



Central (Richmond)



Northern (Manassas)



Eastern (Norfolk)



Western (Roanoke)

DEPARTMENT OF FORENSIC SCIENCE UPDATE

Linda C. Jackson, Director

Presented to the Forensic Science Board

October 15, 2020





Meeting Materials

Virginia.gov > Department of Forensic Science > About DFS > Forensic Science Board > Meetings and Meeting Minutes

Meetings and Meeting Minutes

Forensic Science Board

Statutes Related to Board

Meetings and Meeting Minutes

Annual Reports

Meeting Minutes and Notices

Meeting minutes and all Upcoming Public Meeting Notices are posted on the Virginia Regulatory Town Hall website.

Upcoming Meetings

<https://www.dfs.virginia.gov/about-dfs/forensic-science-board/meetings-and-meeting-minutes/>

Department of Labor and Industry Temporary Regulations

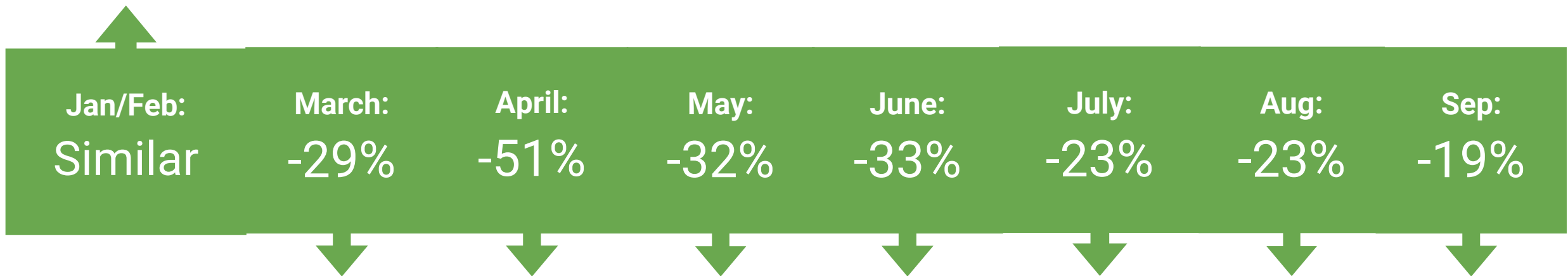


- 16VAC25-220 - Emergency Temporary Standard
Infectious Disease Prevention: SARS-CoV-2 Virus That
Causes COVID-19
- DFS met all associated deadlines for required policies,
procedures, plans and trainings



COVID-19: Breath Alcohol

- Compared to 2019, January and February 2020 were on track to have a comparable number of breath tests
- Since March, number of breath tests have been significantly lower





Changes to Training Courses Offered

Breath Alcohol

- Continue offering online recertification
- Resumed in-person initial classes in late June (15 students/class)
- Added additional classes to account for smaller class size and missed classes

Attorney Training

- Cancelled for 2020

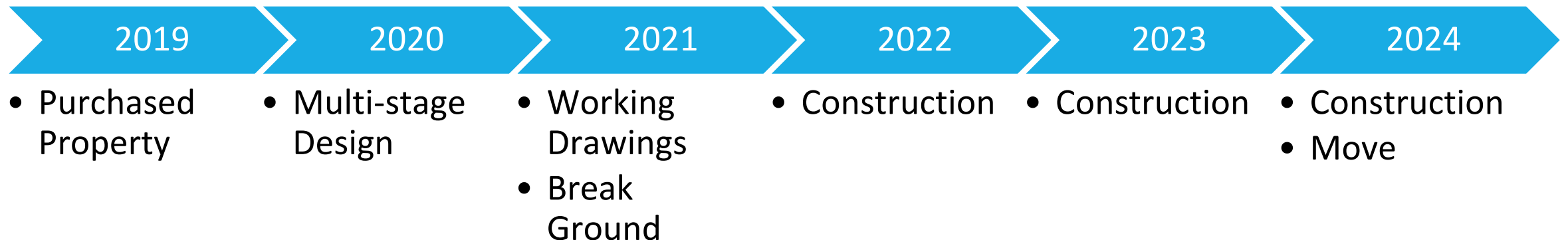
Forensic Training

- Implemented web-based training opportunities for short courses
- April session Forensic Science Academy (FSA) cancelled
- 101st FSA began Sept. 14
- Anticipate three sessions of FSA in 2021



Central Laboratory Capital Project

- Conceptual design phase completed – February 2020
- Schematic design phase completed – September 2020
- Preliminary design phase in progress
 - Preliminary drawings to be submitted to DEB - January 1, 2021
 - Once comments from DEB adjudicated, final budget will be determined



Building Renderings (not final)





Accreditation



- Surveillance assessment completed: May 18 – 21, 2020
 - Transitioned to updated standards
 - ISO/IEC 17025:2017 and AR 3125
- Notified on September 25, 2020 of our successful completion of the ISO/IEC 17025 surveillance assessment for Testing & Calibration



OSIG Performance Audit

- Notified of audit on April 9, 2020
- Notified on August 14 that the audit was suspended
- OSIG determined that DFS “would benefit more from a performance audit when OSIG can contract for resources better suited to analyze the technical, scientific processes used by DFS.”



Updated Field Test Regulations

Regulations for the Approval of Field Tests for Detection of Drugs effective October 1

REGULATIONS

VOL. 37 ISS. 1 - AUGUST 31, 2020

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

DEPARTMENT OF FORENSIC SCIENCE

Chapter 30

Final Regulation

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Title of Regulation: **6VAC40-30. Regulations for the Approval of Field Tests for Detection of Drugs (amending 6VAC40-30-10, 6VAC40-30-30, 6VAC40-30-40, 6VAC40-30-50, 6VAC40-30-70, 6VAC40-30-80).**

Statutory Authority: § 9.1-1110 of the Code of Virginia.

Effective Date: October 1, 2020.

Board of Pharmacy - Expedited Scheduling



DFS recommended thirteen (13) compounds in July 2020. The compounds were considered at the Board's September 9th meeting and are pending final approval.

