

MINUTES
FORENSIC SCIENCE ADVISORY BOARD MEETING

Date: May 5, 2020

Location: North Carolina State Crime Laboratory (Via Teleconference)

Chairman Timothy Kupferschmid called the meeting of the Forensic Science Advisory Board to Order at 10.01 A.M.EST. Amanda Thompson performed Roll Call. A quorum was confirmed.

I. ATTENDANCE

Present - NCSCL: Vanessa Martinucci, Amanda Thompson, Timothy Suggs, Liz Patel, Jennifer Councilman, John Dilday, Alison Gantt, Katy Schell, Zach Kallenbach, and Jason Caccamo (Lab Counsel)

Via Teleconference: Tim Kupferschmid, David Hinks, Jamie Becker, C. Todd Hughey, Michael Coble, Michelle Aurelius, Demi Garvin, Chris Palenik, Kermit Channell, Ana Baxter, Sarah Olsen, Tracey Dawson Cruz, Alka Lohmann, Brian Dew, and Alec Rees

Other Teleconference Participants: Benjamin Zellinger (Board Counsel) and Angela Towns (Recorder)

II. MINUTES

October 8, 2019 and February 11, 2020 were provided to Board members in advance of the meeting. A Motion to approve the October 8, 2019 minutes was made and seconded. A Motion to approve the February 11, 2020 minutes was made and seconded with one revision: to change the title for Brian Dew from “former” Forensic Lab Manager to “current” Forensic Lab Manager.

III. OATH OF OFFICE

Brian Dew took a virtual Oath of Office administered by Jennifer Councilman.

IV. APPRECIATION OF SERVICE

Director Vanessa Martinucci extended appreciation to outgoing board members, David Hinks and Jamie Becker, for their service to the FSAB.

V. DIRECTOR'S UPDATE [Vanessa Martinucci]

- Dr. Martinucci presented sexual assault testing kits on March 12, 2020 to the Justice & Public Safety Committee at the General Assembly.
- Meetings with other stakeholders have been postponed due to the COVID-19 pandemic. SAK outsourcing and vacancies/retention continue to be areas of concern.
- In 2017, there were 15,160 untested sexual assault kits. LEA will enter each kit into STIMS. As of February 24, 2020, 14,305 kits had been entered. As of May 4, 2020, 14,960 kits were entered.
- NCSCL approvals for testing doubled from February to May. Kits are sent to vendors for testing and returned upon completion with an increase of over 200 returned to NCSCL in a couple of months. Testing revealed nearly 300 CODIS hits.
- JPS and the General Assembly was interested in how much money NCSCL had spent to date. The General Assembly allocated \$3 million this fiscal year and \$3 million for the next fiscal year to the Survivor Act. Projected expenditures for this fiscal year is projected to be \$756,750 spent on 1,079 kits.
- Approximately 3K kits will be tested this year alone. At this rate, it will take five (5) years to test them all which brings about the need for outsourcing. Bode and NMS have been issued contracts to assist with outsourcing.
- In the first three (3) months of 2020, NCSCL received 1,248 total kits for testing compared to 603 in the first quarter of 2019. At a rate of 1,248 per quarter, we can expect to receive over 5K cases in 2020.
- The Survivor Act requires kits be completed within 45 days. NCSCL has five (5) openings in Forensic Biology which, when filled, will aid in getting cases out in a timely manner.

VI. QUALITY SYSTEM UPDATE [Timothy Suggs]

- The annual ANAB surveillance assessment, which include IBIS at the Western Lab, is complete. We are waiting for the assessor to submit a final report, but do not anticipate any issues or problems.
- NCSCL launched a revision to its Quality System on May 1, 2020. The former publication listed a bullet point in the standard and a bullet point on how we were meeting that standard. Combining the two sections allowed us to remove many of the procedural requirements while consolidating similar information together to make it more user friendly.

VII. ADMINISTRATIVE OPERATIONS UPDATE [Amanda Thompson]

Grants:

