



Commission on Forensic Science

September 16, 2020

**Division of Criminal Justice Services
Virtual Meeting¹**

9:13 AM – 2:07 PM

DRAFT MEETING MINUTES

Commission Members in Attendance:

Michael Green, Esq., Chair
Lydia de Castro
Superintendent Keith Corlett
Jill Dooley, Ph.D.
Hon. William Fitzpatrick, Esq.
David Loftis, Esq.
Hon. Angela Mazzarelli
Hon. Scott McNamara, Esq.
Scott O'Neill, Ph.D.
Benjamin Ostrer, Esq.
Anne Walsh, Ph.D., M.D.
Ann Willey, Ph.D., J.D.

DCJS Staff in Attendance:

Natasha Harvin-Locklear, Esq.
Shelley Palmer
Jackalynne Vimislik

Chairman Green opened the meeting with a roll call to establish a quorum due to members of the Commission being in attendance from their own locations. A quorum was present with 12 members in attendance (Corlett, de Castro, Dooley, Fitzpatrick, Green, Loftis, Mazzarelli, McNamara, O'Neill, Ostrer, Walsh, and Willey).

*Approximate
video times*

00:00:00 –
00:04:45

¹ Due to the Coronavirus (COVID-19), and pursuant to Governor Cuomo's Executive Order 202.1, issued on March 12, 2020, suspending the Open Meetings Law and **authorizing the attendance of meetings telephonically or other similar service.**

*Approximate
video times*

A motion to approve the September 16, 2020 agenda was requested by the Chair, made by Mr. Fitzpatrick, seconded by Mr. Ostrer and approved unanimously.

00:04:45 -
00:06:19

The Chair then asked Commission members for questions or comments on the minutes from the June 5, 2020 Commission meeting. Judge Mazzairelli suggested an edit to amend a typographical error. Mr. Ostrer made a motion to accept the minutes with the mentioned edit, Judge Mazzairelli seconded the motion, and it was approved with eleven votes for, and one abstention (Willey).

00:06:19 -
00:08:18

Laboratory accreditation items and updates were then considered for the Erie County Central Police Services Laboratory, Erie County Medical Examiner's Office Toxicology Laboratory, Monroe County Office of the Medical Examiner Toxicology Laboratory, Nassau County Office of the Medical Examiner Toxicology Laboratory, New York City OCME Department of Forensic Toxicology, New York City Police Department Police Laboratory, New York State DCJS Latent Print Laboratory, Niagara County Sheriff's Office Forensic Laboratory, Onondaga County Center for Forensic Sciences, Onondaga County Department of Forensic Toxicology, Suffolk County Crime Laboratory, Suffolk County OCME Toxicology Laboratory, Westchester County Division of Forensic Sciences, Westchester County Division of Forensic Toxicology, Westchester County Department of Public Safety Crime Laboratory, and the Yonkers Police Department Forensic Science Laboratory. Representatives from the laboratories were available via Web-Ex to respond to members' questions. Dr. Graham Jones of American Board of Forensic Toxicologists (ABFT) was available via Web-Ex to discuss the accreditation extensions granted due to the limitations of laboratory inspections during the pandemic.

00:08:18 -
00:59:17

Chairman Green requested a motion to grant an extension of NYS accreditation to be concurrent with the extension of accreditation granted by ABFT for the Erie County Medical Examiner's Office Toxicology Laboratory. Mr. Fitzpatrick made the motion, it was seconded by Judge Mazzairelli, and approved with eleven votes for, and one abstention (Willey).

00:22:50
00:24:04

Chairman Green requested a motion to grant an extension of NYS accreditation to be concurrent with the extension of accreditation granted by ABFT for the Monroe County Office of the Medical Examiner Toxicology Laboratory. Judge Mazzairelli made the motion, it was seconded by Dr. Dooley, and approved unanimously.

00:24:04
00:25:31

Chairman Green requested a motion to grant an extension of NYS accreditation to be concurrent with the extension of accreditation granted by ABFT for the Suffolk County OCME Toxicology Laboratory. Mr. Ostrer made the motion, it was seconded by Mr. Loftis, and approved unanimously.

00:51:51
00:53:05

The Chair then moved to Old Business. Dr. Dooley provided Commission members with a verbal update on Familial Searching. Next, Dr. Walsh provided Commission members with an update on investigative genetic genealogy. Dr. O'Neill then provided

00:59:17
01:56:30

Commission members with a summary of the discussion with NYCLAC regarding Discovery law, Marihuana/Hemp/THC quantitation, as well as COVID, and current events.

*Approximate
video times*

Commission members then had a brief discussion regarding both the Partial Match and Familial Search Policies. A motion to accept the binding recommendation provided by the DNA Subcommittee at their August meeting was made by Mr. Fitzpatrick, seconded by Judge Mazzarelli, and approved with ten votes for, zero votes against, and two abstentions (Loftis, Ostrer). Last under Old Business, Commission members had a discussion regarding the forensic laboratory accreditation program.

