



Commission on Forensic Science

December 2, 2022

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

Videoconference Locations:
505 South State Street, 4th Floor, Syracuse, NY 13202

9:02 AM – 9:42 AM

DRAFT MEETING MINUTES

Commission Members in Attendance:

Pasquale Buffolino, Ph.D.
Lydia de Castro
Jill Dooley, Ph.D.
William Fitzpatrick, Esq.
Jessica Goldthwaite, Esq.
Michael Marciano, Ph.D.
Hon. Angela Mazzarelli
Beverly Rauch¹
Michelli Schmitz
Ann Willey, Ph.D., J.D.

DCJS Staff in Attendance:

Dean Defruscio
Colleen Glavin, Esq.
Natasha Harvin-Locklear, Esq.
Shelley Palmer
Brianna Robinson
Lindsey Rockwell

Other Attendees:

Jennifer Alois – NYS DCJS Latent Print Laboratory
Andrea Lester – NYS DCJS Latent Print Laboratory
Raymond Valerio – Bronx District Attorney's Office

¹In accordance with the Open Meetings Law, Rauch will not be counted toward quorum and voting requirements. However, this does not affect the outcome of the meeting.

Dr. Dooley opened the meeting by stating that Commissioner Rosado was unable to attend the meeting. Dr. Dooley referred to the bylaws of the Commission, article 2 section 3, "When the Chairperson is absent from a meeting of the Commission, the Director of the Office of Forensic Services shall convene the meeting and shall act as Chairperson thereof". Dr. Dooley, acting as Chair, then took a roll call as the members were in attendance in New York, Albany and virtually. A quorum was established with 9 members (Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Schmitz, and Willey).	<i>Approximate video times</i> 00:00:40 00:01:54
Dr. Dooley requested a motion to approve the December 2, 2022, agenda. The motion to approve the agenda was made by Judge Mazzarelli, seconded by Dr. Buffolino, and approved unanimously with 9 votes.	00:01:55 00:02:51
Then, Dr. Dooley requested a motion to approve the minutes of the September 16, 2022, Commission meeting. Ms. Goldthwaite requested a minor change to the votes made for the September 16, 2022, agenda approval. The motion to approve the minutes, with the correction, was made by Ms. Goldthwaite. Dr. Buffolino seconded the motion, and it was approved unanimously with 9 votes (Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Schmitz, and Willey).	00:02:54 00:04:24
Dr. Dooley then walked the Commission through the Accreditation/Laboratory Updates. During this agenda item, matters regarding the Nassau County 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 Police Laboratory, NYS DCJS Latent Print Laboratory, Onondaga County Center for Forensic Sciences, and Westchester County Department of Public Safety were considered. Representatives from the laboratories were available in person or via WebEx to respond to members' questions.	00:04:30 00:23:10
The next agenda item was Old Business. Dr. Dooley provided the Commission members with a verbal update on the Familial Searching Program. The Program is still paused due to ongoing legal proceedings. Dr. Dooley stated that the brief was filed by the AG (Attorney General) and we are awaiting an oral argument date. Ms. Harvin-Locklear added that the DAs (District Attorneys) Association has filed an amicus brief on our behalf. Dr. Dooley then provided a reminder that in 2023, the ABFT accreditation program will begin to sunset. A brief update was given regarding the status of the following four laboratories transition from ABFT by the June 2023 deadline: Onondaga County Health Department Forensic Toxicology Laboratory, Nassau County Office of the Medical Examiner Toxicology Laboratory, NYC OCME Forensic Toxicology Laboratory, and Westchester County Department of Laboratories & Research Division of Forensic Toxicology. Additionally, the Erie County Medical Examiner's Office Forensic Toxicology Laboratory has applied for ANAB accreditation ahead of its June 2024 sunset date. Next, Ms. Harvin-Locklear gave a legal update regarding the status of the ISO 17020 regulation that goes into effect December 14, 2022. Finally, Ms. Goldthwaite requested future legal guidance addressing open vs executive session.	00:23:13 00:27:52
The Commission then reviewed disclosures from the Monroe County Crime Laboratory, New York City Police Department Police Laboratory, and Suffolk County Crime	00:27:57 00:36:45

Laboratory. Representatives from the laboratories were available via WebEx to respond to members' questions.

*Approximate
video times*

Prior to adjourning, Judge Mazzarelli requested the December 2, 2022, meeting agenda be updated to reflect the correct date for the next meeting, which is scheduled for March 10, 2023. A motion to adjourn was made by Mr. Fitzpatrick, seconded by Ms. Schmitz, and it was approved with 9 votes (Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Schmitz, and Willey).

00:37:14
00:39:55

Note:

Video of the open meeting is available at YouTube.



DNA Subcommittee

February 6, 2023

BRUCE S. WEIR, PH.D.
CHAIR
University of Washington

FREDERICK BIEBER, PH.D.
Harvard Medical School

KATHLEEN CORRADO, PH.D.
Syracuse University

KATHERINE GETTINGS, PH.D.
National Institute of Standards and Technology

KENNETH KIDD, PH.D.
Yale University School of Medicine

JENIFER SMITH, PH.D.
PRINCIPAL, BIOFORENSIC CONSULTING LLC

AMANDA C. SOZER, PH.D.
SNA International

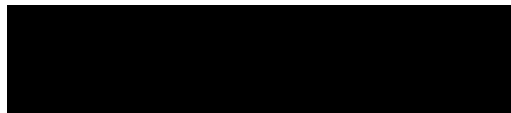
Rossana Rosado
Chair, Commission on Forensic Science
Division of Criminal Justice Services
80 South Swan Street
Albany, New York 12210

Dear Commissioner Rosado:

At the February 3, 2023, DNA Subcommittee meeting, members reviewed the final ANSI National Accreditation Board (ANAB) Assessment Report for the Nassau County Office of the Medical Examiner Division of Forensic Services.

