



Central (Richmond)



Northern (Manassas)



Eastern (Norfolk)



Western (Roanoke)

DEPARTMENT OF FORENSIC SCIENCE UPDATE

Linda C. Jackson, Director

Presented to the Forensic Science Board

July 13, 2022





Central Laboratory Capital Project

- Construction permit has been issued by the Division of Engineering and Buildings (DEB)
- Request for additional funding for the project (due to price escalation based upon subcontractor bidding) is in approval process
- Ground-breaking and other pre-construction related activities can be scheduled once funding approved
- Project completion anticipated late 2024/early 2025



Accreditation

- Current accreditation expires September 30, 2022
- Full reassessment occurred the week of June 6th
- Updated Certificates and Scopes will be available on the DFS website after the completion of the full re-accreditation process



Forensic Training



- 106th FSA graduated June 24, 2022
 - Keynote: Public Safety & Homeland Security Deputy Secretary Maggie Cleary
- Annual Retraining is scheduled for September 7 – 8, 2022
- Two Forensic Trainer Senior positions close July 19, 2022





PERK Tracking System Updates

- Virginia Code § 19.2-11.8 added mandatory retention periods for PERKs submitted for analysis or exempt from submission
 - To log the destruction of a PERK in the System, law enforcement must now choose from a list of reasons for destruction that align with the updated legislation
- Virginia Code § 19.2-11.11 now requires law enforcement to provide victims with the PERK ID, Victim PIN, and instructions for accessing the Victim Portal
 - Developed three new System resources for law enforcement to help adjust to the updated legislation:
 - Victim PIN Information Sheet for Law Enforcement
 - Victim PIN FAQ for Law Enforcement
 - Victim PIN Refresher Video

Board of Pharmacy Expedited Scheduling



DFS recommended five compounds on July 5, 2022 for consideration.

Synthetic Opioid:

- Protonitazene

Depressant:

- Clobromazolam

Hallucinogenic:

- Cybutylone

Cannabimimetic Agent:

- ADB-5Br-INACA
- ADB-5'Br-BUTINACA

DFS Policy Notice

- The Northern and Western Laboratories are currently experiencing longer DNA turnaround times (TATs)
- DFS is transferring cases for the remainder of the calendar year
- Please remember that the Forensic Scientist may be traveling from another laboratory for testimony




COMMONWEALTH of VIRGINIA

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NOTICE REGARDING DNA WORKLOAD

To: Virginia Law Enforcement Agencies and Commonwealth's Attorneys
From: Linda C. Jackson, Director 
Date: May 18, 2022
RE: Statewide Forensic Biology (DNA) Case Redistribution

Currently, the DNA caseload and associated case turnaround times (TATs) are not equivalent between the Department's four regional laboratories. Although the average TAT for DNA cases completed in April was 122 days, both the Northern (Manassas) and Western (Roanoke) laboratories are currently experiencing longer TATs for their DNA casework than are the Central (Richmond) and Eastern (Norfolk) laboratories.

Lab	Average TAT for cases completed in April 2022 (in days)
Central	97
Eastern	47
Northern	158
Western	220

In order to normalize the DNA TATs so that all of DFS's submitting agencies experience the same level of service and timeliness, DFS will be redistributing portions of its DNA case backlog so parity among the four labs can be achieved. It is anticipated that these transfers will occur for the remainder of the calendar year.

No action is needed on the part of any agency. This notification is intended to inform you of this ongoing process and bring to your attention that the examiner assigned to a case may not work in the laboratory typically associated with your region. For law enforcement agencies, please continue to



DFS Policy Notice

- Increased packaging requirements for powdered substances for submission to the laboratory



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NOTICE OF DFS POLICY CHANGE

To: All Law Enforcement Agencies served by DFS
From: Linda C. Jackson, Department Director
Date: June 7, 2022 *LCJ*
RE: Revised Packaging Requirements for Submissions of Powdered Substances

Suspected controlled substances in powder form may contain potent opioids such as fentanyl and carfentanil. To reduce the chances of accidental exposure, these substances must be handled and packaged properly.

Effective immediately, all suspected controlled substances in powder form must be double bagged in plastic as an increased safety measure. First, items should be placed into a closed plastic ziplock-type bag or heat-sealed bag and then sealed into an additional plastic evidence bag or heat sealed bag, which will serve as the outer evidence container.

In addition, tablets and capsules submitted by mail must be packaged in a rigid container, such as a cardboard box. Synthetic opioids are increasingly being identified in tablets that appear to be pharmaceuticals. Rigid containers will minimize the potential for the evidence to be crushed in transit and therefore become powdered substances.

For questions or concerns, please contact the Evidence Receiving Section Supervisor at the DFS Laboratory that provides service to your agency:

Laboratory	Section Contact	Phone Number
Central (Richmond)	Ellen Spain	(804) 588-4027
Eastern (Norfolk)	David Kvello	(757) 355-5967
Northern (Manassas)	Amanda Matthews	(703) 334-9766
Western (Roanoke)	Chris McVey	(540) 283-5906



DFS Policy Notice

- Updated Submission Guidelines based on Budget language
- Possession of more than 4 ounces of marijuana in public is a Class 3 misdemeanor (Second or subsequent offense is a Class 2 misdemeanor)
- <https://budget.lis.virginia.gov/amendment/2022/2/HB30/Introduce/CR/4-14/5c/>




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NOTICE OF DFS POLICY NOTICE

TO: All Agencies Served by DFS
FROM: Linda C. Jackson, Department Director 
DATE: July 1, 2022
RE: Updated Submission Policy for *Cannabis sativa* Plant Material

As of July 1, 2022, two new criminal offenses have been added to the Virginia Code regarding possession of marijuana under Virginia Code § 4.1-1100. Based on these changes, the Department of Forensic Science is revising its marijuana submission policies.

