

DRAFT MINUTES

FORENSIC SCIENCE ADVISORY BOARD MEETING

Date: October 13, 2020

Location: North Carolina State Crime Laboratory (Via Teleconference)

Chairman Timothy Kupferschmid called the meeting of the Forensic Science Advisory Board to Order at 10:04 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, David Freehling, Aaron Joncich, Wayne Lewallen, Sarah Olson, Chris Parker, Jen Slis, Jody West, Tonya Bowlding, Jason Caccamo, Summer Maffett, Karen Morrow, Liz Reagan

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, Demi Garvin, Adam Becnel, Seth Dearmin, Sarah Farber, and Vanessa Martinucci

Other Teleconference Participants: Brittney Pinkham (Board Counsel) and Angela Towns (Recorder)

II. MINUTES

Draft Minutes of the August 11, 2020 teleconference meeting were circulated and revisions made. There was a Motion to accept the Minutes and seconded. The Minutes of August 11, 2020 were approved.

III. NCSCCL DIRECTOR'S UPDATE [Vanessa Martinucci]

Completed Actions:

- The NCSCCL has taken the position not to use Rapid DNA instruments for crime scene samples.
- Lawfully owed DNA are samples that should have been collected but were overlooked. List in CJLeads went live on September 1, 2020.

In Progress:

- Previously untested SAKS: 1800 Jane Doe kits have been completed with 6,000 kits in the process. We are expecting vendors to ramp up their testing in the coming months. Kermit Channell inquired whether North Carolina has a problem with law enforcement not wanting to pick up those kits since there is officially no file or case. Dir. Martinucci indicated she had not heard of any instances and deferred to John Dilday. John reported he has heard no specific complaints, but thinks the hospital can mail it to the appropriate agency. Kermit mentioned problems with that in Arkansas. Vanessa agreed to gather information and provide to Kermit.
- Part of the Survivor Act was collecting/submitting new kits to the lab within 45 days. STIMs (tracking system for kits) began in October 2018, and the Survivor Act went into effect September 2019. Approximately half of the kits were submitted to the lab the first year, and now all of them have been submitted to the lab. No additional positions were added.
- The lab prepares an annual report to the General Assembly on the status of the DNA database, and now on the status of STIMs. Drafts of the report were given to senior management at DOJ, and are in the process of review.
- Vanessa will speak with Superior Court Judges and elected DAs next week, with hopes to speak with other agencies/organizations next year.

IV. QUALITY SYSTEM UPDATE [Timothy Suggs]

- We are half-way done with our internal audits.
- ANAB has updated the Scope of Accreditation for the Lab to include IBIS for the Western Regional Lab. A copy may be downloaded on the DOJ website.
- Annual customer surveys were issued July-August 2020 and are now complete. In reviewing the feedback provided, we received above average ratings. We will review the survey for specific comments that need follow-up. Adam Becnel asked how long the customer survey is open, and roughly, how many responses were received. Tim reported the survey was open July-August with plans to make it available an additional 30 days. Surveys are collected on the DOJ website with access links available on the Crime Lab website. There were approximately 100-110 responses which is average.

V. IT RELATED UPDATE (John Dilday)

- Developed a SAK Dashboard which allows you to see how counties, jurisdictions and other agencies are doing. There are 12 pages of information, online, internal at DOJ for employees to see the sexual assault kit project. Now working on getting some of the data, the number of sexual assault kits inventoried in 2019 [tested, not tested, anonymous, in CODIS/CODIS tips] plotted on a map with color coding on a public website. The website should be readily available as early as next week. Chairman

Kupferschmid requested John send the Board a link once the site was established. The public facing dashboard is currently in final design stages and will then require approval from the funding source, BJA. When it is approved, it will be shared the board.

- We just completed another upgrade to the STIMs application. A major change which resulted to the passage of the Survivor Act is that it gives agencies specific statutory time limits to move kits (giving medical facilities a certain amount of time to contact the police department, and the police department has a timeline to pick up the kit and get it to the Crime Lab. Work is being done within the tracking system with color changes representing warnings to complete the next action and know when you are approaching statutory deadlines. You are alerted with a different color code if you exceed your statutory deadline.
- We developed and are awaiting new updated lab report templates from the vendor for Forensic Advantage (FA). This new technology should make it easier to make edits going forward. Hope to receive them within the next couple of weeks, and they will be uploaded so we can begin development on new FA worksheets to capture case metrics to increase reporting on work done at the lab. Rather than hand counting or Excel counting, we can get that data into the database so we can do sequel queries and get the information out. We will also have the vendor load the latest version of FA in our testing environment so that our testing team can troubleshoot and make sure it works in our environment and be prepared to upgrade to the newest version in the near future.
- The RFID project has advanced. We have all of the instrumentation and software in place in all three (3) laboratories. Most of the training has been provided. It is operational – working as it should. One issue remaining is how to handle a container with several items inside, each of which would have a different barcode label. If a piece is removed and transferred out on its own, the RFID code would continue to say the item had moved through the gate when it was actually removed from that package. Working on ways to deactivate specific tags that are no longer a part of that package and that it no longer reports that it went through that gate.