The Subcommittee voted and approved to issue a binding recommendation to the Commission on Forensic Science to renew the New York State Accreditation of the Nassau County Office of the Medical Examiner Division of Forensic Services in the discipline of Biology for the period concurrent with their ANAB accreditation. This accreditation is valid until February 28, 2027.

Very truly yours,



Katherine Gettings, Ph.D.
Acting Chair, DNA Subcommittee

cc: Members of the Commission on Forensic Science
Jill Dooley, Ph.D., Director, OFS
Natasha Harvin-Locklear, Esq., Special Counsel



December 12, 2022

Pasquale Buffolino, Ph.D.
Nassau County Office of the Medical Examiner
Division of Forensic Services
1194 Prospect Avenue
Westbury, NY 11590

Dear Dr. Buffolino,

Congratulations! On December 11, 2022, ANAB renewed your organization's accreditation in the Field of Forensic Testing. This decision was based upon the documentation provided in the assessment report and in accordance with the recommendation of the Lead Assessor. ANAB is satisfied that your organization has met or exceeded the accreditation requirements and requirements of your own documented management system.

Accredited forensic service providers are expected to maintain the standards which were required to achieve accreditation and conform to [ANAB Terms and Conditions for Accreditation](#). The principal means used to monitor ongoing conformance include surveillance activities, proficiency testing reports submitted by approved test providers, and disclosure of significant events and nonconformities. The results of these monitoring activities will be considered when confirming the continuation of accreditation between assessments.

The planned surveillance activity and reassessment schedule is listed below:

- | | |
|----------------|------------------------------|
| • October 2023 | Surveillance Document Review |
| • October 2024 | Surveillance Assessment |
| • October 2025 | Surveillance Document Review |
| • October 2026 | Reassessment |

The provided ANAB accreditation symbol may be used to convey your accredited status. An accreditation symbol must not be used in any way which implies accreditation in any area outside of the scope of accreditation. If appropriate, the accreditation symbol may be used on your organization's website, reports, letterhead, business cards, and other official documents. Please refer to [PR 1018 Policy on Use of ANAB Accreditation Symbols and Claims of Accreditation Status](#) for all required information. This policy also provides information on your ability to use a combined mark that contains the ANAB accreditation symbol and the International Laboratory Accreditation Cooperation (ILAC) mark.

The report and an electronic version of accreditation documents are included with this letter.

Achieving accreditation is the result of an extensive commitment of resources and much preparation by the management and personnel of the entire organization. I commend the efforts of all who were involved in this achievement. On behalf of ANAB, I extend my sincere congratulations to you. If you have any questions or if ANAB might assist you in any way, please feel free to get in touch with us at qualitymatters@anab.org.

Sincerely,



Jami StClair
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: Karen Dooling, Assistant Director
ANAB Office



CERTIFICATE OF ACCREDITATION

The ANSI National Accreditation Board

Hereby attests that

Nassau County Office of the Medical Examiner

Division of Forensic Services

1194 Prospect Avenue, Westbury, New York 11590 USA

Fulfills the requirements of

ISO/IEC 17025:2017

ANAB Forensic Testing & Calibration AR 3125:2019

FBI Quality Assurance Standards for Forensic DNA Testing Laboratories:2020

In the field of

Forensic Testing

This certificate is valid only when accompanied by a current scope of accreditation document.

The current scope of accreditation can be verified at www.anab.org.



Pamela L. Sale, Vice President, Forensics

Expiry Date: 28 February 2027

Certificate Number: FT-0243





ANSI National Accreditation Board



SCOPE OF ACCREDITATION TO:
ISO/IEC 17025:2017
ANAB Forensic Testing & Calibration AR 3125:2019
FBI Quality Assurance Standards for Forensic DNA Testing Laboratories:2020

Nassau County Office of the Medical Examiner
Division of Forensic Services

1194 Prospect Avenue
Westbury, New York 11590 USA

FORENSIC TESTING

Expiry Date: 28 February 2027 Certificate Number: FT-0243

Discipline: Biology		
Component/Parameter	Item	Key Equipment/Technology
DNA Profile Determination	Short Tandem Repeat (STR) Y-Short Tandem Repeat (Y-STR)	Capillary Electrophoresis
Individual Characteristic Database	DNA Profile	National DNA Index System (NDIS)
Physical Comparison	DNA Profile	Software Program
Qualitative Determination	Body Fluid Epithelial Cell	Chemical General Microscopy Immunoassay

Discipline: Fire Debris and Explosives		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Fire Debris	Gas Chromatography Mass Spectrometry

Discipline: Firearms and Toolmarks		
Component/Parameter	Item	Key Equipment/Technology
Function Evaluation	Air Gun Firearm Silencer	Force Gauge Measuring Equipment Visual

Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition	General Microscopy Measuring Equipment Software Program Visual
Qualitative Determination	Ammunition Firearm	General Microscopy Reference Collection

Discipline: Friction Ridge		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Ridge Detail	Chemical Physical Software Program
Individual Characteristic Database	Ridge Detail	Next Generation Identification System (NGI)
Physical Comparison	Ridge Detail	Software Program Visual

Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Visual
Quantitative Measurement	Solid	Gas Chromatography Mass Spectrometry
Weight Measurement	Botanical Liquid Solid	Balance

When published on a forensic service provider's Scope of Accreditation, ANAB has confirmed the competence required to develop and validate methods and perform on-going quality assurance for accredited activities. For a listed component/parameter, the forensic service provider may add or modify methods for activities without formal notice to ANAB for items and key equipment/technology listed. Contact the forensic service provider for information on the method utilized for accredited work.

[Redacted Signature]

Pamela L. Sale
Vice President, Forensics



Nassau County Office of the Medical Examiner - Division of Forensic Services

2022 - 17025T - Reassessment

Prepared by Robyn Quinn

Data collected on 2022-10-11

ANSI National Accreditation Board

United States

Description

This assessment report summarizes the outcome of the recent accreditation activity. A separate document, the assessment plan, provides information on the type of activity (*e.g.*, reassessment, surveillance activity, scope extension), the date(s) of the activity, the assessment team members, the requirement documents and the scope by discipline that was assessed for each location. The assessment plan, together with this report, provides a complete picture of the accreditation activity.

