Mary Jane Burton (MJB) Project Status

Update to the Forensic Science Board

October 8, 2025

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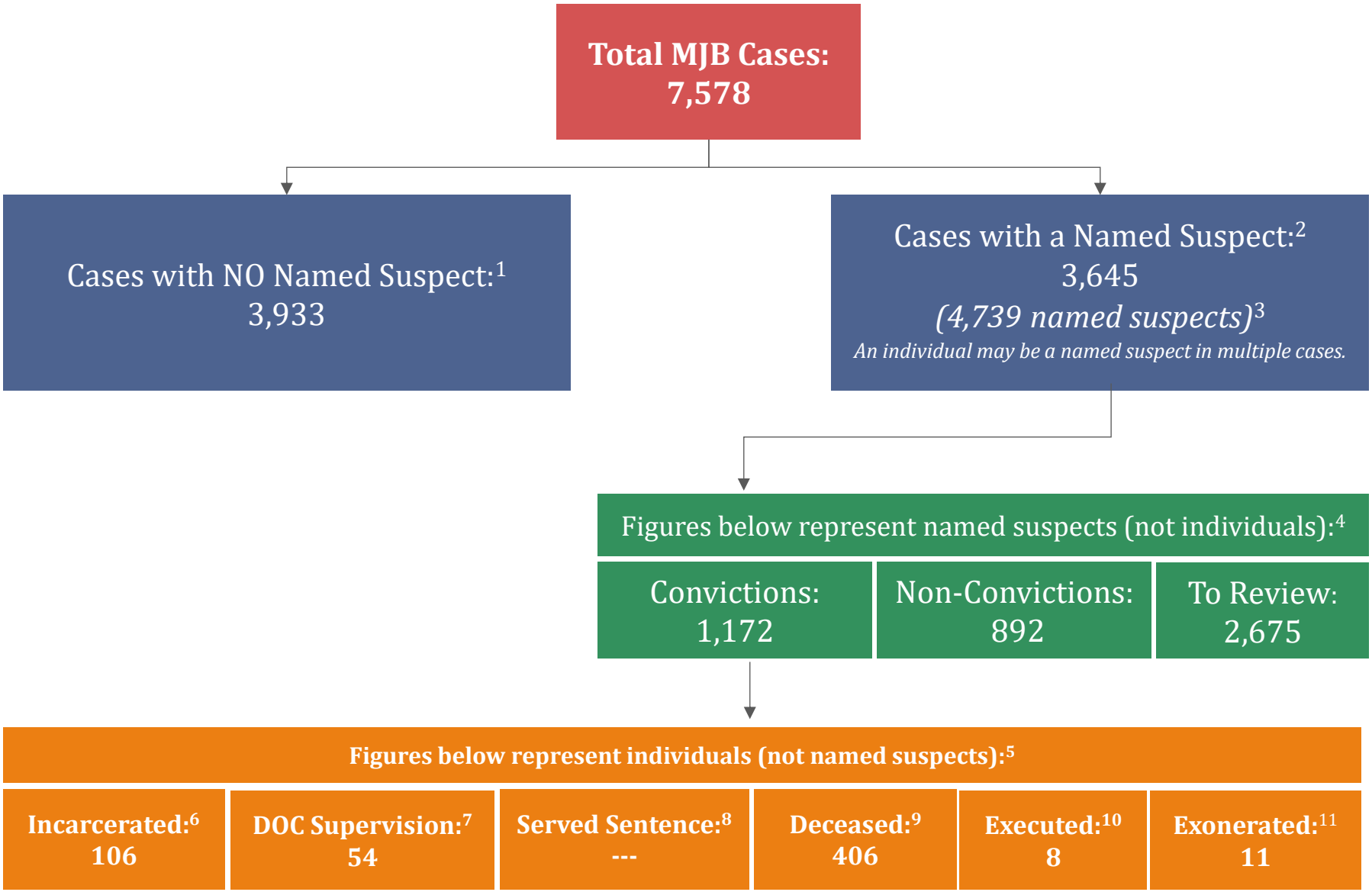
Budget Language

- 2024 budget language directs the Crime Commission to determine the number of MJB cases, including the total:
  - Case files that contain at least one named suspect.
  - Named suspects who were convicted of an offense where testing was performed by MJB, categorized by:
    - Incarcerated;
    - On DOC supervision (probation or parole);
    - Executed; or,
    - Deceased.
  - Cases where scientific testimony was provided by MJB.

Status of Mary Jane Burton (MJB) Project



Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Status as of October 1, 2025.

DFS Case Review Status

- 68% (5,144 of 7,578) of all known MJB cases have been reviewed and cross-validated by staff.
  - Identified 185 cases with an indication of testimony.
  - An additional ~550 named suspects were identified.
- Staff will review the remaining MJB cases (~2,400) to collect PII and offense details for cases that require conviction verification.
  - ~870 cases with a named suspect.
  - ~1,570 cases with no named suspect.

2025 Legislation

- During the 2025 Regular Session, legislation was enacted (HB 2730/SB 1465) which directs the Crime Commission to designate a panel to review the ~300 cases where:
  - MJB was the forensic examiner and the case resulted in convictions of persons who are currently incarcerated, or who were executed or exonerated; or,
  - MJB testified, regardless of the final case disposition.

2025 Legislation

- The review panel will consist of a:
  - Commonwealth's Attorney;
  - Public Defender;
  - Practicing criminal defense attorney;
  - Retired circuit court judge;
  - Representative of the Attorney General;
  - Executive Director of the Mid-Atlantic Innocence Project; and,
  - Independent serologist.

2025 Legislation

- The Chair of the Crime Commission (Del. Herring) appointed a Subcommittee to provide recommendations to the full Commission.

- The next Crime Commission meetings are scheduled for November 19th and December 2nd.

Discussion

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