wendell, Julianne McMannes, Taylor Roberts, and Bonita Snow.

**Board Members:** Adam Becnel, Kermit Channell II, Tracey Dawson-Green, Brian Dew, Demi Garvin, Jan Hannig, Todd Hughey, Daniel Katz, Christopher Palenik, Rebecca Smith, Tracy Walraven, and Rebecca Smith.

**Absent Board Members:** Michelle Aurelius, Mike Coble, and Alka Lohmann.

**Other Teleconference Participants:** Charlene Nelson (guest), Sarah Olson (guest), and Bob Brackett (NCDOJ).

### **II. MINUTES**

Previous May 14, 2024 Minutes

Request for Amendments – None

Motion to Approve carried – minutes approved as presented.

### **III. NCSCL DIRECTOR'S UPDATE [Director Amanda Thompson]**

#### **In Progress:**

#### **Personnel**

- Position-AD Admin Operations filled by Chris Parker, effective September 2024.

- Position posted- AD for Quality Assurance

### **Budget**

- Request for salary progression funding for analysts (FS Series)
- OSHR considering reclassification of Digital FS

### **Legislation**

- Novel Opioid Control Act (H258) - crossed over 3/16/2023; no movement
- Tianeptine added to Controlled Substance Act (H250); signed into law; effective 12/1/2024
- Crime Lab Salary Study (H524) – no movement; likely will be covered in another bill

### **Stakeholder Outreach**

- Two SCL open houses annually April & October open to the general public including high school and college groups; Also have hosted separately District Attorneys, Defense Counsel, Superior Court Judges and Law Enforcement
- GaC (Grab a Coffee) with a Forensic Scientist active for those who have been interns with the SCL and in the future will include Virginia Commonwealth University interested forensic science students as a pilot

### **Projects**

- GDAC Portal will not begin until 2025. Will allow for login capability and access to all case information needed
- Family Reference Collection Kit – specifically from Western part of the State due to Hurricane Helene; Available to law enforcement for distribution to families for DNA sample submission and CODIS upload to aid in identification of human remains; lab has received samples from families and medical examiner's office; anticipate additional samples over time
- 2<sup>nd</sup> Rapid DNA Committee meeting held 11/18/2024 – discussed timeline for FBI rollout of Rapid DNA Guidelines; Standards to be published in 2025
- Tracey Dawson-Green asked what is being used for family reference – CODIS? Amanda Thompson confirmed that it is CODIS.
- Concord, Asheville, Jacksonville, and New Hanover LE agencies were able to use grant funding to obtain Rapid DNA instruments and Rapid Intel™ Plus cartridges

## **IV. IT RELATED UPDATE**

### **STIMS**

- Kits since 10/1/2018 – 12,658 named kits; 1,745 anonymous kits
- Lab continues to make enhancements to efficiency and reporting

### **Forensic Advantage**

- New version installed this week

### **Quality Updates**

- Wrapping up internal audits; should be completed November 2024
- Early 2025- training new internal auditors
- External assessment training planned so more employees can participate
- Demi Garvin asked how many are currently trained for external assessments. 7 routinely participate; several in Forensic Biology perform QAS audits

## **V. ADMINISTRATIVE OPERATIONS UPDATE [Director Amanda Thompson]**

### **Grants**

- Closed 3 grants in 2024
- Active and being used – 2023 & 2024 DNA CEBR, 2023 & 2024 Coverdell, 2025 NCSCCL Toxicology Enhancement
- \$6.7 M in active funding

### **Personnel**

- Total vacancies: 34 – 22 scientist positions; 12 administrative positions
- No FSI applicants have declined offers of lab positions since the inception of the internally increased starting salaries of 55k which began in mid-March 2024.

### **Additional Remarks**

- Open houses generated a tremendous amount of general public interest– 300-400 students attended the morning sessions with about the same number of members of the general public during the evening sessions
- Plan to revise and add more to the open house – as people attend, they want to see more of the lab
- Great feedback from attendees
- Open house increases career interests from potential candidates (HS and college age students)

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

- Casework
- New Technology
- External stakeholder outreach
- Tours for Law Enforcement Officers/Attorneys/Judges
- Internal Training for each discipline
- Under 14,000 pending exams – 13,783 currently
- Decreased overall lab turnaround time – 100 days
- 26 scientists in training

### **TECHNICAL OPERATIONS HIGHLIGHTS**

#### **Digital Evidence**

- All scientist fully trained in mobile device/computer examinations
- One scientist fully trained in all examinations
- Efforts proceeding to realign salaries