The ANSI National Accreditation Board (ANAB) evaluated the competence of the forensic service provider and conformance with all applicable accreditation requirements for the scope of accreditation listed in the assessment plan. Objective evidence of implementation was assessed. The results of an assessment activity are based on a sample of records, locations, and personnel that were available at the time of the activity. Witnessing is an additional technique used in on-site activities.

REQUIREMENTS:

ISO/IEC 17025:2017 General requirements for the competence of testing and calibration laboratories & ANAB ISO/IEC 17025:2017 Forensic Science Testing and Calibration Laboratories Accreditation Requirements (AR 3125) evaluated over the accreditation cycle are summarized in the following broad categories:

General requirements related to the forensic service provider's commitment to impartiality and confidentiality in its activities.

Structural requirements related to the range of activities, management structure, the authority, roles and responsibilities of personnel. Documented procedures which ensure a consistent application of activities and the validity of results.

Resource requirements related to the impartiality of personnel. Requirements for a training program, competency testing, authorizations and ongoing monitoring to ensure the competence of personnel. Facility and security suitability for activities. Records and procedures for equipment to ensure proper functioning and where applicable, establishment of metrological traceability. Requirements for externally provided products and services.

Process requirements related to the handling of test and calibration items in a manner to maintain the integrity of the item. Requirements for chain-of-custody of items to be tested and appropriate methods and procedures. Ensuring the required performance of the methods along with monitoring the validity of the results. Requirements to ensure results are supported by sufficient technical records and are reported accurately, clearly, unambiguously and objectively. Procedures for nonconforming work and a documented process for handling complaints. Requirements related to the laboratory information management system protection and integrity of data and information.

Management system requirements related to policies and objectives appropriate for the scope of activities. Requirements to control internal and external documents and records. Requirements to address risks and opportunities and timely, well-documented corrective actions. Requirements for an internal audit program and management reviews.

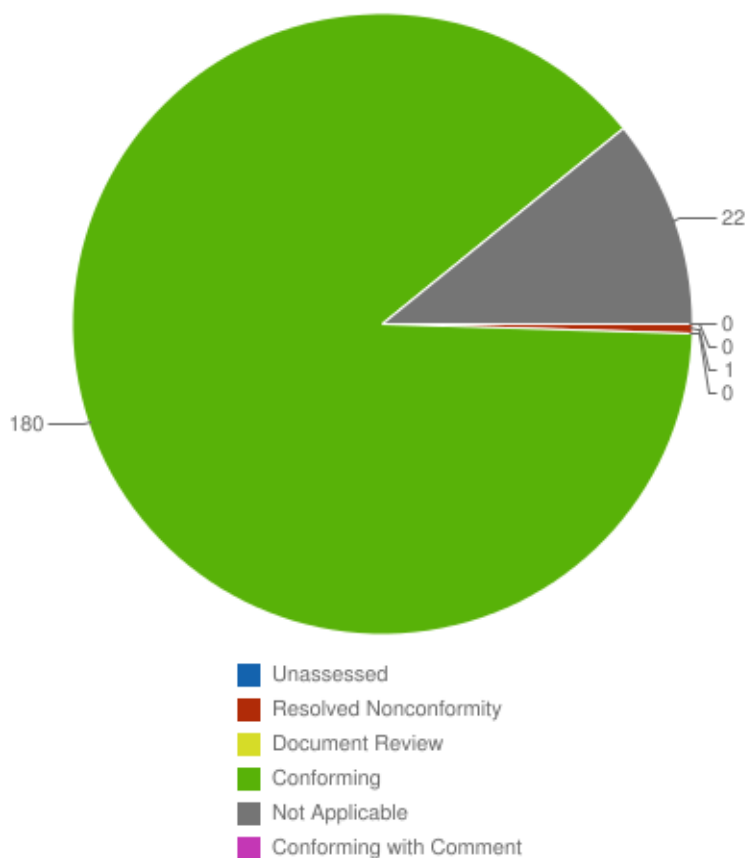
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

ASSESSMENT RESULT:

Based on the assessment techniques and sampling reviewed during the assessment activity, the assessment team found that the forensic service provider demonstrated competence to operate a management system that fulfills all applicable accreditation requirements, including those specified within their management system.

Any comments (opportunities for improvement) or nonconformities identified during this assessment activity are noted below. All nonconformities will be resolved prior to an accreditation decision by ANAB and a summary provided in a subsequent assessment activity report.

Summary of Comments



Audit Comments

8.1.1 General

8.1.1 ISO/IEC 17025:2017

Resolved Nonconformity

Requirement

Does the laboratory establish, document, implement and maintain a management system that is capable of supporting and demonstrating the consistent achievement of the requirements of this document and assuring the quality of the laboratory results? In addition to meeting the requirements of Clauses 4 to 7, does the laboratory implement a management system in accordance with Option A or Option B?

NOTE See Annex B for more information.

Comments

10/13/22: Additional review determined a portion of this nonconformity to be unsupported.

10/28/22: Nonconformity wording was revised to correct grammatical error.

Nonconformity Resolution Workflow

The Laboratory is not following the Nassau County Office of the Medical Examiner Division of Forensic Services Crime Laboratory - Quality Assurance Manual v2.5 (DC#: CL-SOP-01 QA 092222). This manual states that the laboratory shall communicate to the customer regarding items created and preserved for future testing. The Chemistry Section (Fire Debris Analysis) returns activated charcoal strips inside fire debris evidence containers. The Laboratory is not communicating to the customer that the activated charcoal strips are being returned to the customer inside fire debris evidence containers.