For cannabis edibles, DFS can identify cannabinoids that may be present in a food product, but cannot quantify the tetrahydrocannabinol (THC) concentration. While the Department works to develop and validate a method internally, we are working on establishing a contract to allow for outsourcing evidence to a private laboratory to provide this service in the meantime. Once quantitative testing for cannabis edibles is available by either mechanism, DFS will notify its customers and stakeholders of the change in analytical testing capability.

The updated table below summarizes current submission guidelines for marijuana evidence, and is applicable to evidence submitted alone or with other suspected controlled substances.

Offense	Policy
<ul style="list-style-type: none">• Possession of marijuana and marijuana products [§ 4.1-1100]	<p>Accepted: Quantities over 4 ounces Accepted with Limitations: Contested civil offenses (greater than 1 ounce but less than 4 ounces) submitted by law enforcement Not Accepted: Quantities under 1 ounce OR uncontested civil offenses</p>





Cannabis Edibles Update



- Semi/Quantitative Method for Edibles Needed
 - Currently: identify cannabinoids present, do not quantify THC concentration
- Considering a method validation and exploring outsourcing as an option
- Request For Proposal (RFP) in beginning stages



Field Test Regulation Update

6 VAC 40-30 Regulations for the Approval of Field Tests for Detection of Drugs

- Received the first request for mobile instrument evaluation
- Will reevaluate all currently approved chemical field tests – 8 manufacturers contacted



DFS Legal Update

DFS Counsel traveled to each laboratory to provide annual training including:

- Recent case law
- New legislation from 2022 General Assembly session
- FOIA
- Records retention
- Social media policy
- *Giglio* disclosures

External Training



“Trace Evidence: Let Trace Help Your Case”

- Richmond Police Department
- Capabilities, submission criteria & packaging, case examples
- Hands-on exercises

“Trace Evidence”

- Southwest Virginia Criminal Justice Training Academy Crime Scene Investigations class
- Capabilities, submission criteria & packaging, report wording

Breath Alcohol Testing Program

- Pre-Bench Judicial Orientation for General District Court judges

“A Discussion of Scientific Literature and the Importance of a Thorough Investigation”

- Drug Recognition Expert (DRE) class



June Workload Statistics

Section	Ending Backlog As of 06/30/2022	Average TAT (in days) June 2022
Controlled Substances	1960	31
Digital & Multimedia Evidence	46	73
Firearms & Toolmarks	1794	134
Forensic Biology (DNA)	2223	145
Latent Prints & Impressions	365	66
Toxicology	1301	46
Trace Evidence	159	64



Case Submission Comparison – Q2

Discipline	2019	2020	2021	2022	% change
Controlled Substances	9,064	6,967	6,739	6,387	-30%
Digital Evidence	47	36	49	53	+13%
Firearms	1,879	1,763	2,021	1,596	-15%
Forensic Biology (DNA)	1,573	1,327	1,488	1,621	+3%
Latent Prints	666	551	482	564	-15%
Toxicology	2,385	2,377	2,858	2,460	+3% (~+14%)
Trace Evidence	169	169	167	180	+7%