VI. ADMINISTRATIVE OPERATIONS UPDATE [Amanda Thompson]

Grants:

- We have approximately \$12.2M in grants. Amanda presented a slide which revealed all grants, both active and pending. We are currently awaiting \$1.6M from the DNA Capacity Enhancement Backlog Reduction (switched over to the Bureau of Justice Assistance grant). Still waiting to hear about Coverdell Formula (\$518,728) and Coverdell Competitive (\$250K). The remaining grants are active. The bulk of grants fund equipment we would otherwise not be able to afford, training opportunities, supplies, etc.
- The lab continues to prompt sending previously untested SAKS, and has moved on to next phases:

1. CODIS hit LEA and prosecution follow-up for cases that fall within our SAKI grant. This will be a collaborative effort between hires with experience in law enforcement or prosecution, or in the realm of DNA who understand the CODIS hit process. We have a running list of kits and will be reaching out to LEAs and prosecutors to give them the opportunity to provide updates on any hits obtained as a result of kits being tested.

2. We are also identifying partially tested kits, a component of SAKI. When we applied for funding in 2018, we were looking at a window of approximately 14 years beginning July 2018 back to January 2004. It is in infancy stages. We will look at all kits tested during that time – already run that query, so we know there are approximately 7500 kits that were serology negative that were not uploaded to CODIS. A listing will indicate if these kits still exist.

- The Dashboard was built by a developer, and is currently being worked on by another vendor to make the platform public facing and accessible via the NCDOJ webpage. More information will be shared when readily available.
- Now finalizing the RFP. The goal is to have it posted by November 2020. We are planning to send 10-15 of our scientists through that process. The last time we sent staff through this was 2014-2015, most of whom are now unable to serve in capacities to lead additional LSS projects making this project crucial to the success of ensuring all disciplines have LSS. We take a look at someone in every discipline to put through the program and ramp it to take advantage of the extreme benefits it provides.
- Renovations were in process in 2019. We were in the process of starting renovations but COVID-19 hit and the architectural group was unable to meet the demands due to other healthcare contracts. The pre-bid meeting is set for October 22, 2020. Construction will begin in December 2020 and include roof replacement (expected time of completion – 45 days). Demolition of the 4th floor will include a complete gutting of the 4th floor with Lean principles and Toxicology. There will be cubicles down the sides for maximum occupancy and allowance for growth in the hiring of new staff. Chairman Kupferschmid inquired about the square footage of the building. Amanda responded that renovations will be made only on the 4th floor which includes the original building plus a new wing. She did not know the exact square footage, but indicated she would check on it and get back to him.
- The Triad Lab is a lease and the building was sold on September 30, 2020. The closing date is late October 2020. Negotiations with the new owners to continue leasing has been delayed which gives us time to go before the state to get approval to expand which will afford them the opportunity for more space as well as, hopefully, more personnel to service that area.
- We performed a state overtime project which was activated August 7, 2020. Overtime was not mandatory, but optional to all disciplines. It generated a lot of interest, and staff from all disciplines participated. The goal was to reduce

the overall cases and accomplish administrative projects. To date, 501 cases have been completed. It also funded 19 case reviews for Forensic Biology and 117 SAK inventories. We were also able to design SAKI grant funding for overtime to Forensic Biology to ensure our section was not the bottleneck for any profiles from outside SAKs going into CODIS. Approximately 90 SAK cases were reviewed. This is expected to last one year which should generate a huge amount of production.