Research chemicals:

- EAPB
- N-ethylheptedrone
- 25E-NBOH
- 4-hydroxy-EPT
- 3-hydroxy-PCE
- 1cP-LSD
- PMMA

Synthetic Opioids:

- Norfentanyl
- Isotonitazene

Cannabimimetic Agents:

- MDMB-4en-PINACA
- ADB-BUTINACA
- 5-chloro-AB-PINACA
- MMB-FUBICA



Pre-2016 PERK Data Reviews Complete

District Attorney's Office – New York (DANY)

- 1,798 kits tested by outsource laboratory
- 98 Virginia law enforcement agencies
- 568 cases included profiles uploaded and searched in the DNA Data Bank
- 243 Data Bank hits reported (as of 9/30/20)
- All reviews completed February 2019

Sexual Assault Kit Initiative (SAKI)

- 894 kits tested by outsource laboratory
- 78 Virginia law enforcement agencies
- 337 cases included profiles uploaded and searched in the DNA Data Bank
- 148 Data Bank hits reported (as of 9/30/20)
- All reviews completed September 29, 2020

Employee Recognition



- 🏆 Thanks to the 35 examiners that worked over 2,800 hours of overtime to complete these two projects!
- 🏆 Thanks to Forensic Biology Group Supervisor Theresa Francis for coordinating both projects!

National Governors Association Learning Collaborative



- Virginia applied for and was asked to participate in the NGA Learning Collaborative on State Strategies to Strengthen and Leverage Data to Address Impaired Driving
- 1 of 10 states participating
- VA is represented by the Governor's Office, DFS, DMV, VA State Police, and Chief Data Officer
- Goal:
 - Address impaired driving through data sharing
 - Recommend changes to toxicology, reporting, enforcement, and advertisements



Forensic Scientist Continuing Education

- Due to travel restrictions, scientists are taking advantage of the increased offerings held virtually
 - Society of Forensic Toxicologists Annual Meeting 2020 (Toxicology)
 - Current Trends in Forensic Trace Analysis Online Symposium (Trace Evidence)
 - Southwestern Association of Forensic Scientists Conference, hosted by the Forensic Technology Center of Excellence (Controlled Substances)
 - Chesapeake Bay Division - IAI Virtual 2020 Educational Conference (Latent Prints)
 - Promega Virtual International Symposium on Human Identification (Forensic Biology)



Budget and Resources - COVID

- Hiring Freeze
 - Exemptions for positions directly related to public safety
- Pledged Savings for FY20

Savings from stopping case outsourcing in April	\$100,000
Personnel cost savings from vacant positions	\$75,000
Delay of replacing video equipment	\$80,000
Reduced travel and training expenses	\$45,000
Total Savings to Pledge	\$300,000



Biennial FY21/FY22 Budget

	FY21	FY22	MEL*
General Fund	\$53,039,134	\$53,220,854	328
Non-general Fund	\$2,414,280	\$2,358,980	3
Total	\$55,453,414	\$55,579,834	331

*Maximum Employment Level



COVID-19 Funding

Coronavirus Aid, Relief, and Economic Security (CARES) Act - \$34,374

- Funds became available for use on June 22, 2020
- Paid out \$31,745 of approved expenses in FY20
- Requesting remaining \$2,629 to be carried over to FY21 for remaining expenses

Coronavirus Emergency Supplemental Funding (CESF) - \$26,334

- Received grant funding through DCJS
- Grant funding period is retroactive to 1/20/20 through 9/30/21
- For continuity of operations projects for the Breath Alcohol and Forensic Training Sections



New Budget Items

Fund DNA Research postdoctoral grant position

- FY21 \$125,000 / FY22 \$70,000
- Authorization to spend non-general funds and for 1 FTE

Fund two IT positions – *Unallocated in Governor's Budget, Removed from House and Senate Budgets*

- FY21 \$185,160 / FY22 \$246,880
- 2 FTE

Fund increased maintenance cost of lab equipment – *Unallocated in Governor's Budget, Removed from House and Senate Budgets*

- FY21 \$248,000 / FY22 \$368,000



Grants

Current Grants	Federal Amount	DFS Match	Dates
FY18 DNA Capacity Enhancement and Backlog Reduction (CEBR) Grant	\$1,297,996	\$0	1/1/19 – 12/31/20
FY18 NIJ Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories – Toxicology Research	\$448,063	\$0	1/1/19 – 12/31/20
FY18 NIJ Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories – Fire Debris Research	\$176,490	\$0	1/1/19 – 12/31/20
CDC Opioid Joint Project (OCME and DFS) – 2020 Continuation - Overdose Data to Action Project	\$164,807	\$0	9/1/20 – 8/31/21


Current Grants	Federal Amount	DFS Match	Dates
FY19 NIJ Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Labs (DNA Research)	\$250,636	\$0	1/1/20 – 12/31/21
FY19 NIJ Forensic DNA Capacity Enhancement and Backlog Reduction (CEBR) Grant	\$1,656,427	\$0	1/1/20 – 12/31/21
FY19 Paul Coverdell Forensic Science Improvement	\$487,591 (DFS Portion = \$243,795)	\$0	1/1/20 – 12/31/20
FY21 DMV Highway Safety Grant Program	\$264,510 (Federal)	\$66,128 (In-Kind)	10/1/20 – 9/30/21
FY21 DMV Highway Safety TREDIS Project	\$84,290	\$0	10/1/20 – 9/30/21

Current Grants	Federal Amount	DFS Match	Dates
2019 NIJ Sexual Assault Kit Initiative (SAKI) - Sub-recipient of OAG	\$75,000	\$0	10/1/19 – 9/30/22
Coronavirus Emergency Supplemental Funding (CESF) - through DCJS	\$26,334	\$0	Retroactive to January 1, 2020 and ends September 30, 2021
JAG Funding from DCJS via MOU – to fund part-time Forensic Trainer position for an additional year	\$45,407	\$0	10/1/20 - 9/30/21