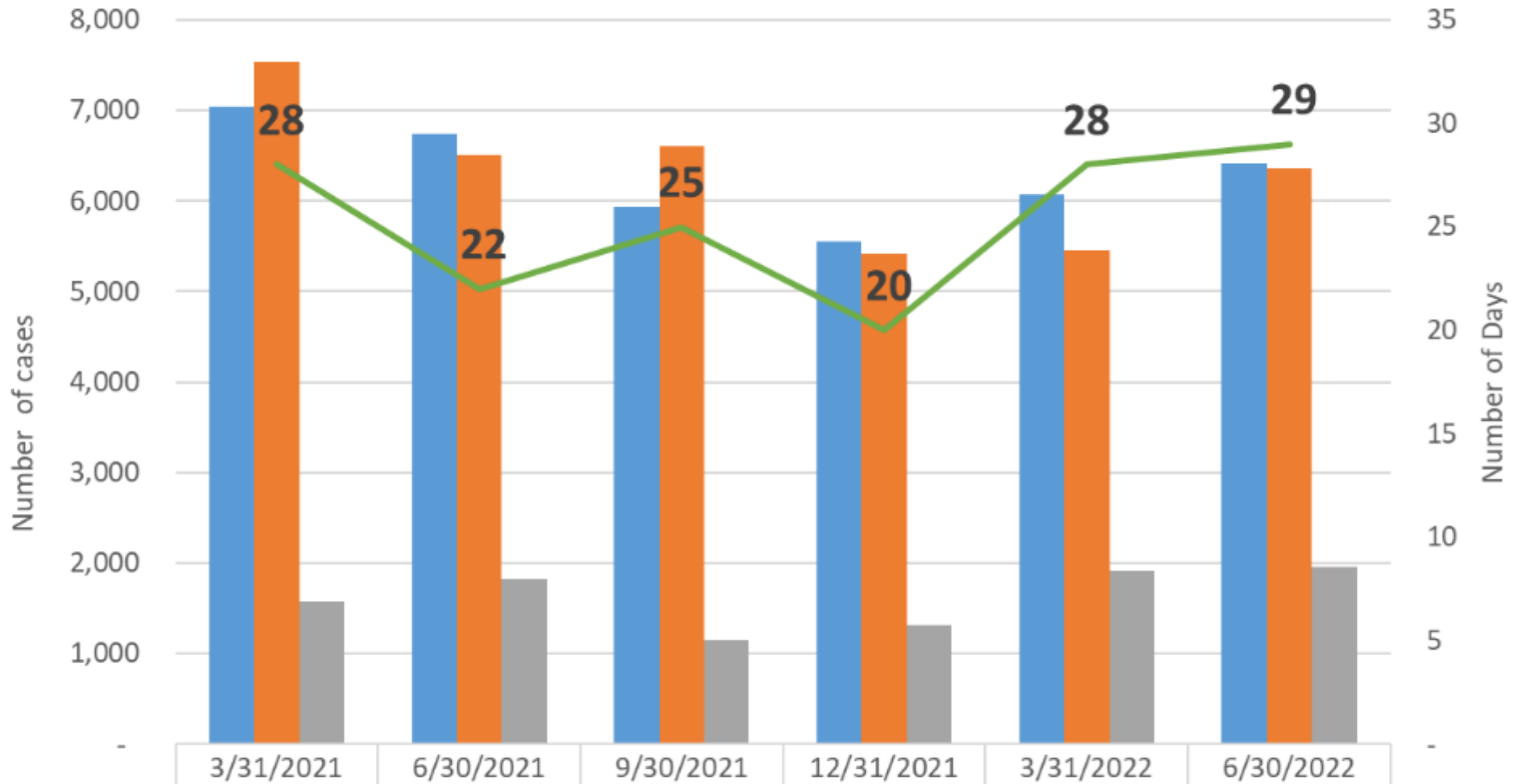


DNA Case Submission Trends

Calendar Year Totals - SX Case Submissions					
Year	C	E	N	W	Total
2017	1561	1374	867	984	4786
2018	1713	1613	1056	1179	5561
2019	1669	1571	1121	1350	5711
2020	1800	1469	1261	1354	5884
2021	1672	1477	1386	1498	6033
	Percent Increase from 2017 to 2021				
	C	E	N	W	Total
	7%	7%	60%	52%	26%

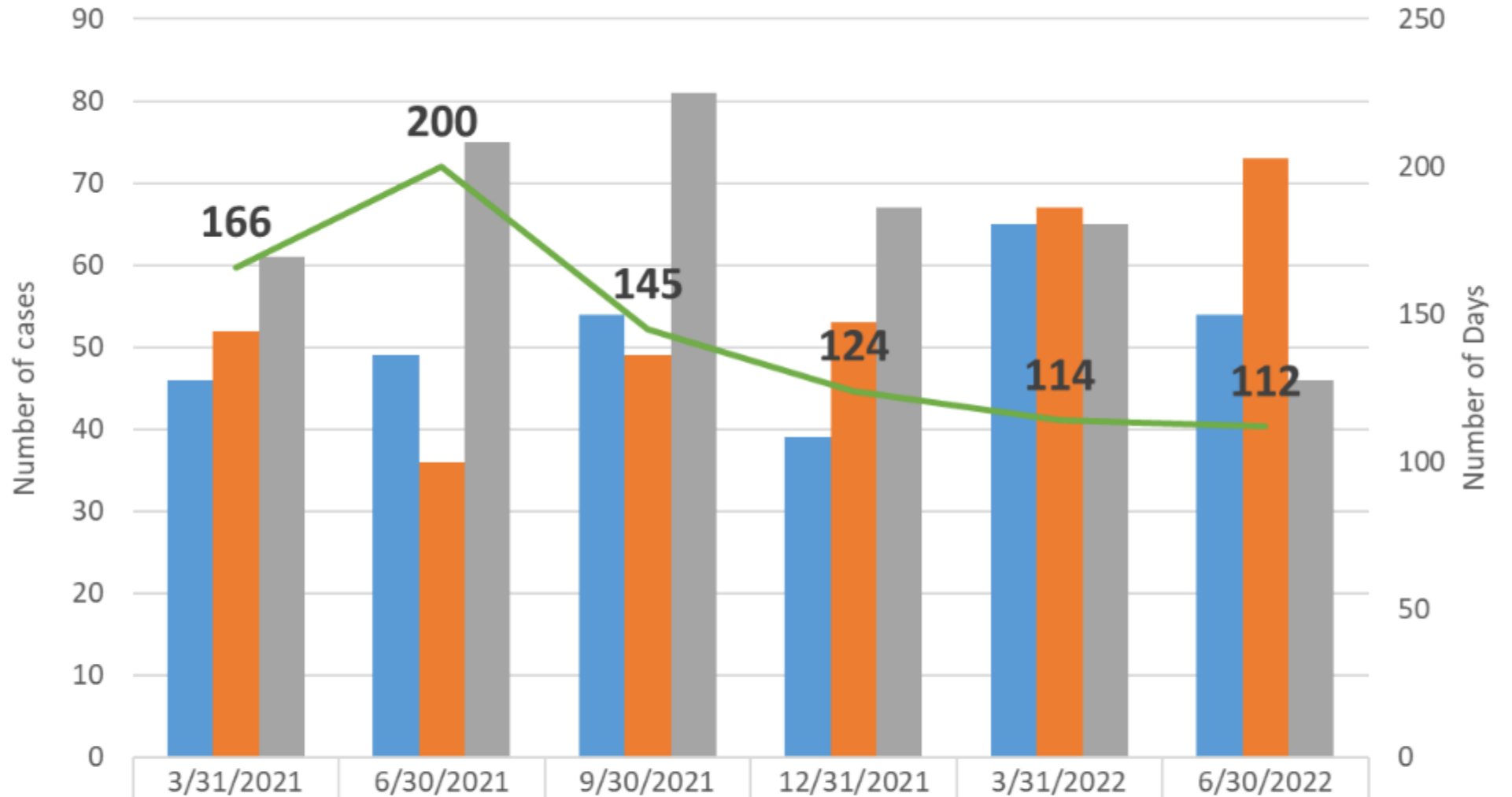
- PERK Act
 - Effective July 1, 2016
 - 6 new Forensic Scientists

