

## Virginia State Crime Commission

### STATUS of MARY JANE BURTON (MJB) PROJECT as of October 1, 2025

#### Case File Status:

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

- 7,578 unique cases where MJB was the forensic examiner between 1973-1988.
  - 4,739 named suspects thus far have been identified.
  - 185 cases thus far have an indication that MJB testified.

Approximately 45% (2,139 of 4,739) 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 68% (5,144 of 7,578) of all known DFS MJB case files.

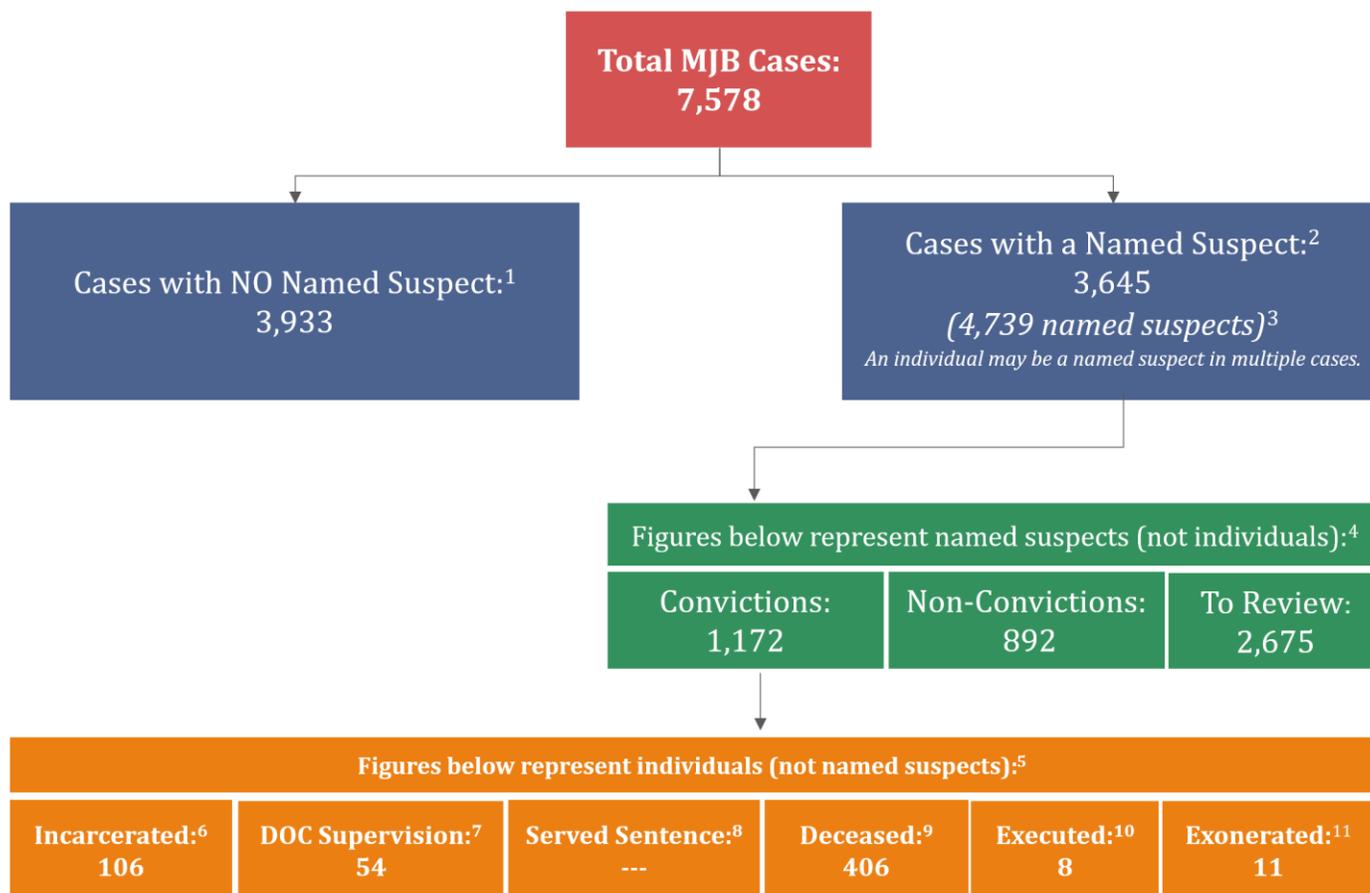
- Of the 3,645 cases with a named suspect, staff reviewed and cross-validated 76% (2,778 of 3,645) of such cases.
- Of the 3,933 cases with no named suspect, staff reviewed and cross-validated 60% (2,366 of 3,933) of such cases.
- Staff has thus far identified an additional ~550 named suspects, with approximately half of these named suspects coming from cases with at least one named suspect and the other half coming from 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 who were 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\(B\)](#).

# 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. Separate and apart from the information in the chart, 185 cases have been identified where Ms. Burton provided scientific testimony. Status as of October 1, 2025.

<sup>1</sup> Nearly half (1,777 of 3,933) 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 originated from law enforcement agencies where no named suspect was identified.

<sup>2</sup> To date, 45% (1,650 of 3,645) 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 4,739 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 4,739 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 suspected are yet to be identified and classified across these six categories.

<sup>6</sup> These 106 individuals (representing 118 named suspects in 113 cases) are either (i) serving a sentence in DOC 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 54 individuals (representing 63 named suspects in 63 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 classification is still very preliminary. Thus far, two (2) individuals have been identified as being convicted on a case where Ms. Burton was the forensic examiner, but have served their sentence and are not incarcerated or on DOC supervision. This category is expected to grow significantly moving forward.

<sup>9</sup> These 406 individuals (representing 420 named suspects in 390 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.