



Commission on Forensic Science

September 27, 2024

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

9:01 AM – 12:34 PM

DRAFT MEETING MINUTES

Commission Members in Attendance:

Pasquale Buffolino, Ph.D.
James Chithalen, Ph.D.¹
Lydia de Castro
Steven Epstein, Esq.
Jessica Goldthwaite, Esq.
Michael Marciano, Ph.D.
Erin Murphy, Esq.
Beverly Rauch
Rossana Rosado
Michelli Schmitz
Rachel Singer (non-voting proxy for William Fitzpatrick, Esq.)
Ann Willey, Ph.D.

DCJS Staff in Attendance:

Taylor Aaron
Dean DeFruscio
Colleen Glavin, Esq.
Natasha Harvin-Locklear, Esq.
Janine Kava
Katherine Mayberry
Shelley Palmer
Joseph Popcun
Brianna Robinson
Lindsey Rockwell
Matthew Schrantz, Esq.
Elizabeth Suparmanto

Other Attendees:

¹ Representative of Commission Member James V. McDonald, M.D.

Julia Becker – New York State Police Crime Laboratory
 Sana Hazina Butler – Voting Public
 Jill Dooley, PhD. – New York State Police Crime Laboratory
 James Harrison – Westchester County Department of Public Safety Crime Laboratory
 Nichole Hurbanek – New York State Police Crime Laboratory
 Michael Jankowiak – New York State Police Crime Laboratory
 Thomas Leach – New York State Police Crime Laboratory
 Daniel Myers – New York State Police Crime Laboratory
 Julie Pizziketti – New York State Police Crime Laboratory
 Kerri Sage – New York State Police Crime Laboratory
 Paul Stasaitis – Westchester County Department of Public Safety Crime Laboratory
 Christian Westring – Niagara County Sheriff's Office Forensic Laboratory

*Approximate
video times*

Chair Rosado opened the meeting by introducing new member Erin Murphy, who has replaced the Honorable Judge Mazzarelli, in the role of attorney or judge with a background in privacy issues and biomedical ethics. Chair Rosado then noted Rachel Singer was joining the meeting as the designated participant on behalf of the Honorable William Fitzpatrick. Shelley Palmer was then introduced as Office of Forensic Services Interim Director, and Matthew Schrantz as new Special Counsel to the Commission, replacing Natasha Harvin-Locklear. Chair Rosado took a roll call as the members were in attendance in Albany and virtually. A quorum was established with 10 voting members (Buffolino, de Castro, Epstein, Goldthwaite, Marciano, Murphy, Rauch, Rosado, Schmitz, and Willey).

00:00:00
00:02:18

Chair Rosado then requested a motion to approve the September 27, 2024, agenda. The motion to approve the agenda was made by Ms. Schmitz, seconded by Ms. Rauch, and approved unanimously with 10 votes.

00:02:23
00:02:53

Chair Rosado requested a motion to approve the minutes of the June 14, 2024, Commission meeting. Ms. de Castro requested a change to specify a working group formed in response to a complaint regarding the New York City Office of the Chief Medical Examiner Department of Forensic Biology. The motion to approve the minutes with the correction was made by Ms. de Castro, seconded by Dr. Marciano, and approved unanimously with 10 votes.

00:02:54
00:04:08

Chair Rosado 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 Dr. Willey and seconded by Dr. Buffolino. The motion was approved with 7 votes (Buffolino, de Castro, Marciano, Rauch, Rosado, Schmitz, and Willey) and 2 opposed (Epstein and Goldthwaite) and 1 abstention (Murphy).

00:04:09
00:05:20

The Commission adjourned into Executive Session at 9:09 am.

The Commission reconvened the open meeting at 10:11 am and indicated that no formal action was taken during Executive Session. Chair Rosado requested that Ms. Palmer lead the accreditation and laboratory updates section of the meeting.

00:05:52
00:06:04

Next, the Commission reviewed the Accreditation/Laboratory Updates. Matters regarding the following laboratories were considered: New York City OCME Forensic Anthropology Unit, New York City Police Department Latent Print Section, New York City Police Department Police Laboratory, New York State Police Crime Laboratory, Niagara County Sheriff's Office Forensic Laboratory, Onondaga County Center for Forensic Sciences Laboratory, Suffolk County Crime Laboratory, Westchester County Department of Laboratories and Research Division of Forensic Science, Westchester County Department of Public Safety Crime Laboratory, and Yonkers Police Department Forensic Science Laboratory. Representatives from the laboratories were available in person or via Webex to respond to members' questions.

*Approximate
video times*
00:06:05
00:25:23

The next agenda item was Old Business. Ms. Palmer provided the Commission members with a verbal update on the Familial Search Program. At the last meeting, it was noted that both the Partial Match and Familial Search program policies were due for a periodic review. No comments or suggestions for updates were made by DNA Subcommittee members at their August meeting. New York State Police Crime Laboratory also provided a document outlining improvements made to the program. Commission members had no comments or suggestions for updates to the policies.

00:25:28
00:27:20

The Commission then discussed the New York State Police Crime Laboratory response to the request made by the Commission at the June 14, 2024, meeting. Representatives from the New York State Police Crime Laboratory were available to respond to members' questions.

00:27:26
00:37:44

Ms. Palmer then gave a verbal update about Rapid DNA. A letter was sent earlier this month to law enforcement agencies, district attorney's offices, and the NYS laboratories regarding the use of Rapid DNA technology and the role of the Commission and DNA Subcommittee in its use. Any entity seeking to adopt Rapid DNA for any purpose must present their intended use and validation studies to the DNA Subcommittee and Commission for their review and approval.

00:37:51
00:38:44

Next, an update was given regarding the NIST Interagency report. The DNA Subcommittee had a brief discussion with the Biology Technical Working Group in August, and further discussion with the Biology TWG is planned for the November DNA Subcommittee meeting. Additional updates will be given to the Commission when available.

00:38:45
00:41:36

The next agenda item was New Business. Ms. Palmer provided a verbal update regarding SABIS audits. The Office of Forensic Services completed on-site SABIS audits and is working to determine how many latent print sites will be coming into the accredited environment in response to the 2021 change in Executive Law removing the latent print exemption from the definition of a forensic laboratory.

00:41:42
00:46:11

The Commission then reviewed disclosures from the Nassau County Office of the Medical Examiner Division of Forensic Services, 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 Police Crime Laboratory, Onondaga County Center for Forensic Sciences

00:46:12
02:24:39

Laboratory, Suffolk County Crime Laboratory, Suffolk County Office of the Medical Examiner Forensic Toxicology Laboratory, and Westchester County Department of Laboratories and Research Division of Forensic Toxicology were reviewed. Representatives from the laboratories were available in person or via Webex to respond to members' questions.

*Approximate
video times*

Ms. Glavin then thanked Natasha Harvin-Locklear for her work in support of the Commission and her continued service as the Ethics Officer.

02:25:54
02:26:25

Chair Rosado stated that the next meeting of the Commission will take place on December 13, 2024. Dr. Willey made a motion to adjourn the meeting, seconded by Dr. Buffolino and approved unanimously.

02:26:27
02:27:00

Note:

Video of the open meeting is available on YouTube.