Corrective Action Closure Note: The laboratory evaluated the extent and cause of the nonconformity. The laboratory revised the fire

debris report template to communicate that repackaged and archived evidence will be returned. Records available to customers were revised to identify activated charcoal strips as archived evidence. The laboratory notified customers that activated charcoal strips were returned inside fire debris containers for past cases. This nonconformity is resolved.



January 17, 2023

Timothy D. Kupferschmid
New York City Office of Chief Medical Examiner
Department of Forensic Biology
421 East 26th Street, 13th Floor
New York, NY 10016

Dear Director Kupferschmid,


Congratulations! On January 16, 2023, ANAB approved the continuation of your organization's accreditation based upon the results of your recent surveillance activity. Continuation of accreditation is a formal acknowledgement that your organization continues to operate in conformance with accreditation requirements. The report was provided to you during the assessment activity.

The provided ANAB accreditation symbol(s) may be used to convey your accredited status. An accreditation symbol must not be used in any way which implies accreditation in any area outside of the scope of accreditation. If appropriate, the accreditation symbol may be used on your organization's website, reports, letterhead, business cards, and other official documents. Please refer to [PR 1018 Policy on Use of ANAB Accreditation Symbols and Claims of Accreditation Status](#) for all required information. This policy also provides information on your ability to use a combined mark that contains the ANAB accreditation symbol and the International Laboratory Accreditation Cooperation (ILAC) mark.

The next assessment activity is scheduled to be a Reassessment in October 2023.

Thank you for your ongoing commitment to quality and the accreditation process.

Sincerely,


Jill Spriggs
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: Meredith Rosenberg, Deputy Director of Forensic Biology
Kyra McKay, Laboratory Quality Manager
ANAB Office



December 28, 2022

Dr. Scott O'Neill
New York City Police Department
Police Laboratory
150-14 Jamaica Avenue
Jamaica, NY 11432

Dear Director O'Neill,

Congratulations! On December 23, 2023, ANAB approved the continuation of your organization's accreditation based upon the results of your recent surveillance activity. Continuation of accreditation is a formal acknowledgement that your organization continues to operate in conformance with accreditation requirements. The report was provided to you during the assessment activity.

The provided ANAB accreditation symbol may be used to convey your accredited status. An accreditation symbol must not be used in any way which implies accreditation in any area outside of the scope of accreditation. If appropriate, the accreditation symbol may be used on your organization's website, reports, letterhead, business cards, and other official documents. Please refer to [PR 1018 Policy on Use of ANAB Accreditation Symbols and Claims of Accreditation Status](#) for all required information. This policy also provides information on your ability to use a combined mark that contains the ANAB accreditation symbol and the International Laboratory Accreditation Cooperation (ILAC) mark.

The next assessment activity is scheduled to be a Surveillance Assessment the week of October 8, 2023.

Thank you for your ongoing commitment to quality and the accreditation process.

Sincerely,

Nita Bolz
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: Stephanie O'Shea, Quality Assurance Manager
ANAB Office



ANSI National Accreditation Board



**SCOPE OF ACCREDITATION TO:
ISO/IEC 17025:2017
ANAB Forensic Testing & Calibration AR 3125:2019**

New York City Police Department Police Laboratory
150-14 Jamaica Avenue
Jamaica, New York 11432

FORENSIC TESTING

Expiry Date: 31 March 2026

Certificate Number: FT-0251

Discipline: Document Examination		
Component/Parameter	Item	Key Equipment/Technology
Chemical/Physical Comparison	Content Document Fractured Item Stamp	General Microscopy Reference Collection Visual
Qualitative Determination	Content Copier Document Fractured Item Ink Printer Stamp Substrate Typewriter	General Microscopy Reference Collection Visual
Recovery	Content Document	Electrostatic Detection Device Visual

Discipline: Fire Debris and Explosives		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Explosive	Chemical Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microcrystalline

		Raman Spectroscopy Scanning Electron Microscopy X-ray Fluorescence Spectroscopy X-ray Powder Diffraction Spectroscopy
Qualitative Determination	Fire Debris	Gas Chromatography Mass Spectrometry

Discipline: Firearms and Toolmarks		
Component/Parameter	Item	Key Equipment/Technology
Distance Determination	Firearm Physical Item	Chemical General Microscopy Measuring Equipment
Function Evaluation	Firearm Silencer	Measuring Equipment Visual
Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition	General Microscopy Visual
Qualitative Determination	Firearm Metal Nitrate	Chemical General Microscopy Measuring Equipment Reference Collection
Serial Number Restoration	Physical Item	Chemical General Microscopy Magnetic Visual
Simulation	Other Information Physical Item	Not Applicable

Discipline: Friction Ridge		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Ridge Detail	Chemical Physical Software Program

Discipline: Impressions		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Footwear	Chemical Physical Software Program
Physical Comparison	Footwear	Software Program Visual
Qualitative Determination	Footwear	Reference Collection

Discipline: Materials (Trace)		
Component/Parameter	Item	Key Equipment/Technology
Chemical/Physical Comparison	Coating Fiber/Textile Fractured Item General Unknown Glass Polymer Tape	Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microcrystalline Microspectrophotometry Raman Spectroscopy Refractometry Scanning Electron Microscopy Ultraviolet Spectroscopy Visible Spectroscopy Visual X-ray Fluorescence Spectroscopy X-ray Powder Diffraction Spectroscopy
Qualitative Determination	Coating Fiber/Textile General Unknown Glass Gunshot Residue Hair Metal Tape	Chemical Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microcrystalline Raman Spectroscopy Reference Collection Refractometry Scanning Electron Microscopy Ultraviolet Spectroscopy Visible Spectroscopy Visual X-ray Fluorescence Spectroscopy X-ray Powder Diffraction Spectroscopy
Reconstruction	Other Information Physical Item	Not Applicable

Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy Liquid Chromatography Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Visual

Quantitative Measurement	Liquid Solid	Gas Chromatography Liquid Chromatography Mass Spectrometry
Weight Measurement	Botanical Liquid Solid	Balance

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Pamela L. Sale
Vice President, Forensics



New York City Police Department - Police Laboratory

2022 - 17025T - Surveillance Document Review

Prepared by Lynn Langford

Data collected on 2022-10-01

ANSI National Accreditation Board

United States

Description

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Process requirements related to the handling of test and calibration items in a manner to maintain the integrity of the item. Requirements for chain-of-custody of items to be tested and appropriate methods and procedures. Ensuring the required performance of the methods along with monitoring the validity of the results. Requirements to ensure results are supported by sufficient technical records and are reported accurately, clearly, unambiguously and objectively. Procedures for nonconforming work and a documented process for handling complaints. Requirements related to the laboratory information management system protection and integrity of data and information.

