Mary Jane Burton (MJB) Case File Review

Update to the Forensic Science Board

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Mary Jane Burton Reviews

- Two distinct reviews are being conducted on the work of Mary Jane Burton (MJB):
  - *Case File Review* - 2024 budget language; and,
  - *Review Panel* - 2025 legislation.

Virginia State Crime Commission 2

MJB Case File Review

- The Crime Commission is directed to determine the scope of MJB's work at DFS, including the total:

  1. Case files that contain at least one named suspect.
  2. Named suspects who were convicted of an offense where testing was performed by MJB, categorized by:
     - Incarcerated;
     - On DOC supervision (probation or parole);
     - Deceased; or,
     - Executed.
  3. Cases where MJB testified.

MJB Case File Review

- All known MJB cases have been reviewed and cross-validated.

MJB Case File Review Status (October 2026)

Total MJB Cases:
7,545

Cases with NO Named Suspect:
3,692

Cases with a Named Suspect:
3,853
(5,120 named suspects)
An individual may be a named suspect in multiple cases.

Conviction Status of the 5,120 Named Suspects:

Convictions:	Non-Convictions:	To Verify:
1,281	995	2,844

Status of the 1,281 Convicted Named Suspects:

Incarcerated:	DOC Supervision:	Deceased:	Executed:	Exonerated:	To Determine:
121	50	492	10	11	597
(103 individuals)	(47 individuals)	(480 individuals)	(8 individuals)	(11 individuals)	(Individuals TBD)

Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Staff identified at least 199 cases with an indication that Ms. Burton testified.

MJB Case File Review – Next Steps

- In September 2026, staff requested assistance from 294 court clerks to research the conviction status of the 2,844 named suspects:
  - 33% (96 of 294) of circuit and district courts have responded:
    - 26% (29 of 110) of circuit courts; and,
    - 36% (67 of 184) of general, J&DR, and combined district courts.
- If a named suspect was convicted, classify by their status:
  - Incarcerated, DOC supervision, deceased, or served sentence.

MJB Case File Review – Next Steps

- Continue to work and share information with stakeholders, such as DFS and the Innocence Project of the University of Virginia School of Law (UVA-IP).
  - Provide conviction status findings to DFS for its notification efforts.
    - 26 of the responding courts have verified convictions and provided orders.
  - Notify UVA-IP if any additional incarcerated individuals are identified.
- An update will be published in January 2027.

QUESTIONS?

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