Status Pending

Grant Program	Federal Amount	DFS Match	Dates
FY20 Paul Coverdell Forensic Science Improvement Program Grant - Formula	\$225,923 	\$0	10/1/2020 - 9/30/2022
BJA FY20 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program	\$1,588,369 	\$0	10/1/2020 - 9/30/2022
FY20 Paul Coverdell Forensic Science Improvement Program Grant - Competitive - to hire a Forensic Toxicologist Trainee position to increase capacity in the Toxicology Section.	\$205,725	\$0	10/1/2020 - 9/30/2022
FY20 Sexual Assault Kit Initiative (SAKI) - through OAG - for conducting technical reviews and CODIS upload of eligible DNA profiles resulting from sexual assault kit (SAK) testing, conducting familial searches in 20 cases, and continued employment of the full-time Tracking System Coordinator position - this position will assist with the required inventory of partially-tested kits.	\$340,619	\$0	10/1/2020 - 9/30/2023

Status Pending

Grant Program	Federal Amount	DFS Match	Dates
<p>National Institute of Justice (NIJ) FY20 Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories Toxicology Research - to conduct toxicology research related to testing of cannabinoids in biological matrices. Funding will be utilized for a forensic laboratory specialist position, supplies, reference materials and reagents, and travel to a professional meeting to disseminate research findings.</p>	\$290,353 	\$0	1/1/21 - 12/31/22
<p>NIJ FY20 Research and Evaluation... Firearms/Toolmarks Research - to conduct research designed to assist forensic laboratories in making informed policy decisions regarding blind verifications in the Firearms & Toolmarks discipline. Funding will be used to purchase three High Capacity Imaging and Analysis Systems and to cover travel costs to professional meetings to disseminate research findings.</p>	\$484,987	\$0	1/1/21 - 12/31/22



Workload Statistics - 2019 to 2020

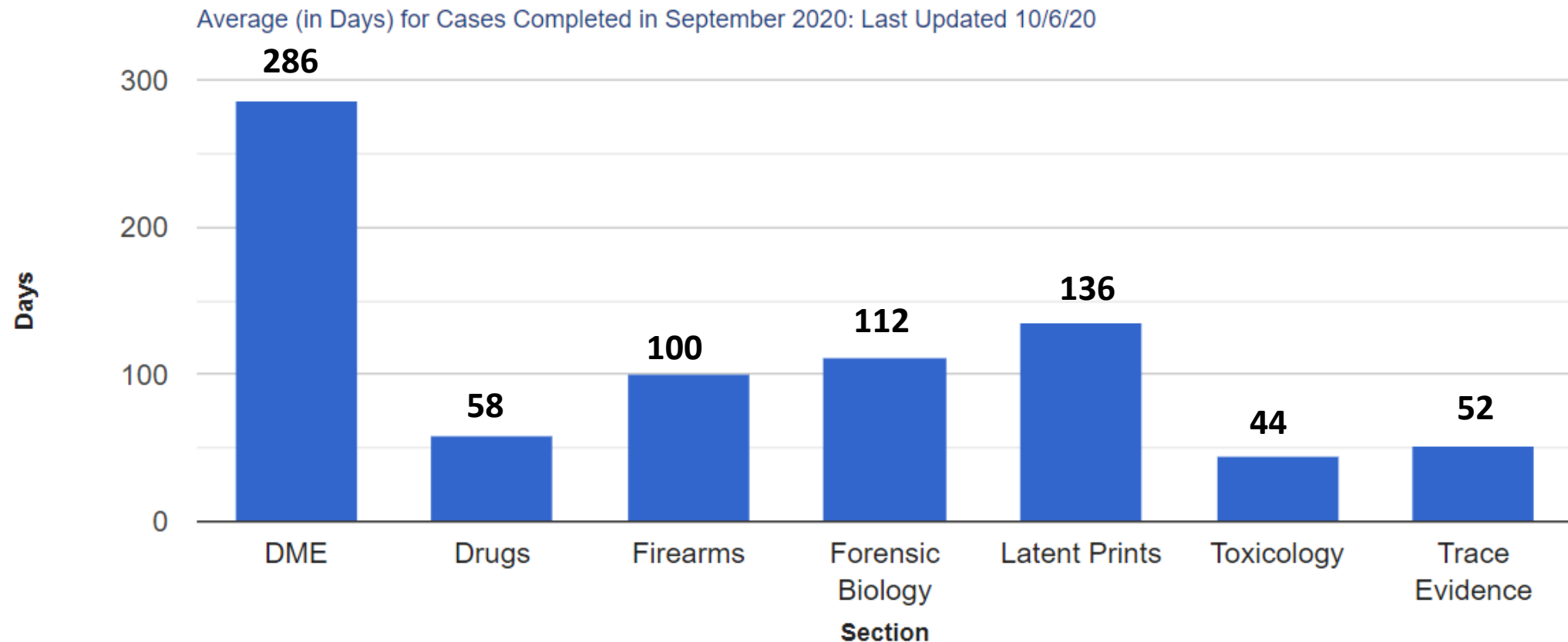
Q3 2020	Submissions		
	2020	2019	% change
DME	35	49	-29%
Controlled Substances	7,089	9,163	-23%
Firearms & Toolmarks	2,074	1,783	+16%
Forensic Biology	1,595	1,481	+8%
Latent Prints & Impressions	596	789	-24%
Toxicology	3,085	2,526	+22%
Trace Evidence	189	178	+6%
TOTAL	14,663	15,969	-8%

Q3 2020	Backlog (end of September)		
	2020	2019	% change
DME	72	184	-61%
Controlled Substances	3,333	12,557	-73%
Firearms & Toolmarks	2,283	1,329	72%
Forensic Biology	1,670	1,827	-9%
Latent Prints & Impressions	747	719	4%
Toxicology	1,551	1,165	33%
Trace Evidence	107	106	1%
TOTAL	9,752	17,887	-45%

NOTE:
Many factors affect the changes to backlogs.