Management system requirements related to policies and objectives appropriate for the scope of activities. Requirements to control internal and external documents and records. Requirements to address risks and opportunities and timely, well-documented corrective actions. Requirements for an internal audit program and management reviews.

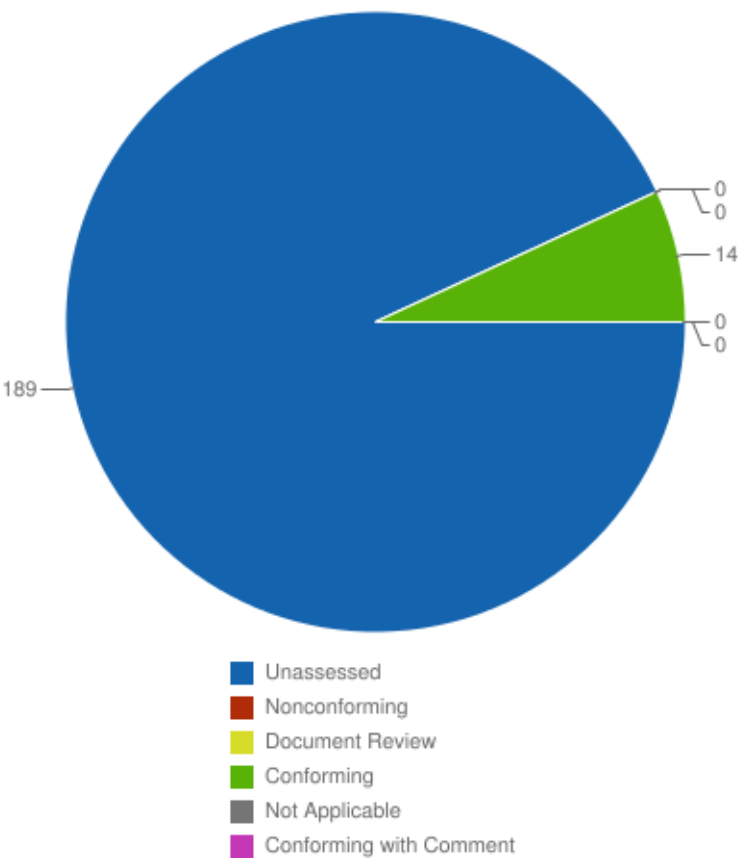
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ASSESSMENT RESULT:

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Any comments (opportunities for improvement) or nonconformities identified during this assessment activity are noted below. All nonconformities will be resolved prior to an accreditation decision by ANAB and a summary provided in a subsequent assessment activity report.

Summary of Comments



Audit Comments

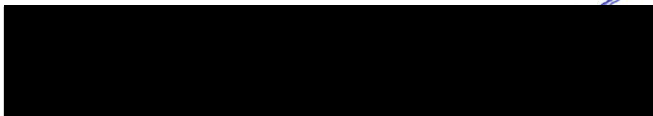


POLICE DEPARTMENT

December 1, 2022

To whom it may concern,

This letter is to inform you of a change in the New York City Police Department Police Laboratory's management. On November 30, 2022, Elyah Springer resigned as Deputy Director. I am the acting Deputy Director. If you have any questions, please feel free to contact me at 718-558-8875.



Dr. Scott O'Neill,
Assistant Commissioner



February 6, 2023

Ray Wickenheiser
New York State Police Crime Laboratory
1220 Washington Avenue, Bldg #30
Albany, NY 12226

Dear Director Wickenheiser,

Congratulations! On February 6, 2023, ANAB approved the continuation of your organization's accreditation based upon the results of your recent surveillance activity. Continuation of accreditation is a formal acknowledgement that your organization continues to operate in conformance with accreditation requirements. The report was provided to you during the assessment activity.

The provided ANAB accreditation symbol may be used to convey your accredited status. An accreditation symbol must not be used in any way which implies accreditation in any area outside of the scope of accreditation. If appropriate, the accreditation symbol may be used on your organization's website, reports, letterhead, business cards, and other official documents. Please refer to [PR 1018 Policy on Use of ANAB Accreditation Symbols and Claims of Accreditation Status](#) for all required information. This policy also provides information on your ability to use a combined mark that contains the ANAB accreditation symbol and the International Laboratory Accreditation Cooperation (ILAC) mark.

The next assessment activity is scheduled to be a Surveillance Assessment in January 2024.

Thank you for your ongoing commitment to quality and the accreditation process.

