



## Commission on Forensic Science

***December 15, 2023***

***Empire State Development Corporation***  
*633 3rd Ave, 37th Floor, New York, NY 10016*

***Division of Criminal Justice Services***  
*80 South Swan Street, Room 118, Albany, NY 12210*

***9:04 AM – 12:37 PM***

### **DRAFT MEETING MINUTES**

#### **Commission Members in Attendance:**

Pasquale Buffolino, Ph.D.<sup>1</sup>  
James Chithalen, Ph.D.<sup>2</sup>  
Jill Dooley, Ph.D.  
Steven Epstein, Esq.  
William Fitzpatrick, Esq.  
Jessica Goldthwaite, Esq.  
Michael Marciano, Ph.D.  
Hon. Angela Mazzarelli  
Beverly Rauch  
Rossana Rosado<sup>3</sup>  
Michelli Schmitz  
Ann Willey

#### **DCJS Staff in Attendance:**

Dean DeFruscio  
Colleen Glavin, Esq.  
Natasha Harvin-Locklear, Esq.  
Katherine Mayberry  
Shelley Palmer  
Joseph Popcun  
Lindsey Rockwell  
Elizabeth Suparmanto

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<sup>1</sup> In accordance with a resolution and related procedures regarding the use of videoconferencing under extraordinary circumstances, which were adopted by the Commission on Forensic Science on June 9, 2023 and added to its bylaws, Dr. Buffolino participated by videoconferencing from a private location due to extraordinary circumstances and, thus, shall not count toward quorum, but was able to participate and vote as there was a quorum of members at physical location(s) open to the public.

<sup>2</sup> Representative of Commission Member James V. McDonald, M.D.

<sup>3</sup> Commissioner Rosado attended virtually after roll call (approximate video time 00:04:55).

**Other Attendees:**

Jennifer Alois – New York State DCJS Latent Print Laboratory  
Bradley Brown – New York State Police Crime Laboratory  
Nicole Capitali – New York City Police Department Police Laboratory  
Neil Fenton – New York City Police Department Legal Bureau  
Russell Gettig – New York State Police Crime Laboratory  
Nichole Hurbanek – New York State Police Crime Laboratory  
Michael Jankowiak – New York State Police Crime Laboratory  
Rosalyn Joseph – New York City Police Department Latent Print Section  
Timothy Kupferschmid – New York City OCME Department of Forensic Biology  
Jennifer Lady – New York City Police Department Latent Print Section  
Thomas Leach – New York State Police Crime Laboratory  
Andrea Lester - New York State DCJS Latent Print Laboratory  
Brian McGee – New York City Police Department Police Laboratory  
Kyra McKay – New York City OCME Department of Forensic Biology  
Craig O'Connor – New York City OCME Department of Forensic Biology  
Jennifer Odien – New York City OCME Forensic Anthropology Unit  
Scott O'Neill – New York City Police Department Police Laboratory  
Stephanie O'Shea – New York City Police Department Police Laboratory  
Meredith Rosenberg – New York City OCME Department of Forensic Biology  
Mirtha Sabio – New York City OCME Department of Forensic Biology  
Tiffany Vasquez – New York City OCME Department of Forensic Biology  
Ray Wickenheiser – New York State Police Crime Laboratory

**Approximate  
video times**

Dr. Jill Dooley opened the meeting by stating that Chair Rosado may attend virtually and that she would chair the meeting in her absence. Dr. Dooley welcomed new member, Mr. Steven Epstein, to the Commission on Forensic Science. Mr. Epstein will be the representative of the private criminal defense bar on the committee. Dr. Dooley then took a roll call as the members were in attendance in New York, Albany, and virtually. A quorum was established with 9 voting members (Dooley, Epstein, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch, Schmitz, and Willey); one member participated from a private location due to extraordinary circumstances (Buffolino<sup>4</sup>).