Controlled Substances



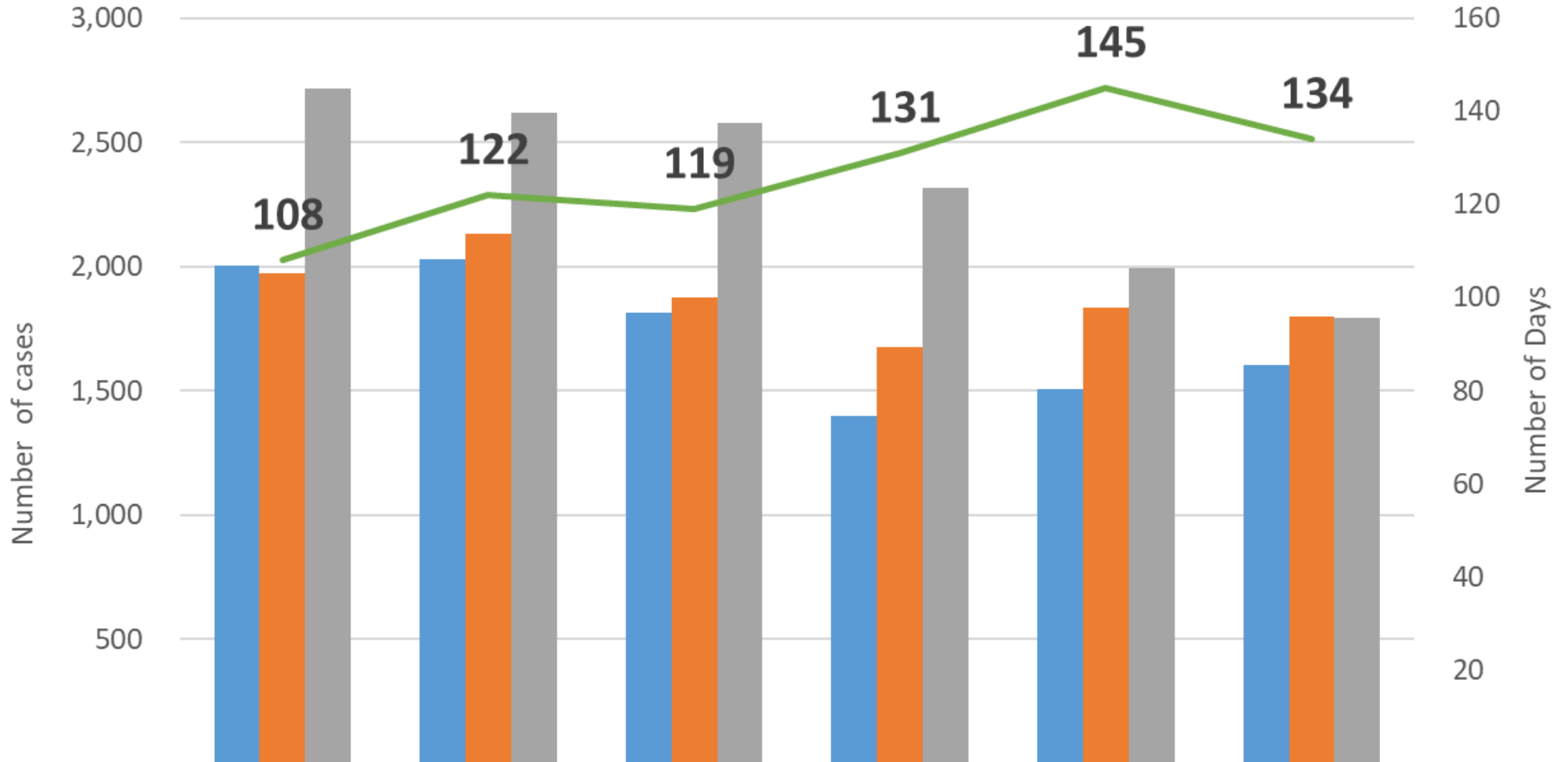
Cases Received*	7,046	6,739	5,933	5,555	6,066	6,410
Cases Completed	7,533	6,514	6,603	5,416	5,459	6,364
Caseload	1,578	1,818	1,158	1,309	1,916	1,962
Average Days in System	28	22	25	20	28	29

