

# Virginia State Crime Commission

## MARY JANE BURTON (MJB) CASE FILE REVIEW STATUS

April 20, 2026

### Case File Status:

Crime Commission staff continues to review and update DFS's Historic Case File Project spreadsheet:

- 7,547 unique cases where MJB was the forensic examiner between 1973-1988. To date:
  - 5,090 named suspects have been identified.
  - 187 cases have an indication that MJB testified.

Nearly 45% (2,210 of 5,090) of the named suspects have been linked to the earlier *Virginia Post-Conviction DNA Testing Program and Notification Project*.

### Case File Review Status:

Staff has reviewed and cross-validated 98% (7,364 of 7,547) of all known DFS MJB case files.

- 98% (3,781 of 3,841) cases with a named suspect.
- 97% (3,583 of 3,706) cases with no named suspect.

Staff identified an additional 899 named suspects in their case file review. Of note, over half of these additional named suspects were found in cases initially classified as having no named suspect.

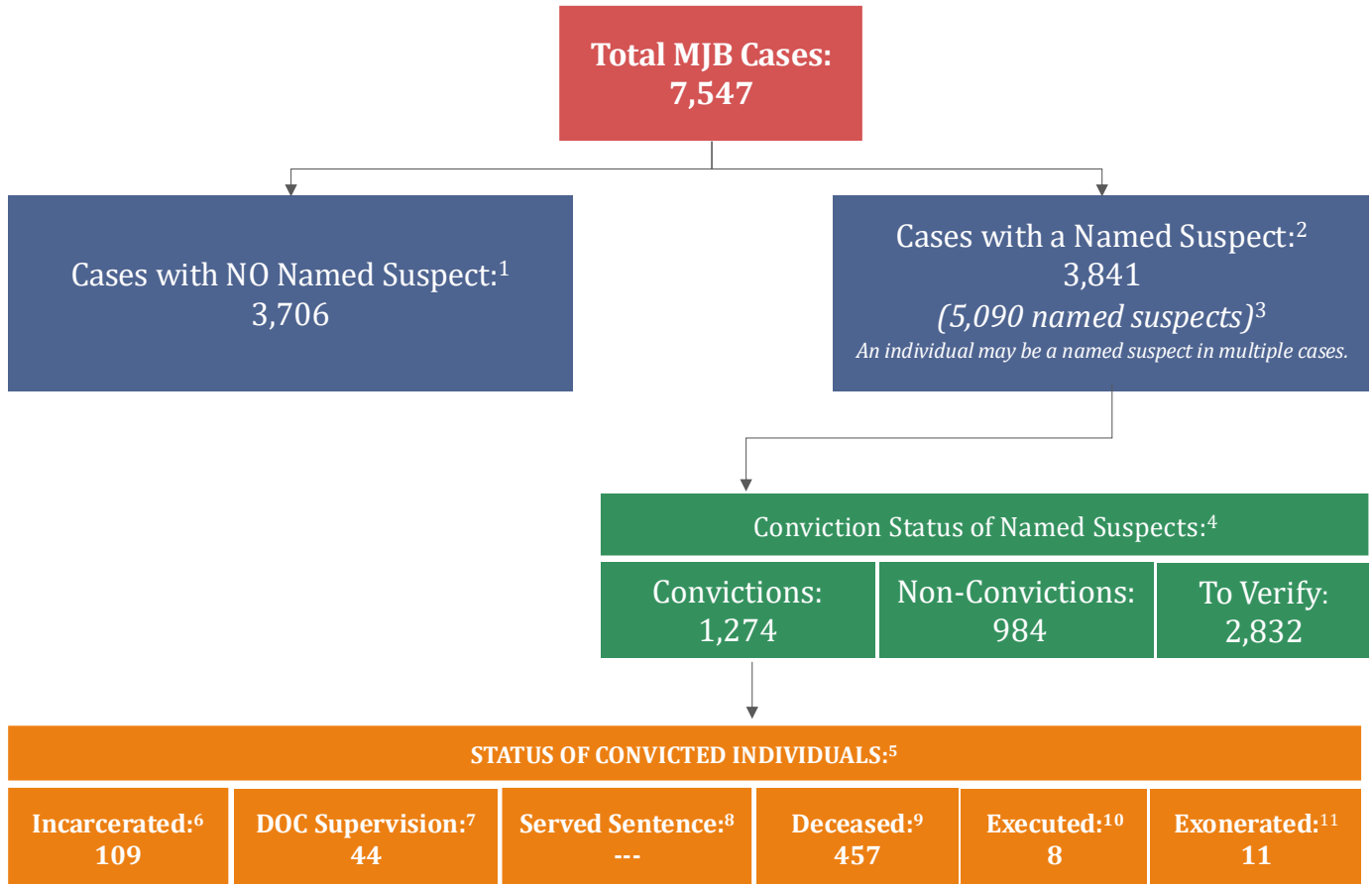
### Work Plan:

1. Continue to document and verify information (e.g., DOB, SSN, locality, offense) in the remaining DFS case files with a named suspect where MJB was the forensic examiner.
2. Determine the total number of additional individuals convicted.
3. Continue to identify the status of these convicted individuals, prioritized as follows:
  - a. Incarcerated;
  - b. Under DOC Supervision (probation or parole);
  - c. Served Sentence (incarceration and/or probation/parole);
  - d. Deceased;
  - e. Executed; and,
  - f. Exonerated.

### Budget Language Directive:

"The Virginia State Crime Commission shall review cases at the Virginia Department of Forensic Science (Department), in consultation with the Department's Scientific Advisory Committee, where testing or analysis was performed by Mary Jane Burton and report on the total number of the following: (i) case files that contain at least one named suspect; (ii) cases where scientific testimony was provided; and (iii) named suspects who were convicted of an offense related to such testing, categorized by persons: (a) currently incarcerated, on probation, or on parole; (b) executed; or, (c) deceased...The Virginia State Crime Commission shall have the authority to review additional case files to address related matters as deemed appropriate, in consultation with the House Appropriations and Senate Finance and Appropriations Committees." [Item 23\(B\)](#).

# MJB Case File Review



Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Separate and apart from the information in the chart, 187 cases have been identified where Ms. Burton provided scientific testimony. Status as of April 15, 2026.

<sup>1</sup> Nearly half (1,668 of 3,706) of the cases with no named suspect originated from the Office of the Chief Medical Examiner, which includes deaths that may not have been criminal in nature, such as traffic fatalities and suicides. The remainder of these cases (2,038 of 3,706) originated from law enforcement agencies where no named suspect was identified.

<sup>2</sup> To date, 43% (1,666 of 3,841) of these cases overlap with the earlier *Virginia Post-Conviction DNA Testing Program and Notification Project*.

<sup>3</sup> This figure does not mean that there are 5,090 unique individuals, as a single person could be a named suspect in multiple cases. For example, “John Smith” might be a named suspect in five cases, so “John Smith” is counted as a named suspect five times.

<sup>4</sup> These figures are based on 5,090 named suspects and not individuals, so a single person may be counted multiple times. For example, if “John Smith” was convicted on three cases and found not guilty on two cases, then “John Smith” is counted as three convictions and two non-convictions.

<sup>5</sup> Unlike the “named suspects”, these figures represent unique individuals who were convicted, along with their current status. For example, if “John Smith” was convicted on three cases and is incarcerated, then “John Smith” is counted as one unique individual in the incarcerated category. As named suspects who were convicted are identified, the individual who was convicted will be classified within these six categories based on their present status. The remainder of convicted named suspects are yet to be identified and classified across these six categories.

<sup>6</sup> These 109 individuals (representing 129 named suspects in 125 cases) are either (i) serving a sentence in DOC or are civilly committed on a case where Ms. Burton was the forensic examiner, or (ii) have completed their term of incarceration for the Ms. Burton case but are serving a sentence on an unrelated case.

<sup>7</sup> These 44 individuals (representing 46 named suspects in 46 cases) are either (i) under DOC supervision (probation or parole) on a case where Ms. Burton was the forensic examiner or (ii) have completed DOC supervision for the Ms. Burton case but are under DOC supervision for an unrelated offense.

<sup>8</sup> This category includes all individuals convicted on a case where Ms. Burton was the forensic examiner who have served their sentence and are not currently incarcerated or on DOC supervision. While the data for this category is very preliminary, the total number of individuals in this category is expected to grow significantly moving forward.

<sup>9</sup> These 457 individuals (representing 473 named suspects in 441 cases) were convicted on a case where Ms. Burton was the forensic examiner but have since passed away.

<sup>10</sup> These 8 individuals (representing 10 named suspects in 10 cases) were convicted and executed on a case where Ms. Burton was the forensic examiner.

<sup>11</sup> These 11 individuals (representing 11 named suspects in 11 cases) were convicted and later exonerated on a case where Ms. Burton was the forensic examiner.