September 2020 Turnaround Times





Workload / Backlog Updates

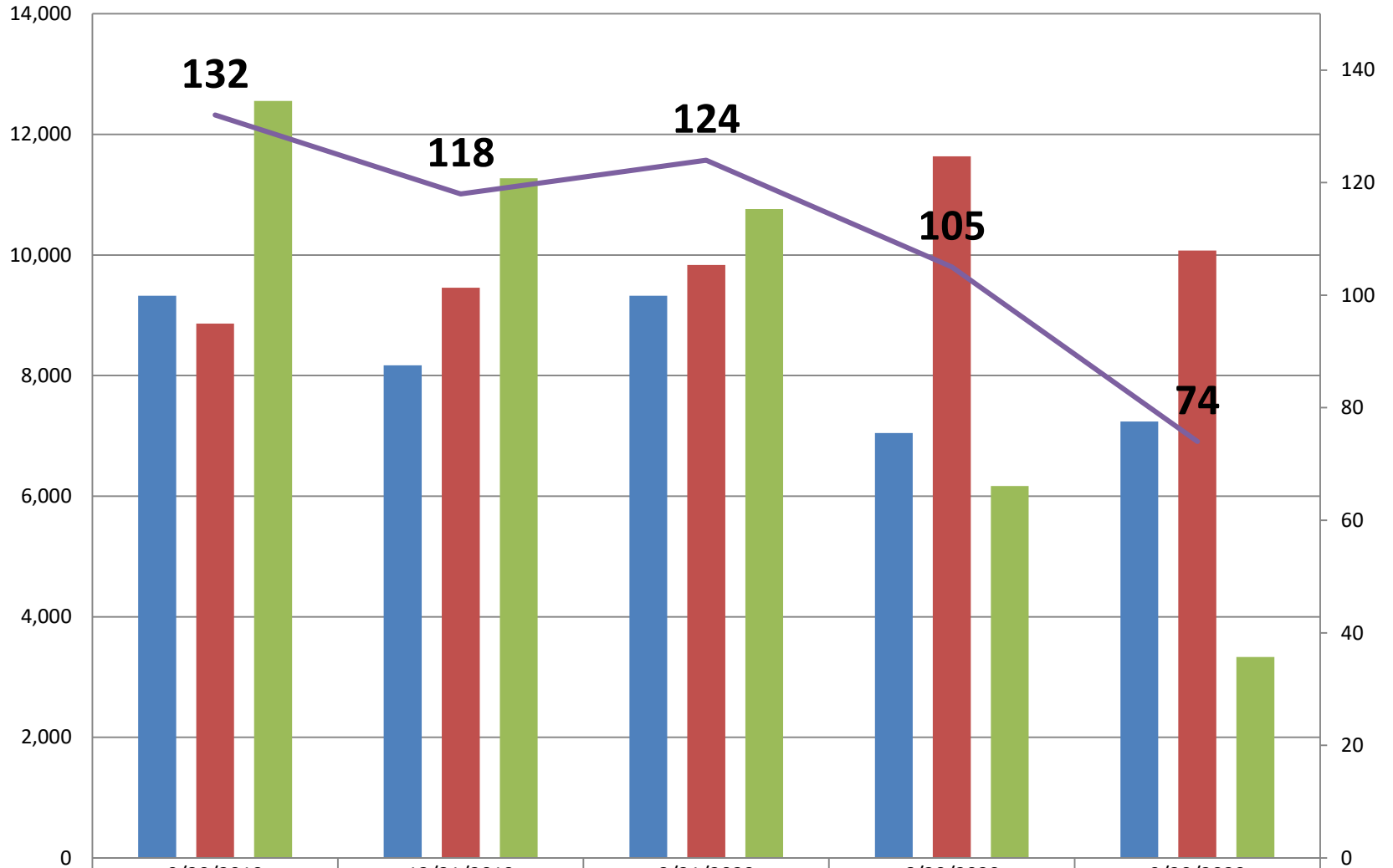
Case Statistics Terminology

- Received – Total cases received or created in the Quarter
- Completed – Total cases completed in the Quarter
- Caseload – Case backlog at the end of the Quarter