Digital & Multimedia Evidence



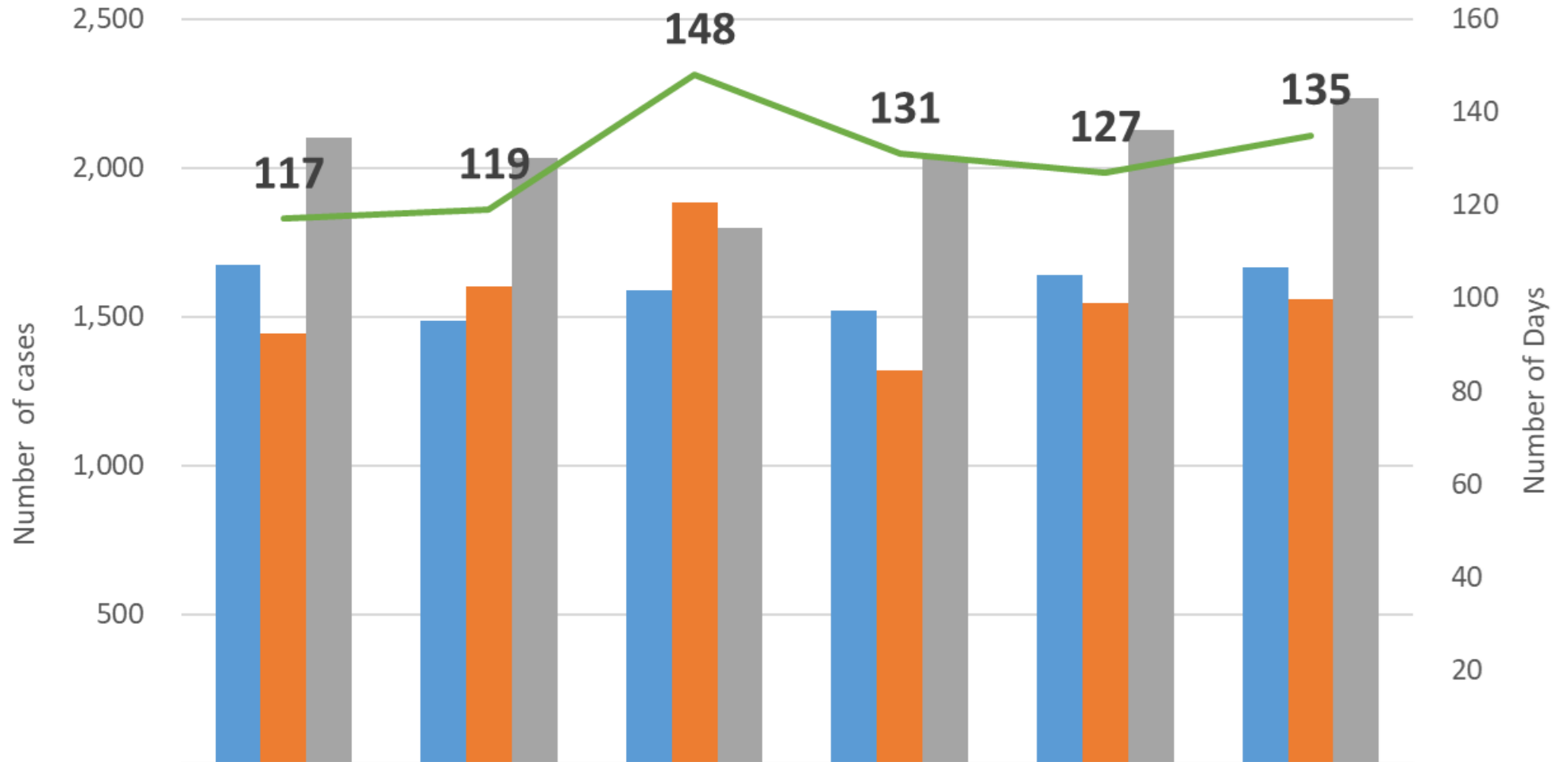
Cases Received*	46	49	54	39	65	54
Cases Completed	52	36	49	53	67	73
Caseload	61	75	81	67	65	46
Average Days in System	166	200	145	124	114	112