#### **Drug Chemistry**

- Updated policies and procedures; added new optional crystalline test; validating tablet counter for cases with large tablet populations

#### **Forensic Biology**

- Currently alpha: automated EZ2 Connect Fx SAS processing kit
- Presented poster at 2024 ISFG and ISHI Conferences
- Validations for Power Quant and FASTR DNA

#### **DNA Database**

- QAS audit had no findings (November 2024)
- Scientist trainee released (July 2024)

#### **Firearms**

- 1 trainee accepted to NFEA
- 3-4 trainees have started the training program
- Adam Becnel stated that his lab is in the process of validating the same 3D technology and to reach out if needed, regarding validation

#### **Latent**

- Validating FSIS-II

## **Trace**

- Purchased new PE FTIR/ATR System (paint, fiber, tape analyses); replaces 20 year-old system

## **Toxicology**

- Virtual testimony prevented 22,000 miles of travel, equal to approximately 355 hours of driving time
- Scientists are testifying in-person about 54% of the time they appear
- Wayne Lewellen – did a trial run in District I to get them on-board with remote testimony
- Demi Garvin question – Would this data qualify for a nomination for any state award? It demonstrates how the virtual testimony is efficient has and allows for collaboration with the court system
- Governor's Award has a component that may qualify
- Ensuring court has the IT means to allow remote testimony – some asked to use it once or limited times and never fully integrated remote testimony into their course of business
- Demi Garvin – A nomination could be used to underscore collaboration and encourage other counties to join remote testimony efforts
- Board may be able to assist with nomination
- Jason Caccamo was asked to weigh in on Smith v. Arizona – ADAs/VWLAs have reached out asking about the lasting effects; allowing and providing substitute analyst if they are requested; reaching out to Conference of DAs to explain workflow

## **VII: QUESTIONS:**

- No questions

## **VIII: NEW BUSINESS:**

- New board members should provide an email by December 31, 2024 to state their intent to continue board service.
- Board will be providing a document to each member to document service going forward (and retroactively as requested)
- Demi Garvin asked lab – How can the board be of service? (i.e., projects, documents, issues, topics, etc.)
- Amanda Thompson pointed out that there is an outgoing DOJ admin – current AG Josh Stein is Governor-Elect and there will be a new AG, AG-elect Jeff Jackson
- Director Thompson requested the board to draft a letter to the new administration describing the purpose and function of the board
- Chair Garvin agreed that the board should write the letter

- Director Thompson also requested a letter of support for the FS Series salary progression
- Chair Garvin asked for a timeline for this effort
- Director Thompson requested by the end of January 2025 as the legislature will be back in session
- Chair Garvin proposed two committees to prepare a draft letter to the new administration and one of salary support; drafts will be distributed to the entire board for comments/approval in early January

## **IX. RECOGNITION OF GUESTS/REMARKS**

Sarah Olson (NC Indigent Defense Services)

- Thanked the lab for offering tours for defense attorneys – next tour is December 5, 2024
- She explained that it enhances understanding
- FS will be training defense attorneys virtually in the Fall of 2025 (Liz Patel is the POC for the lab)
- Rapid DNA/FBI Guidelines – Sarah asked what work law enforcement agencies are currently doing with these instruments since there aren't current acceptable/approved FBI procedures.
  - Amanda Thompson replied that private vendor labs provide training on the instrument/use; small databases are created by private vendor analysis that the local law enforcement agencies can search; SCL must have competency and proficiency training from those participating as well as validation prior to CODIS searches, as per FBI requirements for accredited labs
  - Liz Patel also mentioned the importance of 2 swab collection if LEAs are using the Rapid DNA currently

Charlene Nelson (Assistant Capital Defender)

- Appreciated efforts to improve laboratory functions – reliability and turnaround time
- Appreciated the attorney tours
- Nice to sit down with laboratory personnel
- Thank you for openness and transparency

## **X. SPRING MEETING: On-site Meeting will be Tuesday May 20, 2025**

- Monday, May 19, 2025-Arrival
- Tuesday, May 20, 2025-Board meeting (AM)
- Tuesday, May 20, 2025-Breakout sessions (PM)and departure

## **XI. OUTSTANDING:**

- Procedure review done and completed – need board letter

- Retired one therapy K9 – Secured new therapy K9 for western lab, Pierre
- Getting new therapy K9 for Raleigh lab

**XII: ADJOURNMENT:**

With there being no other business, the meeting was adjourned at 10:51 a.m. EST.