Sincerely,



Janet M. Girten
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: David M. Pulikowski, Director of Quality Assurance
ANAB Office



ANSI National Accreditation Board

**SCOPE OF ACCREDITATION TO:
ISO/IEC 17025:2017**

**ANAB Forensic Testing & Calibration AR 3125:2019
FBI Quality Assurance Standards for Forensic DNA Testing Laboratories:2020
FBI Quality Assurance Standards for DNA Databasing Laboratories:2020**

New York State Police Crime Laboratory
(see locations listed below)

FORENSIC TESTING

Expiry Date: 31 May 2026

Certificate Number: FT-0025

Forensic Investigation Center
1220 Washington Avenue
Albany, New York 12226 USA

Discipline: Biology		
Component/Parameter	Item	Key Equipment/Technology
DNA Profile Determination	Short Tandem Repeat (STR) Y-Short Tandem Repeat (Y-STR)	Capillary Electrophoresis
DNA Profile Determination (Database Samples)	Short Tandem Repeat (STR) Y-Short Tandem Repeat (Y-STR)	Capillary Electrophoresis
Individual Characteristic Database	DNA Profile	National DNA Index System (NDIS)
Physical Comparison	DNA Profile	Software Program
Qualitative Determination	Body Fluid Epithelial Cell	Chemical Fluorescence Spectroscopy General Microscopy Immunoassay

Discipline: Fire Debris and Explosives		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Fire Debris	Gas Chromatography Mass Spectrometry

Discipline: Firearms and Toolmarks		
Component/Parameter	Item	Key Equipment/Technology
Function Evaluation	Firearm	Measuring Equipment
Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition	General Microscopy Measuring Equipment Software Program Visual
Qualitative Determination	Ammunition Firearm Metal	Chemical General Microscopy Measuring Equipment Reference Collection
Serial Number Restoration	Physical Item	Chemical General Microscopy Magnetic Visual

Discipline: Friction Ridge		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Ridge Detail	Chemical Physical Software Program
Individual Characteristic Database	Ridge Detail	Next Generation Identification System (NGI)
Physical Comparison	Ridge Detail	Software Program Visual
Physical Comparison (Tenprint)	Ridge Detail	Software Program Visual

Discipline: Materials (Trace)		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Hair	General Microscopy

Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy

		Liquid Chromatography Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Ultraviolet Spectroscopy Visual
Quantitative Measurement	Botanical Liquid Solid	Gas Chromatography Liquid Chromatography Ultraviolet Spectroscopy
Volume Measurement	Liquid	Balance Volumetric Glassware
Weight Measurement	Botanical Liquid Solid	Balance

Discipline: Toxicology		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Ante-Mortem Biological Item Post-Mortem Biological Item	Gas Chromatography Immunoassay Liquid Chromatography Mass Spectrometry
Qualitative Determination (Volatiles)	Ante-Mortem Biological Item Post-Mortem Biological Item	Gas Chromatography Mass Spectrometry
Quantitative Measurement	Ante-Mortem Biological Item Post-Mortem Biological Item	Liquid Chromatography Mass Spectrometry
Quantitative Measurement (Volatiles)	Ante-Mortem Biological Item Post-Mortem Biological Item	Gas Chromatography

Mid-Hudson Satellite Crime Laboratory
224 Breunig Road
New Windsor, New York 12553 USA

Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy Liquid Chromatography Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Ultraviolet Spectroscopy Visual

Quantitative Measurement	Botanical Liquid Solid	Gas Chromatography Liquid Chromatography Ultraviolet Spectroscopy
Volume Measurement	Liquid	Balance Volumetric Glassware
Weight Measurement	Botanical Liquid Solid	Balance

Southern Tier Satellite Crime Laboratory
44 Park Street
Port Crane, New York 13833 USA

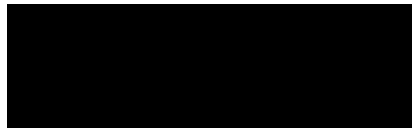
Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy Liquid Chromatography Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Ultraviolet Spectroscopy Visual
Quantitative Measurement	Botanical Liquid Solid	Gas Chromatography Liquid Chromatography Ultraviolet Spectroscopy
Volume Measurement	Liquid	Balance Volumetric Glassware
Weight Measurement	Botanical Liquid Solid	Balance

Western Satellite Crime Laboratory
722 Homer Street
Olean, New York 14760 USA

Discipline: Seized Drugs		
Component/Parameter	Item	Key Equipment/Technology
Qualitative Determination	Botanical Liquid Solid	Chemical Gas Chromatography General Microscopy Infrared Spectroscopy Liquid Chromatography

		Mass Spectrometry Raman Spectroscopy Thin-Layer Chromatography Ultraviolet Spectroscopy Visual
Quantitative Measurement	Botanical Liquid Solid	Gas Chromatography Liquid Chromatography Ultraviolet Spectroscopy
Volume Measurement	Liquid	Balance Volumetric Glassware
Weight Measurement	Botanical Liquid Solid	Balance

When published on a forensic service provider's Scope of Accreditation, ANAB has confirmed the competence required to develop and validate methods and perform on-going quality assurance for accredited activities. For a listed component/parameter, the forensic service provider may add or modify methods for activities without formal notice to ANAB for items and key equipment/technology listed. Contact the forensic service provider for information on the method utilized for accredited work.



Pamela L. Sale
Vice President, Forensics



New York State Police - Crime Laboratory

2023 - 17025T - Surveillance Document Review

Prepared by Lynn Langford

Data collected on 2023-01-01

ANSI National Accreditation Board

United States

Description

This assessment report summarizes the outcome of the recent accreditation activity. A separate document, the assessment plan, provides information on the type of activity (*e.g.*, reassessment, surveillance activity, scope extension), the date(s) of the activity, the assessment team members, the requirement documents and the scope by discipline that was assessed for each location. The assessment plan, together with this report, provides a complete picture of the accreditation activity.

The ANSI National Accreditation Board (ANAB) evaluated the competence of the forensic service provider and conformance with all applicable accreditation requirements for the scope of accreditation listed in the assessment plan. Objective evidence of implementation was assessed. The results of an assessment activity are based on a sample of records, locations, and personnel that were available at the time of the activity. Witnessing is an additional technique used in on-site activities.

REQUIREMENTS:

ISO/IEC 17025:2017 General requirements for the competence of testing and calibration laboratories & ANAB ISO/IEC 17025:2017 Forensic Science Testing and Calibration Laboratories Accreditation Requirements (AR 3125) evaluated over the accreditation cycle are summarized in the following broad categories:

General requirements related to the forensic service provider's commitment to impartiality and confidentiality in its activities.

