

**Minutes for the State of North Carolina  
Forensic Science Advisory Board Meeting**

February 1, 2018  
North Carolina State Crime Laboratory  
Raleigh, NC

**Board members present:** State Crime Laboratory (SCL) Director John Byrd, Chairman Tim Kupferschmid, Vice Chair Tracey Dawson Cruz, Kermit Channell, Michael Coble, Demi Garvin, Michael Jiroutek, Alka Lohmann, Christopher Palenik, Deborah Radisch, Ronald Singer (all except Byrd via telephone)

**Not present:** Adam Becnel, David Hinks, Peter Marone, Bethany Pridgen

**Others in attendance:** Dean Amatuli, Jonathan Dilday, David Freehling, Josh Hickman, Aaron Joncich, Zach Kallenbach, Karen Morrow, Elizabeth Patel, Timothy Suggs, Kathy Schell, Amanda Thompson, Peter Ware, Jody West (State Crime Lab); Sarah Rackley Olson, NC Indigent Defense Services (via telephone); Forensic Science Advisory Board Counsel Lauren Earnhardt (via telephone), State Crime Lab Counsel William Hart, Tammera Hill (via telephone), John Bason (NC Department of Justice)

Meeting convened at 1:01 PM by Chairman Tim Kupferschmid. Motion to approve the minutes from the previous meeting as amended was made by Demi Garvin, seconded by Alka Lohmann, and passed by the board.

Chairman Kupferschmid thanked FSAB members for being on the call and requested updates on the **Quality Document Review** process. Chris Palenik with the **Trace Evidence** group said that he and David Hinks are approximately halfway through the documents, but haven't made progress recently and are having difficulty getting synched up. Palenik said he would get an update to the chairman in a couple of weeks.

Demi Garvin with the **Drug Chemistry** group reported that the document that was submitted as the final commenting template from their group was not correct because it still showed entries that were removed after the on-site meeting in Edneyville. She will resubmit the template after consulting with Bethany Pridgen. She reported that the Drug Chemistry section is in good shape and they don't foresee any issues.

Kermit Channell with the **Forensic Biology** group reported that they are getting additional feedback after SCL staff had an opportunity to reply and make comments to their group's suggestions. Kupferschmid: We also we learned of additional SOP's that weren't in the original batch we were asked to review. Haven't begun on those yet, but will strive to finish before the next meeting.

Director Byrd delivered his **Director's Report**. Since last FSAB meeting, SCL met with Actual Innocence Commission to discuss procedures for when the Commission has submissions for DNA or any other analysis. Since the meeting they've had at least one case submitted. Ethics training and training to minimize bias in forensic decision-making has occurred since last FSAB meeting.

On 7/1/17, SCL notified NC law enforcement agencies about the new **Sexual Assault Evidence Collection Kit (SAECK)** Audit, which mandates reporting by all 560+ agencies. Agencies were supposed to report their inventories to SCL by 1/1/18, and reminders were sent in December and January.

SCL has had difficulty getting some agencies to turn in their records, and recently started calling and emailing sheriffs and police chiefs whose agencies had not yet responded. SCL is currently in the process of drafting the SAECK Audit Report, which will be delivered to the General Assembly by 3/1/18. (Byrd also noted that SCL had conducted a voluntary kit inventory initiative in 2016, and later worked to re-direct some funding to allow kit testing by outside vendors.)

The average cost per kit for testing is about \$700. Kits are prioritized based on the Combined DNA Index System (CODIS) rules; kits collected in cases where consent was claimed are to be processed first, along with kits in the category "Others Not Tested." As of January 30<sup>th</sup>, those categories accounted for a total of 6,682 kits. The estimated cost of testing those kits would be about \$4.6 million. Based on the volume of kits that the two vendors are able to test, it would take 5.5 – 6 years to complete the testing of those two categories of kits.

Jonathan Dilday has been working with IT to get a statewide sexual assault kit inventory tracking management system in place. They've considered purchasing an off-the-shelf product, and also looked at other states that might be willing to share their existing system. Idaho has a system they are willing to share free, although there could be some relatively minor costs to set it up in NC.

Kermit Channell: We are using Idaho's system here, and Idaho's IT staff was helpful whenever our IT staff had any issues. The system is transparent, easy to use, and doesn't display extraneous or confidential information from law enforcement or labs. It is also victim-centric, so people can track the progress of a kit through the system. If SCL is interested I create a test account so you can experiment with it. Byrd: That would be great, John Dilday will be in touch with you.