00:00:00  
00:02:48

Dr. Dooley requested a motion to approve the December 15, 2023, agenda. The motion to approve the agenda was made by Ms. Schmitz, seconded by Judge Mazzarelli, and approved unanimously with 10 votes.

00:02:50  
00:03:37

Then, Dr. Dooley requested a motion to approve the minutes of the September 22, 2023, Commission meeting. The motion to approve the minutes was made by Mr. Fitzpatrick. Judge Mazzarelli seconded the motion, and it was approved with 9 votes (Buffolino, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch, Schmitz, and Willey) and 1 abstention (Epstein).

00:03:38  
00:04:42

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<sup>4</sup> See FN. 1 above.

Next, the Commission reviewed the Accreditation/Laboratory Updates. Commissioner Rosado joined the meeting during this agenda item. Matters regarding the following laboratories were considered: Nassau County Office of the Medical Examiner Division of Forensic Services, New York City OCME Department of Forensic Biology, New York City OCME Forensic Anthropology Unit, New York City Police Department Police Laboratory, New York State Division of Criminal Justice Services Latent Print Laboratory, Niagara County Sheriff's Office Forensic Laboratory, Onondaga County Center for Forensic Sciences Laboratory, and Suffolk County Crime Laboratory. Representatives from the laboratories were available in person or via WebEx to respond to members' questions.

*Approximate  
video times*

00:4:44  
00:24:38

The next agenda item was Old Business. Dr. Dooley provided the Commission members with a verbal update on the Familial Search Program, which has resumed.

00:24:46  
00:26:32

The Commission then discussed matters regarding the Niagara County Sheriff's Office Forensic Laboratory. ANAB provided a response to the Commission's request for investigative documentation regarding the anonymous letter. Pam Sale, of ANAB, was available later in the meeting to answer members' questions.

00:26:37  
00:28:30

Dr. Dooley reviewed laboratory disclosures from the Erie County Central Police Services Forensic Laboratory.

00:28:35  
00:37:42

Dr. Dooley then went back to Old Business as Pam Sale was available virtually to answer members' questions regarding ANAB's response to their request.

00:37:44  
00:41:49

Laboratory disclosures were continued and matters from the Erie County Medical Examiner's Office Forensic Toxicology Laboratory, Nassau County Office of the Medical Examiner Toxicology Laboratory, New York City OCME Department of Forensic Biology, New York City OCME Department of Forensic Toxicology, New York City Police Department Latent Print Section, New York City Police Department Police Laboratory, New York State Division of Criminal Justice Services Latent Print Laboratory, New York State Police Crime Laboratory, Suffolk County Crime Laboratory, Suffolk County Office of the Chief Medical Examiner Toxicology Laboratory, and Westchester County Department of Laboratories and Research Division of Forensic Toxicology were reviewed. Representatives from the laboratories were available in person, by phone or via WebEx to respond to members' questions.

00:41:50  
02:48:40

Dr. Dooley then requested a motion to enter Executive Session to discuss matters relating to a current investigation or matters that may lead to the appointment, promotion, demotion, discipline, or suspension of a particular person. The motion was made by Mr. Fitzpatrick, seconded by Ms. Rauch. The motion was approved with 8 votes (Buffolino, Dooley, Fitzpatrick, Marciano, Mazzarelli, Rauch, Schmitz, and Willey), 1 opposed (Goldthwaite) and 1 abstention (Epstein).

02:49:01  
02:50:00

The Commission adjourned into Executive Session.

The Commission reconvened the open meeting at 12:34 pm and Dr. Dooley indicated that the Commission took no formal action during Executive Session.

02:51:00  
02:51:09

Dr. Dooley stated that the next meeting of the Commission will take place on March 15, 2024. Judge Mazzairelli made a motion to adjourn the meeting, seconded by Mr. Epstein and approved unanimously.

*Approximate  
video times*  
02:51:10  
02:51:45

**Note:**

***Video of the open meeting is available on YouTube.***