Structural requirements related to the range of activities, management structure, the authority, roles and responsibilities of personnel. Documented procedures which ensure a consistent application of activities and the validity of results.

Resource requirements related to the impartiality of personnel. Requirements for a training program, competency testing, authorizations and ongoing monitoring to ensure the competence of personnel. Facility and security suitability for activities. Records and procedures for equipment to ensure proper functioning and where applicable, establishment of metrological traceability. Requirements for externally provided products and services.

Process requirements related to the handling of test and calibration items in a manner to maintain the integrity of the item. Requirements for chain-of-custody of items to be tested and appropriate methods and procedures. Ensuring the required performance of the methods along with monitoring the validity of the results. Requirements to ensure results are supported by sufficient technical records and are reported accurately, clearly, unambiguously and objectively. Procedures for nonconforming work and a documented process for handling complaints. Requirements related to the laboratory information management system protection and integrity of data and information.

Management system requirements related to policies and objectives appropriate for the scope of activities. Requirements to control internal and external documents and records. Requirements to address risks and opportunities and timely, well-documented corrective actions. Requirements for an internal audit program and management reviews.

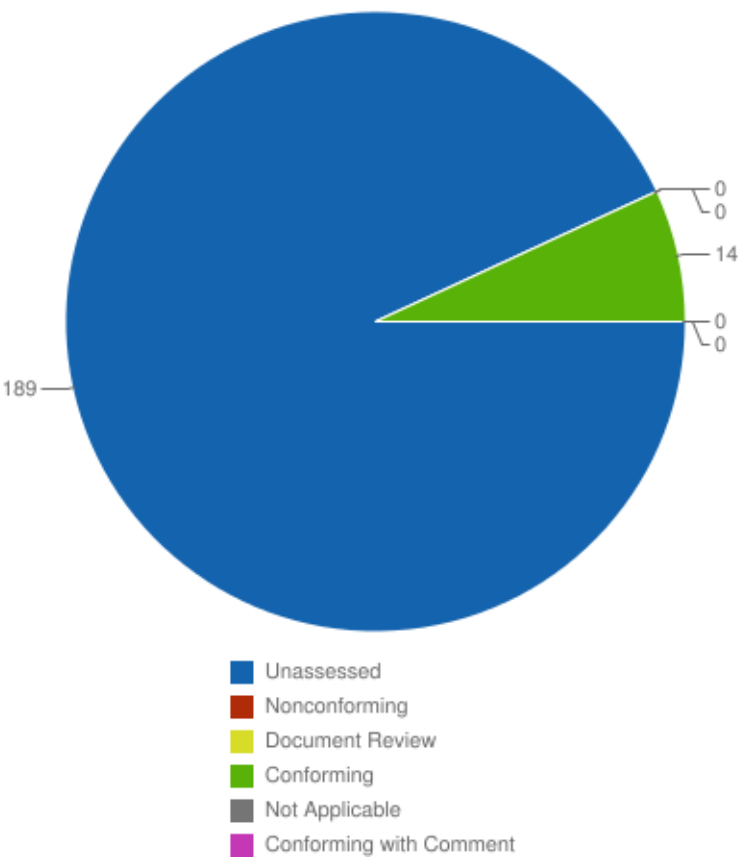
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

ASSESSMENT RESULT:

Based on the assessment techniques and sampling reviewed during the assessment activity, the assessment team found that the forensic service provider demonstrated competence to operate a management system that fulfills all applicable accreditation requirements, including those specified within their management system.

Any comments (opportunities for improvement) or nonconformities identified during this assessment activity are noted below. All nonconformities will be resolved prior to an accreditation decision by ANAB and a summary provided in a subsequent assessment activity report.

Summary of Comments



Audit Comments



Niagara County Sheriff's Office - Forensic Laboratory

2023 - 17025T - Surveillance Assessment

Prepared by Christopher Hamburg

Accreditation Manager - Forensics

Data collected on 2023-02-07

ANSI National Accreditation Board

United States

Description

This assessment report summarizes the outcome of the recent accreditation activity. A separate document, the assessment plan, provides information on the type of activity (*e.g.*, reassessment, surveillance activity, scope extension), the date(s) of the activity, the assessment team members, the requirement documents and the scope by discipline that was assessed for each location. The assessment plan, together with this report, provides a complete picture of the accreditation activity.

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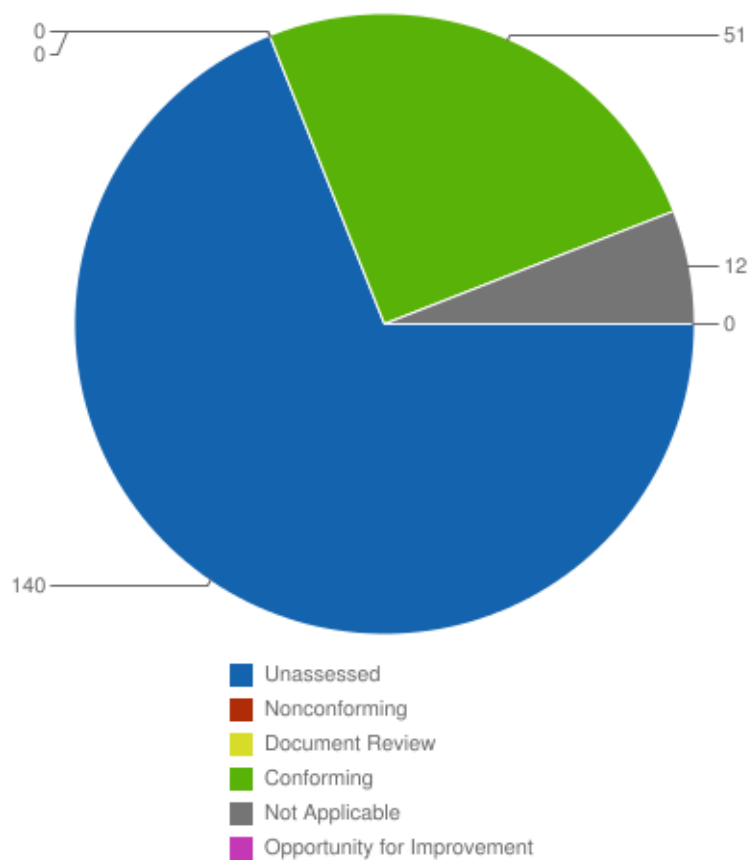
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Summary of Comments