While referencing the General Assembly's full funding of the Forensic Sciences Act of 2011, which included funding for the position of Ombudsman, Director Byrd informed the board that the current Ombudsman Stormy Forte will be leaving that post for work in the private sector. Byrd also noted that the FSAB's Counsel, Lauren Earnhardt, is leaving DOJ to take a position at the NC Sheriff's Association. On behalf of the board, he thanked them both for their work.

Amanda Thompson, report on **Administrative Operations**: Just finished the final round of promotional opportunities for Firearms and Latent Evidence disciplines, a total of 10 positions. That completes the process that started lab-wide in 2016. Regarding grants, SCL has been awarded \$2.49 million. SCL also applied for some very competitive grants (totaling about \$1.86 million) that were not awarded, including one for a statewide sexual assault kit inventory tracking management system. Currently awaiting word regarding a Physical Evidence Grant. The application for the second year of the Governor's Highway Safety Program grant was submitted yesterday, and will provide continued funding for the Q-TOF Mass Spectrometer lease, as well as related training and supplies.

Regarding vacancies, SCL is holding steady at 30 (25 scientists and five support staff) and this is related to the promotional opportunities that have just been completed. Going forward, new hires will be polygraphed by an examiner SCL is bringing on-staff.

SCL is nearing the end of the \$1.7 million it received from the legislature for leasing or purchasing. A vendor for Q-TOF Mass Spectrometers has been identified through the competitive bid process and SCL is doing the same thing for the Gas Chromatograph Mass Spectrometers they plan on leasing. All other equipment has been ordered or is in the process of being ordered.

The long-awaited linkage of the state-of-the-art security system at the new Western lab to the existing security systems at the Raleigh and Triad labs will take place this month.

Jonathan Dilday: The AIS scanning project will scan SCL's old paper case files into an accessible digital format. SCL currently has 100 boxes of files prepared for scanning, covering years 2000- 2007. Approximately 500 boxes will be scanned in the first phase of the project. The vendor is currently scanning the first box to test their processes and will then give SCL a chance to review the results.

Regarding the RFID evidence tracking project, SCL is currently working with 2 bidders on the hardware component. The next phase will involve moving the RFID information into the Forensic Advantage software system currently in use by SCL. Tentative project end date is July 2018.

Pete Ware, report on **Technical Operations**: Current caseload is a little over 11,000 cases. Lead time averages 123 days across the lab but rush procedures are available to get evidence completed within 30 days or less when there is a public safety need. The decline in the total number of exams completed in the 4<sup>th</sup> quarter of 2016 was anticipated, due to (1) Western Lab being offline during the move to the new facility and (2) staff from other labs taking time off to help get the new lab up and running. Lead time and turnaround time crept up in the 4<sup>th</sup> quarter for related reasons. Submissions have also increased across the lab, especially in Drug Chemistry and Latent Evidence. Since the last FSAB meeting, SCL has learned of two more agencies that are ceasing their Latent Print work. That trend will continue to spark higher submissions as SCL has to absorb those cases.

Kupferschmid: You are about a month into validations at the Western Lab. How is it going? Jody West: So far, so good. A vendor is taking care of the majority of the validations. All the lab work is done, now they are crunching the data. The vendor will come again mid-February to re-run a few samples but that shouldn't impact the date of completion for the validations. Tracy Dawson Cruz: Is the Western Lab fully staffed? West: All but one, whose last day in Raleigh is today. Director Byrd displayed photos of the ribbon-cutting ceremony at the Western Lab, noting that Attorney General Josh Stein, lawmakers, and local officials were in attendance as well as board members Michael Coble, Demi Garvin, and Deborah Radisch.

The board set May 14-15 as dates for the next board meeting. The 14<sup>th</sup> will serve primarily as a travel day but it will also provide time for some board members to meet with SCL staff or do other board-related work. The board will hold its formal meeting beginning at 10:00 AM on May 15<sup>th</sup>. The board set Thursday, August 2<sup>nd</sup> at 1:00 PM EST for the following meeting, to be held via telephone.

A motion to adjourn was offered by Director Byrd and seconded by Kermit Channell. The meeting adjourned at 1:45 PM.