



MARY JANE BURTON REVIEW PANEL

Update to the Forensic Science Board

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Review Panel

- ▶ 2025 legislation (HB 2730/SB 1465) directs the Crime Commission to designate a panel to review cases where:
 - MJB was the forensic examiner and the case resulted in a conviction of an individual who is currently incarcerated, or who was executed or exonerated; or,
 - MJB testified, regardless of the final case disposition.



Review Panel Purpose

- ▶ The Review Panel will:
 - Evaluate the accuracy of MJB's testing, analysis, and testimony; and,
 - Determine, if possible, whether MJB engaged in a pattern of misconduct.

- ▶ The Review Panel is not tasked with determining actual innocence on any individual case.
 - Actual innocence requires a finding by the court.



Review Panel Cases

- ▶ 314 cases have been identified for review:
 - 124 cases - person is currently incarcerated;
 - 10 cases - person was executed;
 - 11 cases - person was exonerated; and,
 - 186 cases where MJB testified.
(Note: 17 of these cases overlap)
- ▶ Additional cases will likely be identified as the case file review is finalized.



Review Panel Members

- Commonwealth's Attorney;
- Public Defender;
- Felony certified court-appointed criminal defense attorney;
- Retired circuit court judge;
- Representative from the Office of the Attorney General;
- Executive Director of the Mid-Atlantic Innocence Project; and,
- Independent serologist.



Review Panel Application Process

- ▶ The Chair of the Crime Commission (Del. Herring) appointed a Review Panel Subcommittee to develop an application process and provide guidance on logistics for the panel.
- ▶ The application process will begin this month.
- ▶ Staff is working with various entities (VACA, IDC, OES, Scientific Community) to notify eligible individuals of the application process.
- ▶ Crime Commission will designate members of the panel.



Review Panel

- Crime Commission staff is providing administrative support to the Review Panel, including:
 - Assisting with the application process;
 - Obtaining court, law enforcement, and prosecutor records to provide to the Review Panel and UVA Innocence Project;
 - Prioritizing cases for the Review Panel; and,
 - Coordinating meetings of the Review Panel.



DISCUSSION