Audit Comments

From: Christine R. Giffin <Christine.Giffin@niagaracounty.com>
Sent: Friday, February 10, 2023 12:11 PM
To: QualityMatters
Cc: dcjs.sm.forensiclabs
Subject: Section Supervisor Notification
Attachments: Dominic Graves - CV-2814-2.pdf

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

I am letting you know that the Niagara County Sheriff's Office Forensic Laboratory changed the Section Supervisor of our Seized Drug Analyst effective Wednesday, February 8, 2023. Our laboratory identifies him as Key Personnel. I have attached his resume for your consideration.

Thank you!

Christine R Giffin, MS

Director of Forensic Laboratory
Niagara County Sheriff's Office Forensic Laboratory
5526 Niagara Street Ext | Lockport, NY 14095-0495
E: Christine.Giffin@niagaracounty.com
P: (716) 438-3313 | F: (716) 438-3362

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From: Lehrer, Michael <michael.lehrer@suffolkcountyny.gov>
Sent: Tuesday, December 13, 2022 9:41 AM
To: dcjs.sm.forensiclabs
Cc: Dettling, Robert; Minden, Ed; Katz, Michael
Subject: Change of personnel

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good morning,

I am writing to inform you of personnel changes in our laboratory in February 2023.

Robert Dettling, Quality Assurance Manager will be retiring in February. Edward Minden will be assuming the QA/QC responsibilities.

Robert has started training Edward and will continue doing so during the next 2 months.

Please add Edward Minden (Edward.minden@suffolkcountyny.gov) to all pertinent e-mail communications to ensure that he's informed.

Robert Dettling has done a terrific job as QA manager and we expect that Edward will do the same.

Thanks,

Mike

Michael Lehrer, PhD, BCLD
Chief Toxicologist

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PROCEDURES FOR MEMBER VIDEOCONFERENCING PURSUANT TO PUBLIC OFFICERS LAW § 103-a – “EXTRAORDINARY CIRCUMSTANCES”

In compliance with Public Officers Law (POL) §103-a(2)(a), the Commission, following a public hearing, authorized by resolution on XX, 2023, the use of videoconferencing as described in POL §103-a.

The following procedures are hereby established to satisfy the requirement of POL §103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Commission members shall be physically present at any meeting of the Commission unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Chair of the Commission, or the Commissioner of the Division of Criminal Justice Services or his/her designee no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given.
4. If there is a quorum of members participating at a physical location(s) open to the public, the Commission may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Commission but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL §105, the Commission shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including, but not limited to, any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL §103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used; (ii) where the public can view and/or participate in such meeting; (iii) where required documents and records will be posted or available; and (iv) the physical location(s) for the meeting where the public can attend.
8. The Commission, which may require and receive from the Division of Criminal Justice Services any assistance as may be necessary to enable the Commission carry out its duties and functions, shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Division of Criminal Justice Services website (www.criminaljustice.ny.gov)

within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If members of the Commission are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Commission shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Commission shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.

10. Open meetings of the Commission conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL §103-a shall be broadcast pursuant to the requirements of POL §103(f) and shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, "disability" shall have the meaning defined in Executive Law §292.

11. The in-person participation requirements of POL §103-a(2)(c) shall not apply during a state disaster emergency declared by the Governor pursuant to Executive Law §28 if the Commission determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Commission to hold an in-person meeting.

12. The Commission may require and receive from the Division of Criminal Justice Services any assistance as may be necessary to enable the Commission carry out its duties and functions. These procedures shall be conspicuously posted on the Division of Criminal Justices website (www.criminaljustice.ny.gov).

Resolution No. _____
Commission on Forensic Science

WHEREAS, pursuant to Executive Law §995-a, there is hereby created a Commission on Forensic science (Commission); and

WHEREAS, pursuant to Executive Law §995-b(5), the Commission may require and receive from any agency of the State, including the Division of Criminal Justice Services, any assistance as may be necessary to enable the Commission to carry out its duties and functions; and

WHEREAS, as a public body the Commission is subject to the Open Meetings Law requirements; and

WHEREAS, by passing Chapter 56 of the Laws of 2022 ("Chapter 56"), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Commission to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Commission to adopt a resolution authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring "that a minimum number of members are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend"; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting "unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting"; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must be "heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon"; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the Division of Criminal Justice Services website within five business days, and transcribed upon request; and

WHEREAS, pursuant to Section 103-a(2)(h), if videoconferencing is used to conduct a meeting, the Commission shall provide the opportunity for members of the public to view such meeting via video and to participate in proceedings via videoconference in real time where public comment or participation is authorized, and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.

WHEREAS, per the Committee on Open Government, public bodies are still permitted to conduct its meetings at multiple physical locations from which members of the body may participate if those locations are open to in-person public attendance, regardless of extraordinary circumstances. The intent of the amendments to the Open Meetings Law was to expand the authority of a public body to allow its members to participate in a meeting using videoconferencing under limited circumstances when the member's location is not open to in-person public attendance. It was not the intent to limit the existing authority to virtually connect multiple public locations from which members and the public may attend through the use of videoconferencing technology.

THEREFORE, BE IT RESOLVED, that the Commission authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and

BE IT FURTHER RESOLVED, that the Commission shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022, which shall be incorporated into its by-laws.