Number of Cases

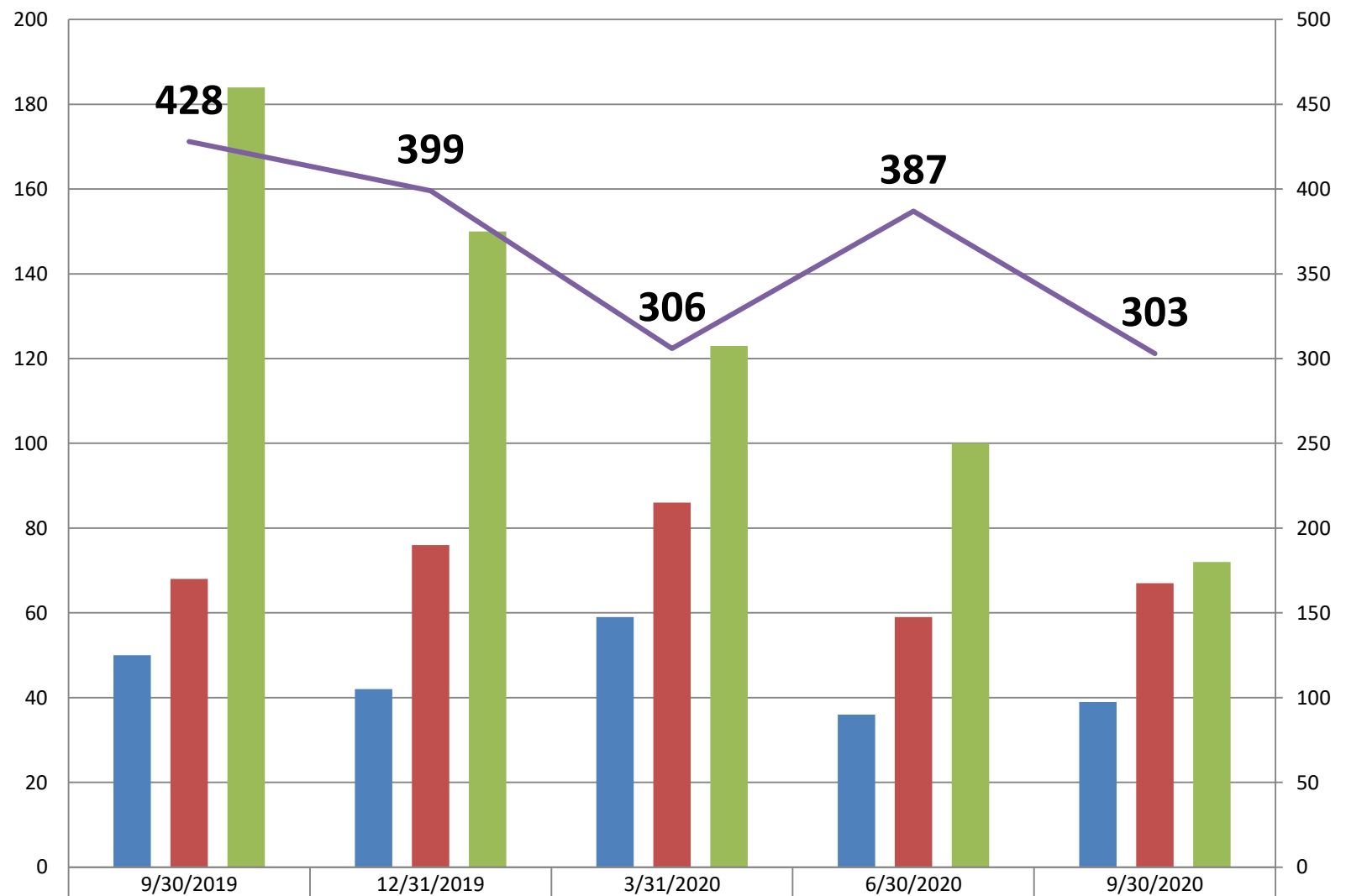
Controlled Substances

Number of Days



	9/30/2019	12/31/2019	3/31/2020	6/30/2020	9/30/2020
■ Cases Received*	9,325	8,169	9,326	7,045	7,239
■ Cases Completed	8,862	9,455	9,836	11,636	10,076
■ Caseload	12,557	11,271	10,761	6,170	3,333
— Average Days in System	132	118	124	105	74

Number of Cases **Digital and Multimedia Evidence** **Number of Days**

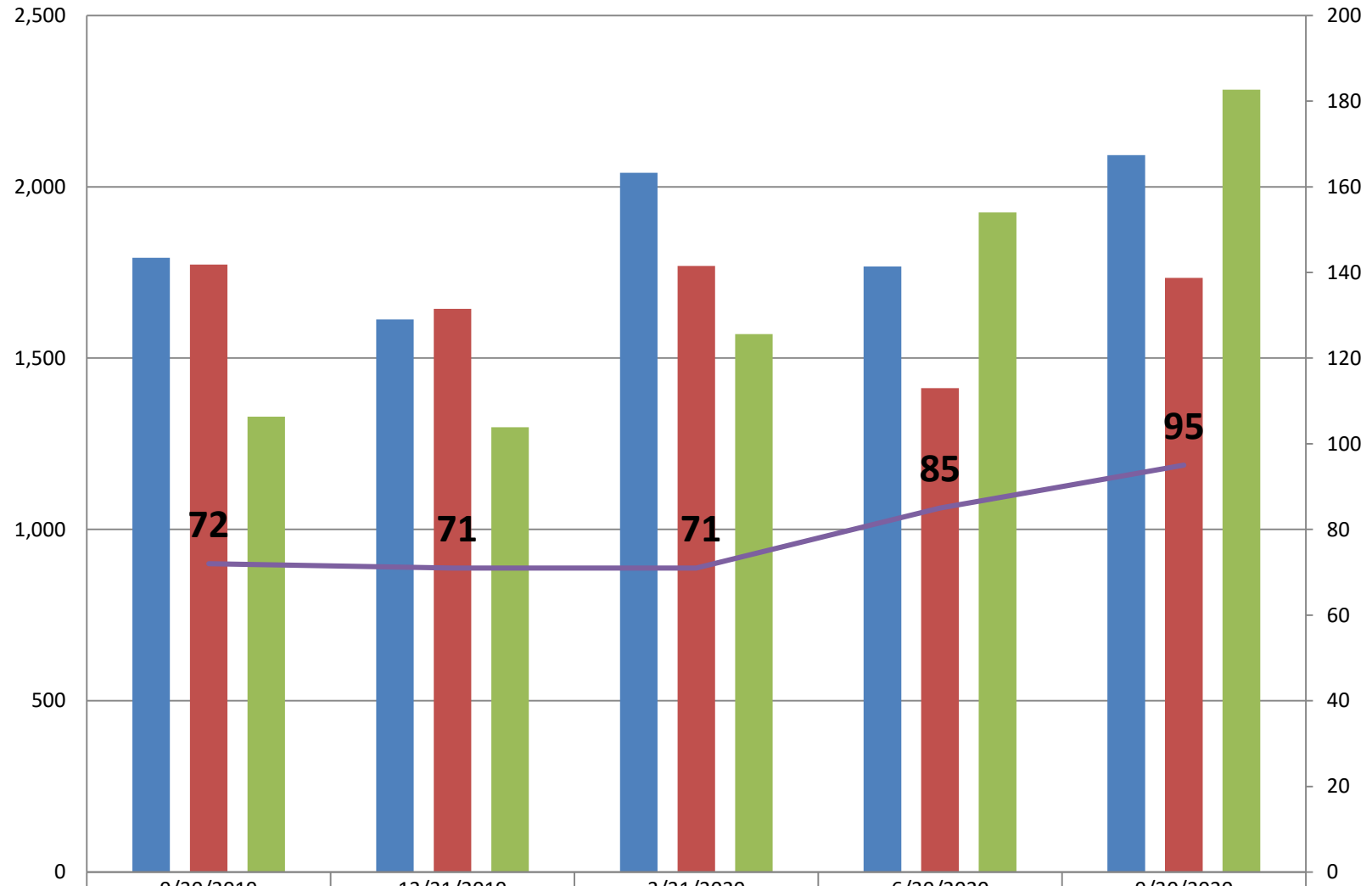


■ Cases Received*	50	42	59	36	39
■ Cases Completed	68	76	86	59	67
■ Caseload	184	150	123	100	72
— Average Days in System	428	399	306	387	303