Firearms & Toolmarks



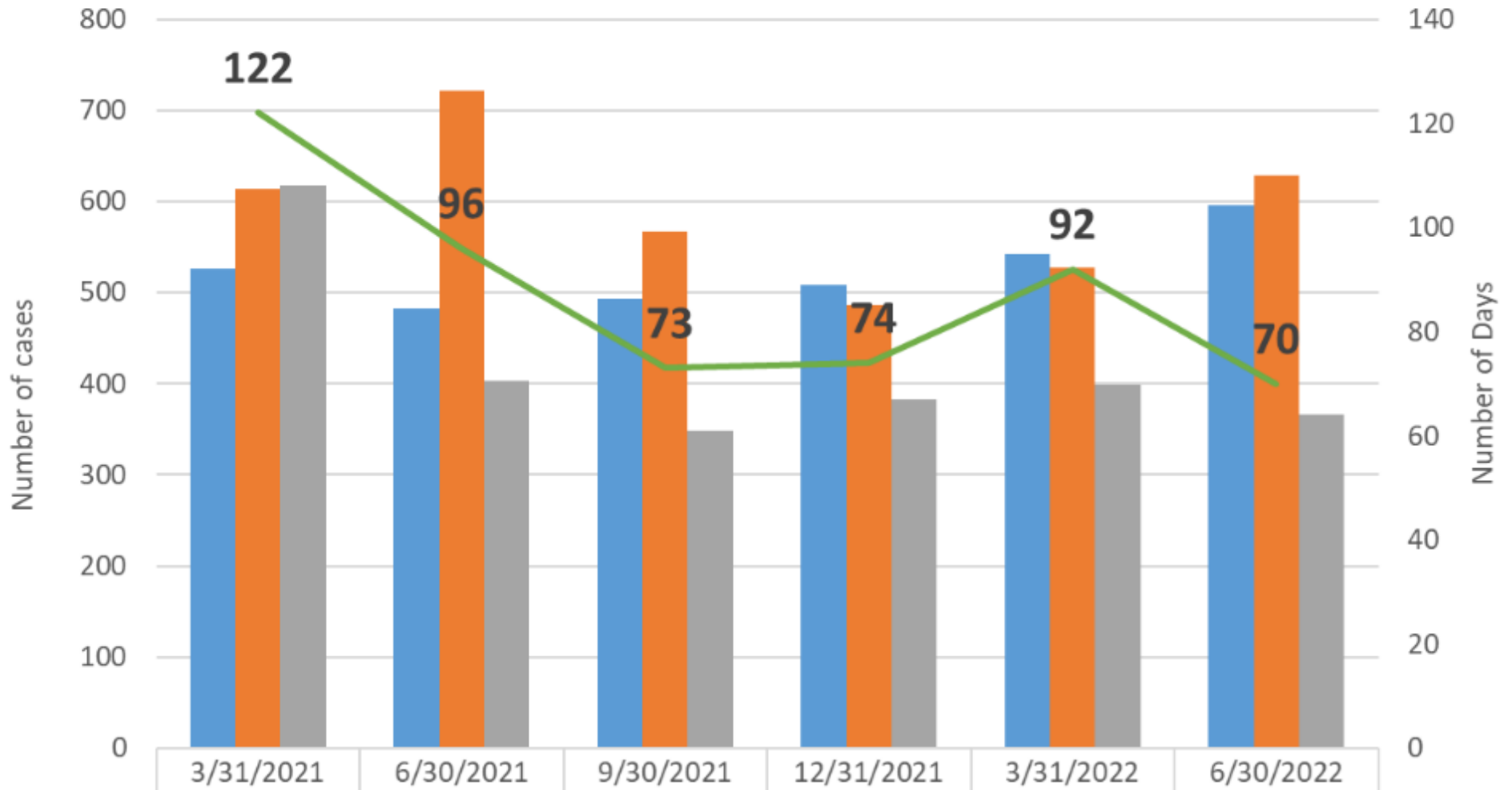
	3/31/2021	6/30/2021	9/30/2021	12/31/2021	3/31/2022	6/30/2022
Cases Received*	2,005	2,030	1,812	1,401	1,509	1,603
Cases Completed	1,975	2,130	1,875	1,674	1,834	1,799
Caseload	2,718	2,618	2,578	2,317	1,992	1,796
Average Days in System	108	122	119	131	145	134

Forensic Biology (DNA)



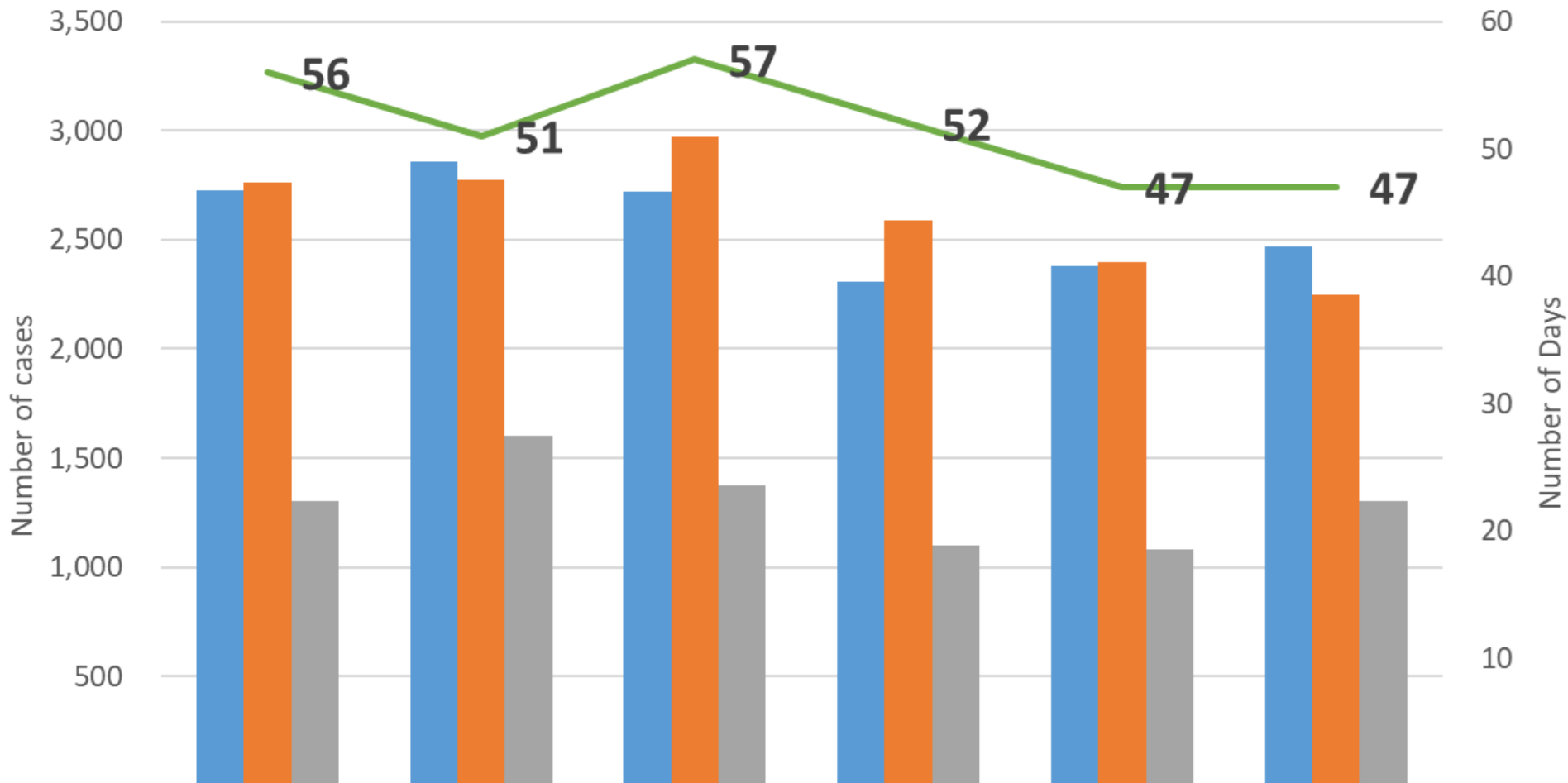
	3/31/2021	6/30/2021	9/30/2021	12/31/2021	3/31/2022	6/30/2022
■ Cases Received*	1,676	1,488	1,589	1,519	1,641	1,664
■ Cases Completed	1,443	1,600	1,885	1,318	1,547	1,557
■ Caseload	2,103	2,033	1,799	2,033	2,127	2,234
— Average Days in System	117	119	148	131	127	135