- Approximately \$9.3M in grants has been awarded to SCL as follows:
 - \$600K – 2019 Coverdell Formula
 - \$1.7M – 2018 DNA CEBR
 - \$1.6M – 2019 DNA CEBR
 - \$480K – 2018 GHSP Tox
 - \$456K – 2019 GHSP Tox
 - \$2M 2018 SAKI
 - \$2M 2019 VOCA
 - \$70k Byrne Jag 2017: Qiagilities – Forensic Biology
 - \$475K 2020 GHSP Tox
- There is approximately \$972K in grants pending as follows:
 - \$94K - Byrne Jag 2020: Forensic Biology Instrumentation
 - \$165K - Byrne Jag 2016: HID Quant Systems- Forensic Biology
 - \$500K – 2020 Coverdell Formula in process; split-funded for opioid/non-opioid funding (*Representing a \$100K loss between 2020 and 2021 with more focus on the opioid mandate)
 - \$ 213K - 2020 GHSP
- The SCL, members of DOJ, and the Public Protection section work in collaboration on the SAKI grant. This grant has funded temporary SCL personnel who have assisted law enforcement in the inventory and certification of untested sexual assault kits. The temporary SCL personnel also have worked in conjunction with laboratory staff to prompt law enforcement to submit kits for testing. Additionally, to date, the grant has funded temporary Public Protection personnel who have worked to provide training and education to criminal justice stakeholders.

• PERSONNEL:

- There are currently 34 vacancies:
 - Raleigh – 23
 - Triad – 3
 - Western – 8
- Five (5) candidates are awaiting final stages

• RENOVATIONS:

- Renovation of the 4th floor is on schedule to begin in June 2020.
- No further conversations regarding the Eastern Triad.
- Capital R&R requests remain the same.

VIII. TECHNICAL OPERATIONS UPDATE [Liz Patel]

- Laboratory Totals - 18,946
- Lead Time - 232 days

- Turnaround time per exam - 58 days (Rush program can complete most examinations within 30 days)
- Training Update:
 - Eight (8) new scientists in training
 - Ten (10) scientists cross training in a second (or more) discipline
- **Projects:**
 - On May 18, 2020, the DNA Database will collaborate with the State's Analytical Data Center to automate DNA expungement requests and pending CODIS hits lists for DA's Offices. This will enable the DA to access pending CODIS cases in real time.
 - NCSCL will use grant funds to research temperature monitoring systems for toxicology refrigerators.
- **Exams Completed:**
 - The 1st quarter is back in line with 4th quarter output.
- **Forensic Biology:**
 - STRmix validation is ongoing with implementation tentative for July 1.
 - Implementing new QAS standards for 2020.
 - Switch from GMIDX 1.4 to 1.6 is ongoing along with Windows 10
 - Familial Searching is online (First case is moving forward)
- **DNA Database:**
 - Collaboration with GDAC (the State's IT Analytical Center to upgrade the state criminal data case system to include CODIS hit information and expungements)
- **Drug Chemistry:**
 - Plans to re-introduce updates to the Controlled Substance Act to include class language as appropriate and correct the definition of isomer
- **Farm Act:**
 - Pending in the General Assembly
- **Toxicology:**
 - Benzodiazepine and Opiate LCMSMS method development
 - Implementation of Headspace GC/MS for Volatile testing in 2020
- **Firearms:**
 - Raleigh Laboratory received a remote cart firing station for firearm's function testing
 - LT for NIBIS/IBIS entries is down to **20 days** from around 200
- **Digital:**
 - Increase in cell phone submissions
 - FSI: in background; Posting FSII and FSIII: in progress
- **Latent:**
 - Acidified Hydrogen Peroxide Processing method for examination of brass cartridges and brass cartridge cases
- **Trace Evidence:**
 - Just completed u-XRF validation for glass/paint/metal cases

VII: QUESTIONS/COMMENTS:

- **Essential Workers:** Staff is adapting to the COVID-19 situation. NCSCCL reached out to other labs to see what they are doing. We have the ability to adhere to social distancing, and work involving reviews may be completed at home. People who have their own offices are not affected. Staff are encouraged to work 7 days/week with accommodations being made for staff with young children due to homeschooling, etc. Supervisors are not required to be on site, nor is there enforcement of mandatory face masks. Everyday PPE is required.
- Congratulations to Kermit Channell on receiving the 2020 Briggs White Award from ASCLD in recognition of excellence in forensic science leadership. It is ASCLD's most prestigious award. About the award: Briggs White, former Director of the FBI laboratory, made it possible to bring forensic science laboratories together, helping to solidify the ASCLD organization. The Briggs White Award was established in his honor.

VIII: SCHEDULING OF SPRING MEETING

The Fall meeting will be held via teleconference on Tuesday, August 11, 2020 at 10:00 a.m. Jennifer Councilman will send out logistical information once details are finalized.

IX. NEW BUSINESS

With no new business, questions or comments, Benjamin Zellinger advised the Board that a motion is required to adjourn the meeting prior to moving into closed session in accordance with NCGS Section 143. A motion was made and seconded to adjourn at 10:50 a.m. and move into closed session at 11:00 a.m.