Firearms & Toolmarks

Number of Cases

Number of Days

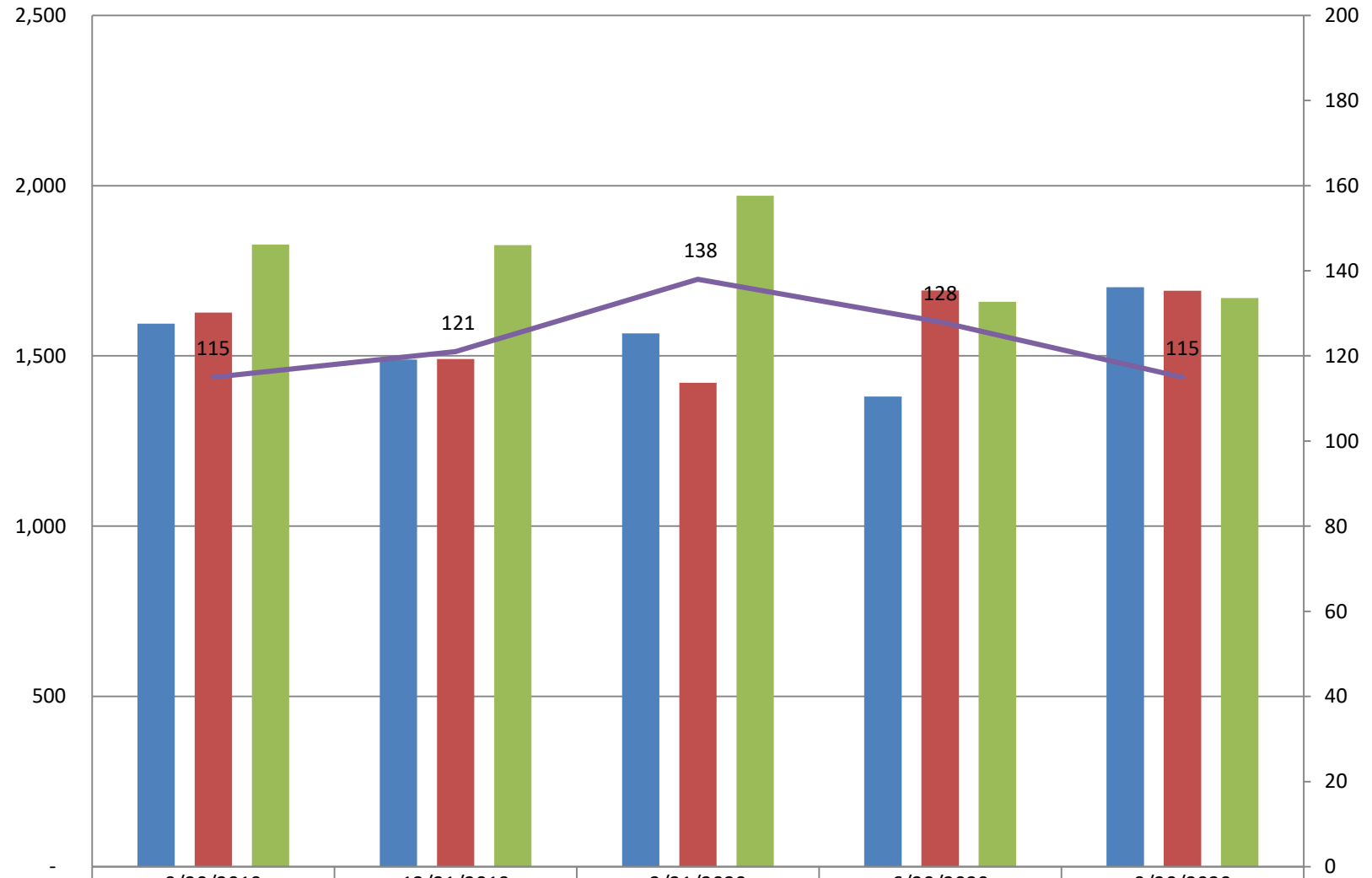


	9/30/2019	12/31/2019	3/31/2020	6/30/2020	9/30/2020
Cases Received*	1,793	1,613	2,041	1,767	2,092
Cases Completed	1,773	1,644	1,769	1,412	1,734
Caseload	1,329	1,298	1,570	1,925	2,283
Average Days in System	72	71	71	85	95

Forensic Biology (DNA)