Latent Prints & Impressions



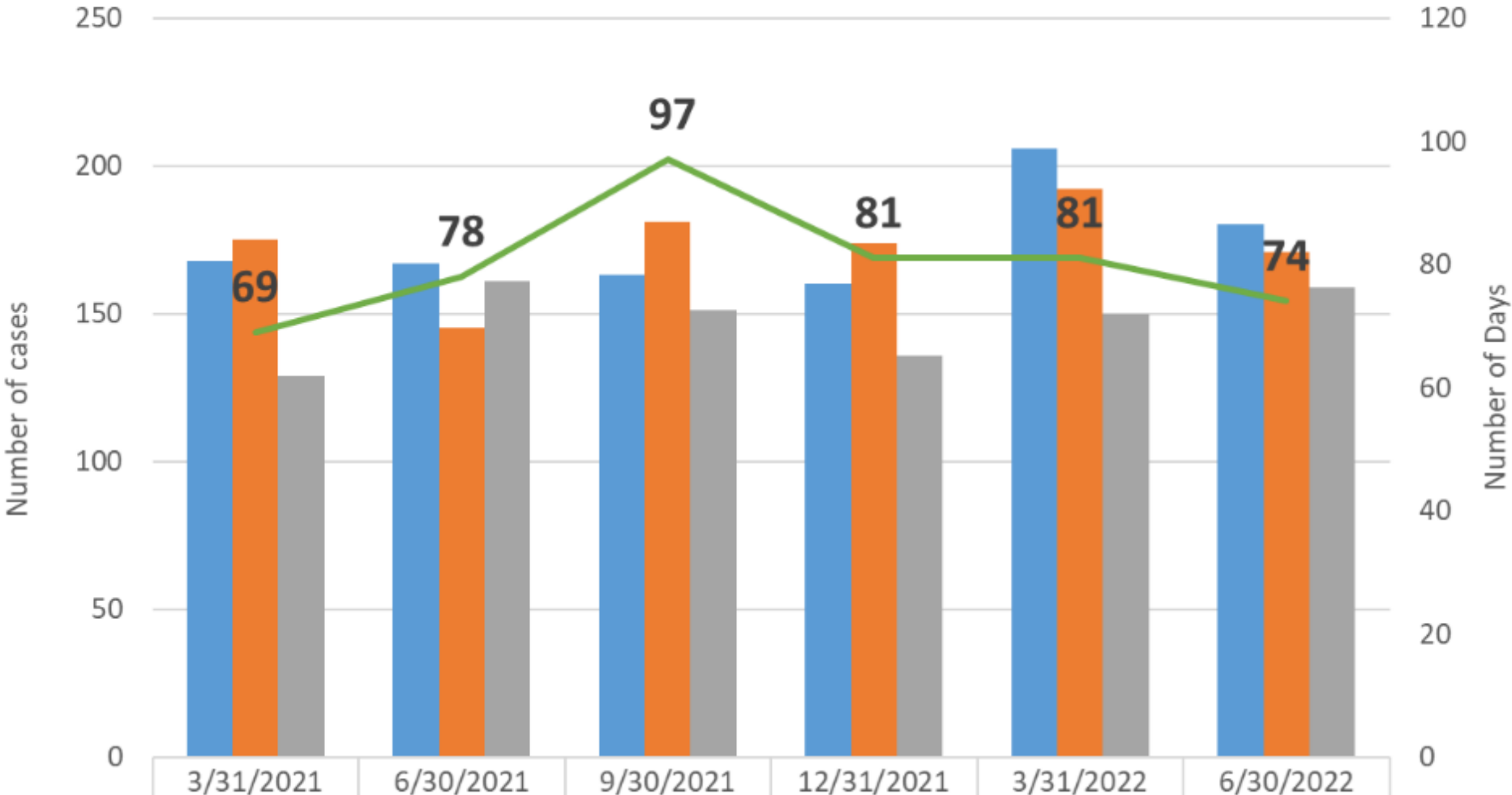
■ Cases Received*	526	482	493	509	543	596
■ Cases Completed	613	722	567	486	527	629
■ Caseload	617	403	348	383	399	366
— Average Days in System	122	96	73	74	92	70