- There are currently 31 total vacancies with 12 candidates pending and 3 pending hires for the month of October 2020. The breakdown of vacancies is 21 in Raleigh 4 in Triad and 6 in Western.
- A snapshot from the draft Annual Report: FY 2020 – 20 hires, 20 resignations, and one retirement with a vacancy rate of 11.4% at the end of the fiscal year. Filling these vacancies and training a new scientist can take one to two years. Accomplishments in COVID time: 20 hires with 3 pending in October with 17 losses. We are ahead of where we were last year in our hiring and have made excellent strides and been more fruitful than past years. Working diligently to ensure postings are made as early as possible.
- Due to our inability to make public appearances, we transitioned to virtual recruitment to reach out to public and private schools, and community colleges and universities. One of our goals was to be able to redirect individuals seeking to learn about our individual disciplines to our webpage which lays out evidence and scientific roles. There you will find the educational requirements, degrees acceptable, and a “Meet the Scientist” for each discipline where they can see an actual employee speak about their background, job requirements, etc. This website [<https://ncdoj.gov/crime-lab/crime-laboratory-careers>] will be hyper-linked to all job postings for prospective employees, and used at career fairs. The intent is to spotlight every position in the Crime Lab.
- The Justice Academy came in and filmed every position and will be coming back to film the rest of the positions in the lab. It should prove to be a huge selling point for us as we move forward with recruitment.
- We have discussed what it takes to run the lab. In looking at expenditures for 2019-2020, the lab spent over \$1.67M on scientific supplies, 70% of which were DNA related. Specifically, \$1.17M was spent on DNA, and nearly \$500K was spent on non-DNA disciplines. Of the \$1.67M, \$377K came from General Fund Appropriations and \$1.2M from grant-funding. As in years past, the lab is primarily funded through grants.
- A breakdown of the \$12M we received in federal grants which have been utilized to replace scientific equipment, purchase supplies, outsource sexual assault kits, hire temporary personnel to perform site audits for untested sexual assault kits, hire personnel to develop the STIMS, upgrade SpecMan systems and pay for training to meet mandated certification and accreditation requirements for the lab and its scientists.
- The lab continues to face challenges with identifying recurring funding sources to purchase scientific equipment. It is our belief that \$1.5M recurring would allow a 10-year replacement schedule. Over the last four (4) years, we have received nearly \$3.7M from the General Assembly. We have made it known

that the lab needs the \$1.5M recurring funding if we are to remain within industry standards.

VII. TECHNICAL OPERATIONS UPDATE [Liz Patel]

- We have 19,417 cases to date. It has remained steady the past three months.
- Our focus points for 2020-2021 include:
 - LSS implementation across several disciplines that need to be streamlined.
 - We prepped all of the case notes/worksheets for each section to be either Word or Excel-based so that when we jump to the new FA upgrade, we will be using the internal features to capture grants and other reporting stats we use throughout the year.
 - We have been tracking OSAC documents, recommendation and other guidelines to ensure we are doing our part to operate and comply with the funder and national standards.
 - We have been afforded the opportunity to attend an abundance of FREE virtual training across the nation which we could not do in the past due to funding issues. The cost, on average, was approximately \$2K per person to attend a conference.
 - We continue to collaborate and have open dialogue with stakeholders to streamline case processing and meet their needs while utilizing the least amount of resources we can to get more cases out the door.
 - Liz has been working on creating a historical timeline of progress for all sections and disciplines. This will allow us to look back at a certain period to identify when we may have started a process and/or stopped a process. We have procedures, but the timeline serves as a “cheat sheet” for the discipline, in some instances, going as far back as the 80s and 90s. For example, a new director can look back and see the history of lab operations.
 - Hope is when the second DASHBOARD goes public, we will be able to look back at the technical DASHBOARD that we worked on approximately two years ago.
- Liz presented a breakdown of submissions by discipline from the annual report for FY 2019-2020. Case numbers and percentages for each discipline were provided. The majority of submissions at 76% is Toxicology. Forensic Biology has seen a significant increase due to the SAK initiative. Other percentages are in line with submissions across the country.
- Also from the annual report are annual case submissions which show an increase from FY 15-16, and annual case record completions. We were able to complete more cases last year.
- Discussed with Vanessa and Amanda how to track trained scientists within the quarter to determine how many cases could be completed. We have had approximately 120 trained scientists actually working cases over the past year. We were able to get out over 8K cases/quarter the last three quarters, and reached 8,800 this quarter(4th quarter), in spite of COVID, primarily because no one is going to court [except Toxicology].
- Lab averages – still sitting steady with lead time vs. turnaround time with hopes of getting those numbers even lower.

- Current breakdown of people in training:
- --15 “new” scientists which describes fresh new hires who have not taken on a second discipline, 5 of which are Forensic Scientists, 2 in Firearms, 2 Chem. Techs, etc. We have 3 people training in a second discipline. Tox training begins with BAC or blood/drug training completed, and then on to the other modules depending on how many people we have in training.

VIII: SUB-COMMITTEES FOR PROCEDURE REVIEWS (Chairman Kupferschmid)

A discipline breakout form was sent to each Board member. Members will break into groups and meet with their respective section of the laboratory today as follows:

11:00 a.m. – Forensic Biology and DNA Database
1:00 p.m. – Drug Chemistry, Digital Evidence and Firearms
2:00 p.m. – Toxicology, Latent Evidence and Trace

Procedural reviews will be conducted in each section to introduce new members and show them where the sections are located in the lab.

IX: SPRING MEETING:

The Spring meeting will be held via MS Teams at 10:00 a.m. on February 9, 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 10:58 A.M. EST.