Number of Cases

Number of Days

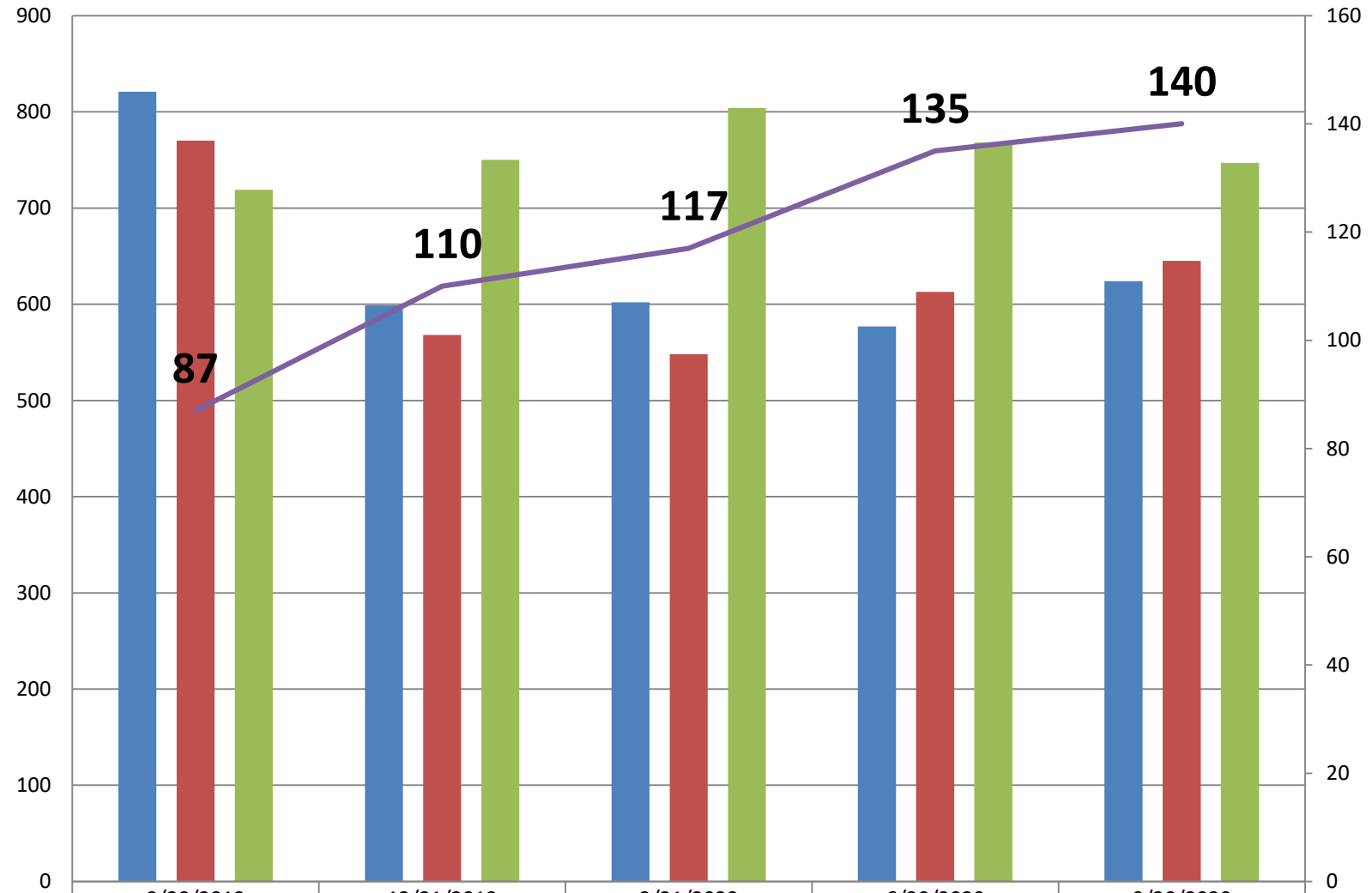


	9/30/2019	12/31/2019	3/31/2020	6/30/2020	9/30/2020
Cases Received*	1,595	1,489	1,566	1,381	1,702
Cases Completed	1,627	1,491	1,421	1,692	1,691
Caseload	1,827	1,825	1,970	1,659	1,670
Average Days in System	115	121	138	128	115