Toxicology



	3/31/2021	6/30/2021	9/30/2021	12/31/2021	3/31/2022	6/30/2022
■ Cases Received*	2,726	2,858	2,723	2,306	2,379	2,468
■ Cases Completed	2,763	2,774	2,974	2,587	2,398	2,248
■ Caseload	1,303	1,602	1,377	1,100	1,081	1,301
— Average Days in System	56	51	57	52	47	47

Trace Evidence



 Cases Received*	168	167	163	160	206	180
 Cases Completed	175	145	181	174	192	171
 Caseload	129	161	151	136	150	159
 Average Days in System	69	78	97	81	81	74

Budget and Resources



Biennial FY22 Budget

Service Areas	General Fund (FY22)	Federal Funds (FY22)	ARPA (FY22)	Total (FY22)	% of overall budget
Forensic Biology	\$ 12,281,935	\$ 1,758,391		\$ 14,040,326	25%
Chemistry	\$ 14,424,012	\$ 38,000		\$ 14,462,012	26%
Toxicology	\$ 8,615,582	\$ 565,551		\$ 9,181,133	16%
Physical Evidence	\$ 9,633,931	\$ 54,600	\$ 505,375	\$ 10,193,906	18%
Forensic Training	\$ 366,856	\$ 17,550		\$ 384,406	1%
Administration/Facilities/IT	\$ 8,003,338	\$ 4,838		\$ 8,008,176	14%
Grand Total	\$ 53,325,654	\$ 2,438,930	\$ 505,375	\$ 56,269,959	100%

FY22 Caboose Bill - \$205,375 of ARPA funds was transferred from DFS to VSP



DFS Biennial Budget – FY23/FY24

Service Areas	First Year FY23	Second Year FY24	% of overall budget
Forensic Biology	\$ 14,487,439	\$ 14,487,439	25%
Chemistry	\$ 14,465,511	\$ 14,465,511	24%
Toxicology	\$ 12,453,980	\$ 11,647,080	21%
Physical Evidence	\$ 9,688,531	\$ 9,688,531	16%
Forensic Training	\$ 590,966	\$ 590,966	1%
Administration/Facilities	\$ 7,440,951	\$ 7,440,951	13%
Grand Total	\$ 59,127,378	\$ 58,320,478	100%

Service Areas	First Year FY23	Second Year FY24
General Fund Positions	341	341
Nongeneral Fund Positions	14	14
Position Level (MEL)	355	355
Fund Sources: General	\$ 56,446,890	\$ 55,639,990
Fund Sources: Federal	\$ 2,680,488	\$ 2,680,488
Grand Total	\$ 59,127,378	\$ 58,320,478



New Budget Items for FY23 – FY24

Additional Budget Items	FY23	FY24	FTE	Source
Fund toxicology forensic scientist positions and equipment	\$1,535,400	\$728,500	5	GF
Fund additional toxicology positions and supplies for tetrahydrocannabinol (THC) data collection initiative	\$641,200	\$641,200	4	GF
Provide support for forensic trainer position	\$106,560	\$106,560	1	GF
Increase nongeneral fund appropriation and maximum employment level	\$200,000	\$200,000	10	NGF

Grants



Full Board Permission Needed

FY 2022 Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories

- 1. DNA Research - Beta testing, validation and implementation of the Biomek[®] i5 automated workstation for forensic biology casework sample processing.**

Amount requested = \$327,409

Goal: To adapt, optimize, and validate beta versions of newly developed (by Promega) DNA extraction, DNA normalization and STR setup robotic methods designed for the Biomek i5 automation platform. Moreover, DFS will develop its own robotic methods for its newly developed DNase I differential extraction protocol for sexual assault casework and also robotic methods for DNA quantitation setup and transfer of DNA extracts for long term storage.



Full Board Permission Needed

FY 2022 Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories

- 2. Fire Debris Research - Fire debris interpretation using quantitative measures of chromatographic features in medium range ignitable liquids and the use of graphical display to demonstrate data sufficiency.**

Amount requested = \$141,921

Goal: To expand on the statistically based interpretation method for ignitable liquid analysis (gasoline) that was the subject of a previous grant award. The new proposal will expand the statistical study and methodology to **medium ignitable liquids**, including petroleum distillates, isoparaffinic products, aromatic products, naphthenic paraffinic products, and further evaporations of gasoline.



Full Board Permission Needed

FY 2022 DNA Capacity Enhancement and Backlog Reduction (CEBR)

DFS applied to the Bureau of Justice Assistance for funding to support the following:

1. Continue to fund seven positions in the Forensic DNA and Data Bank Sections
2. Purchase DNA extraction kits, buccal swab kits, and new alternate light sources
3. Provide continuing education for scientific staff
4. Purchase and validate a robotic platform to process casework reference and evidence samples

Total amount requested = \$1,890,845. The start date will be October 1, 2022, if awarded.



Full Board Permission Needed

FY 2022 Paul Coverdell Forensic Science Improvement Grant

DCJS submitted an application to the Bureau of Justice Assistance on the behalf of DFS and the OCME. The DFS portion of the funds will support the following:

1. Training for personnel in the Chemistry, Physical Evidence, and Toxicology program areas, as well as laboratory management
2. Development and utilization of electronic processes within the case examination and reporting work flows, in multiple disciplines, which will replace paper case file records
3. Continued funding of the Laboratory Information Management System (LIMS) Customer Coordinator position to conduct system testing, prepare training materials, provide customer training, and manage customer login credentials

Total amount requested for DFS = \$251,359. The start date will be determined once DCJS has received the award and has prepared the subawards.