



**Department of Forensic Sciences
Science Advisory Board Draft Meeting Draft Minutes
April 17, 2020**

The Department of Forensic Sciences (DFS) Science Advisory Board (SAB) Webex meeting was called to order by Board Chairman Peter Marone at 9:03 a.m. Roll call of Board participants, in addition to the Board Chairman, included: Ms. Marla Carroll, Mr. John P. Jones II, Dr. Jeanne Jordan, Dr. LaKeisha McClary, Ms. Danielle O’Neill, Dr. Michael Pentella and Mr. Robert Thompson. A quorum was established to conduct board business. Minutes from the January 17, 2020, meeting were presented and read.

Citing the following recommended adjustments to the draft meeting Minutes, the Board agreed to approve the Minutes:

- “Mr. Todd Smith will serve as acting general counsel during the department’s search and selection process.” (Page 1)
- In 2019, “The Central Evidence Unit received more than 70,000 evidence items, 3000 more items than received during the previous year.” (Page 2)

Motion to Approve Minutes: Board Member O’Neill

Seconded: Board Member Jordan

Motion to Approve Minutes Passed

Dr. Jenifer Smith, DFS Director, provided a timeline briefing of the department’s activities related to COVID-19 sample testing conducted by the Public Health Laboratory and supported by 24/7 staffing. The first positive testing result occurred March 7, data submission to the District’s Mayor followed and a state of emergency and a public health emergency was declared March 11. Dr. Tran reported that the Public Health Laboratory was one of the first public health laboratories to receive the Centers for Disease Control and Prevention (CDC) test kit, first approved by the Food and Drug Administration (FDA) under emergency use authorization to test for SARS COVID-2, the virus that causes COVID-19. Dr. Tran conducted a timeline review that included instrumentation acquisition, methodologies of the main testing platform and secondary method, the gradual increase of testing capacity, implementation delays and test complications. Recent organizational changes occurring in the PHL includes the formal appointment of Mr. Matthew McCarroll as Chief of Laboratory Operation as well as other added workforce to support full implementation of COVID-19 testing initiated March 20, 2020.

Staffing levels in the Latent Fingerprint Unit (LFU) and the Forensic Biology Unit (FBU) are at 17. The Firearms Examination Unit (FEU) is reported to have 13 fulltime employees. Given the public health crisis, 6 of 17 fulltime LFU employees have been telecommuting since March 20, 2020. During this period, 13 FBU and 13 FEU employees have maintained telework schedules. Technological software (MIDEO) and VPN access have made possible staff’s ability to work remotely while conducting analyses and comparisons and technical and administrative reviews of casework while meeting key performance indicators. All telework hours and alternate workday schedules are tracked and reported.



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For 3 weekly reporting periods (3/20 - 3/26, 3/27 - 4/2, 4/3 - 4/9) covering March 20 through April 9:

- LFU completed 268 AFIS database entries resulting in 85 AFIS hits.
- Evidence Processing processed 1,270 items.
- Within 60 days 100% of requested homicides and requested priorities were completed.
- LFU backlog totaled 23, 2 and 9, respectively.

- FEU processed for test fire 139 firearms.
- FEU NIBIN entries totaled 260, resulting in 17 NIBIN hits.
- Cartridge cases entered into NIBIN by FEU within 2 business days occurred 62%, 64% and 83%, respectively, over the course of the reporting periods.
- Total FEU backlog for the reporting periods were 198, 178 and 175, respectively.

- FBU completed 49 CODIS entries, resulting in 13 CODIS hits, and distributed 26 reports and 49 CODIS notifications during the reporting period.
- FBU performed in one week 23 technical reviews and 29 administrative reviews of casefiles.
- 14 FBU Report of Examinations were disseminated.
- FBU backlog totaled 236, 253 and 271, respectively.

Mr. Abdel Maliky, Senior Deputy Director, reported that the Quality Assurance team is working to close-out last year's remaining QCARS. During FY20, February through April, the team completed 70 QCARS. Mr. Maliky announced that an external assessment by ANAB is scheduled for August 10 through August 12th, 2020, and will include the Digital Evidence, Firearms Examination, Forensic Biology, Forensic Chemistry, and Latent Fingerprint Units.

Included among the Quality team's planned initiatives and activities are monthly management webinars, a monthly all-staff e-based news bulletin (*Quality Speaks*), and a Quality system audit of current DOM, LOM, QAM and SOPs, to ensure alignment with best practices. Additionally, the Quality team plans to convene unit meetings intended to achieve an improved understanding of the QCAR process by laboratory staff.

Dr. Luke Short provided an update on the activities of the Clinical Toxicology Unit and supporting the clinical and surveillance needs of the District for drug monitoring. The Department of Behavioral Health (DBH) has expressed interest in the Clinical Toxicology Unit conducting urine assessment via clinical testing for Methadone and surveillance testing of synthetic opioids. Similarly, the PreTrial Services Agency (PSA) has expressed interest in surveillance testing of synthetic opioids, including non-CLIA forensic testing. Dr. Short reported that 85% of samples seized in the District are Fentanyl. During fiscal years 2018 and 2019, there was a 3.7% increase of Fentanyl or a Fentanyl analog seized in the District. During this same period, there was a 76% decrease in heroin without fentanyl



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adulteration. More recently, the lab was one of ten laboratories nationwide selected to participate in the Centers for Disease Control synthetic analog panel for synthetic opioids (fentanyl) monitoring and first to take fentanyl metabolites round robin. Specimens included urine, blood and serum. Proficiency testing is expected next year.

Mr. Jonathan Pope, Firearms Examination Unit Manager, expressed appreciation for the work board members Jones, Jordan, McClary, Oneill, and Thompson devoted to the review of firearms SOP and training manual documents and the submission of comments and recommendations. Mr. Pope led a comprehensive discussion addressing the Board's responses. Ms. Beth Bustamante, Firearms Examination Unit Quality Coordinator, assisted Mr. Pope in addressing the Board's questions and comments related to uncertainty of measurement. In a Board briefing, Mr. Jonathan Fried, Firearms Examination Unit Supervisor, outlined the elements of FEU's validation plan for Evofinder, a scanning device that captures 2D & 3D digital images of bullets and cartridge cases for comparison.

Dr. Jenifer Smith reminded the Board of having been made aware of past newspaper accounts and documents originating from the United States Attorneys' Office (USAO) associated with DFS firearms issues occurring in 2017. More recently, the USAO released a 34-page document, shared with the legal community. DFS has not seen the underlying documents in support of the multi-page release. However, DFS has assembled a directed response which has been referred to the SAB Chairman for review and Board consultation any points of concern. Board member Thompson has joined the Chairman in the review and assessment of the USAO document. A report will be issued upon completion. ANAB has been made aware of the DFS referral to the SAB Chairman and has been provided with all other information as well. Other than a regularly scheduled August audit, there is no indication that ANAB will conduct an additional audit. While the Office of the Inspector General (OIG) has received the USAO document, to date, DFS has not been contacted concerning an investigation.

Next Generation Sequencing (NGS), Digital Evidence Unit (DEU) briefing and a review of COVID-19 will be included on the July meeting agenda. DFS leadership will identify the Board's next protocols review as well as identify when ethics training for boards and commissions will occur.

The Board Chairman recommended that lab forms and other SOP-referenced documents are included for the Board's protocol reviews.

Next Board meeting will convene 9:00 a.m., Friday, July 31, 2020.

The meeting adjourned at 1:06 p.m.

An audio recording of the meeting is available upon request.