Number of Cases

Latent Prints & Impressions

Number of Days

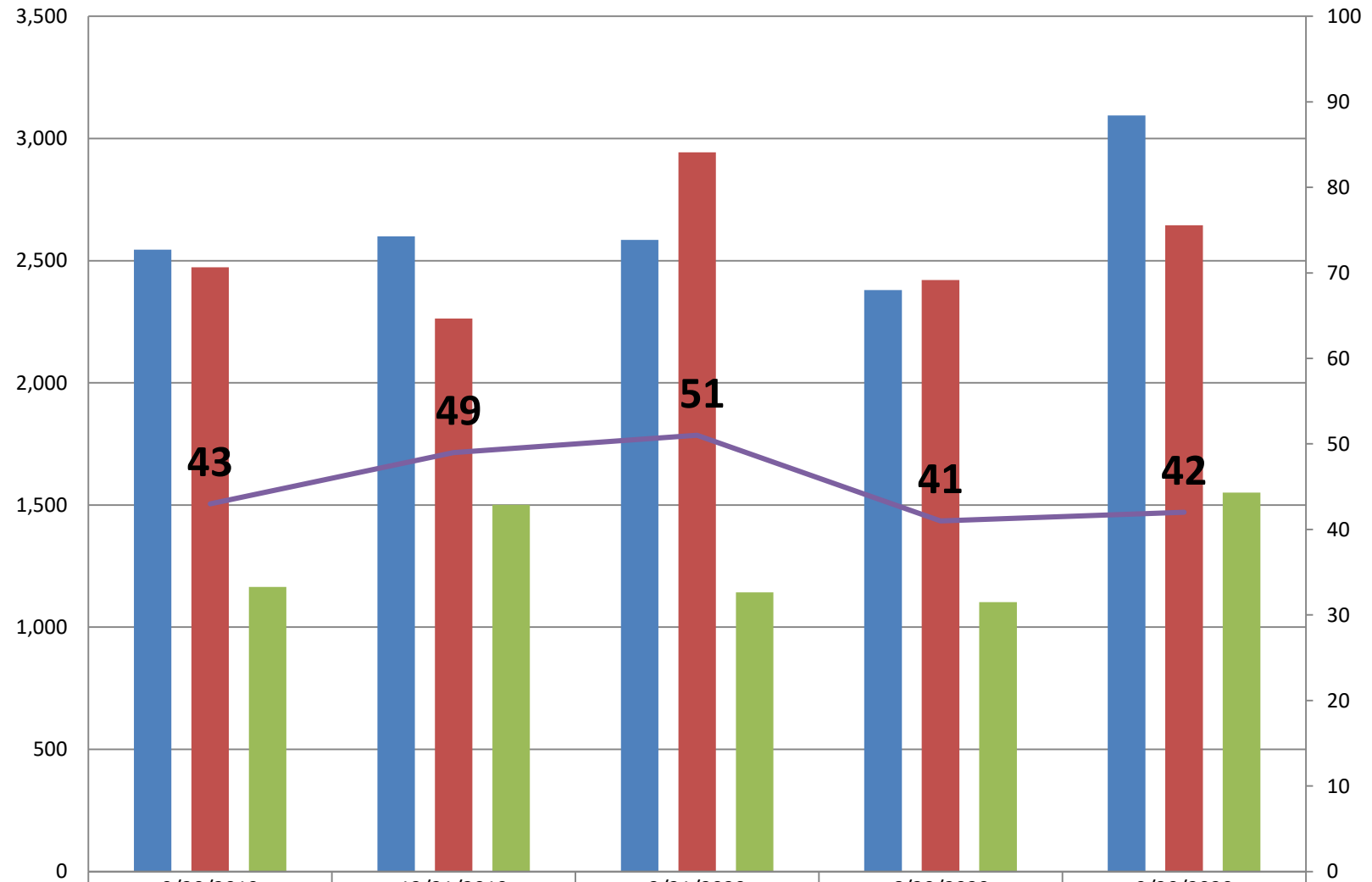


Cases Received*	821	599	602	577	624
Cases Completed	770	568	548	613	645
Caseload	719	750	804	768	747
Average Days in System	87	110	117	135	140

Number of Cases

Toxicology

Number of Days

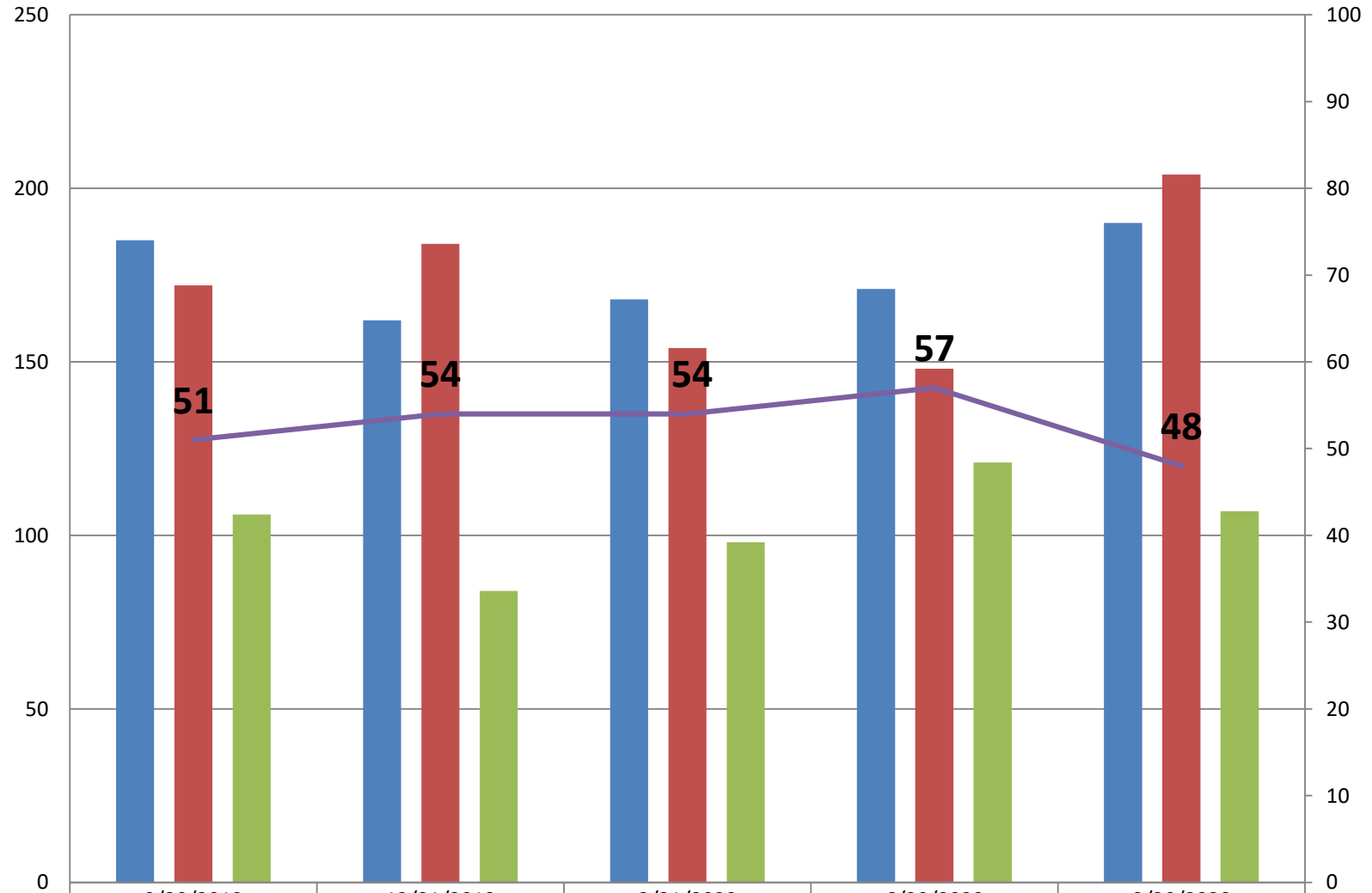


Cases Received*	2,545	2,599	2,585	2,380	3,094
Cases Completed	2,473	2,263	2,943	2,421	2,645
Caseload	1,165	1,501	1,143	1,102	1,551
Average Days in System	43	49	51	41	42

Number of Cases

Trace Evidence

Number of Days



	9/30/2019	12/31/2019	3/31/2020	6/30/2020	9/30/2020
Cases Received*	185	162	168	171	190
Cases Completed	172	184	154	148	204
Caseload	106	84	98	121	107
Average Days in System	51	54	54	57	48



Thank you!