01:56:30
02:11:23

The Chair then moved to New Business where Commission members discussed a letter submitted by the NYS Biology Technical Working Group (BIOTWG). A motion was made by Chairman Green to request a written response from the DNA Subcommittee as to whether they feel any action should be taken by laboratories regarding the BIOTWG letter. Mr. Loftis seconded the motion, and it was unanimously approved with ten votes (Mazzarelli left the meeting and Willey was having technical difficulties).

02:11:20 –
02:46:40

Next item on the agenda was Laboratory Disclosures. The Commission reviewed disclosures from the New York City Police Department Police Laboratory, New York State Police Crime Laboratory, Onondaga County Center for Forensic Sciences, Suffolk County Crime Laboratory, and the Westchester County Division of Forensic Toxicology. Representatives from the laboratories were available via Web-Ex to respond to members' questions.

02:46:40 –
03:03:40

The Chair then requested a motion to enter into 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 person. Mr. Ostrer made the motion, which was seconded by Mr. Loftis, and approved unanimously.

03:03:40
03:04:59

The Commission adjourned into Executive Session. Commission members present were: Green, Corlett, de Castro, Dooley, Fitzpatrick, Loftis, McNamara, O'Neill, Ostrer, Walsh and Willey. The Commission discussed a complaint and voted to conduct a further investigation into said complaint. Chairman Green made a motion, which was seconded by Mr. Fitzpatrick, and approved with ten votes for, and one abstention (de Castro). Executive Session commenced at 12:23 PM and concluded at 2:05 PM. The Commission reconvened the Open Meeting.

03:04:59
03:06:08

The next meeting is scheduled for December 11, 2020. A motion to adjourn was made by Dr. O'Neill, seconded by Mr. McNamara, and approved unanimously with ten votes (Ostrer had left the meeting).

03:06:08
03:06:31

Note:

Video of the open meeting is available at YouTube.

Received by OFS
10/29/2020



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

2020 - 17025T - Surveillance Assessment

Prepared by Lisa Burdett

Data collected on 2020-10-21

ANSI National Accreditation Board

United States

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.

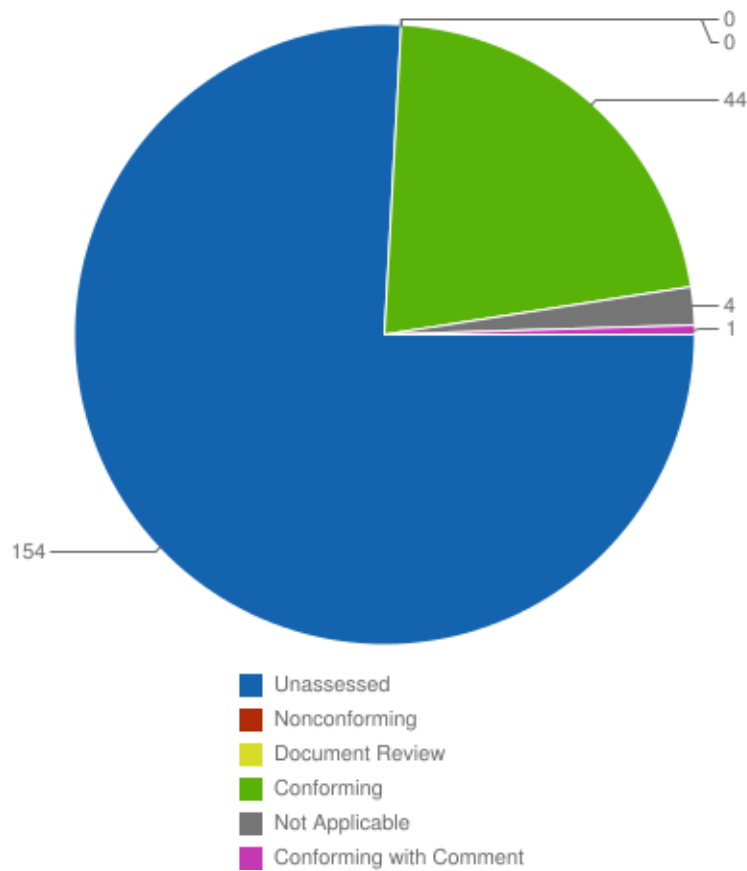
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

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

7.8.5 Reporting sampling - specific requirements

7.8.5.d).1 ANAB Accreditation Requirement

Conforming with Comment : 0

Requirement

If statistical sampling is used, does the report contain the confidence level and corresponding inference regarding the population?

Comments

The laboratory does have a statistical sampling plan and does use a simplified report process. The laboratory would benefit from clarifying the statement regarding statistical sampling with the addition of the sampling method.

Received by OFS
10/31/20



**New York City Office of the Chief Medical Examiner - Department
of Forensic Biology**

2020 - 17025T - Surveillance Document Review

Prepared by Michael Hurley

Certified Lead Assessor

Data collected on 2020-10-01

ANSI National Accreditation Board

United States

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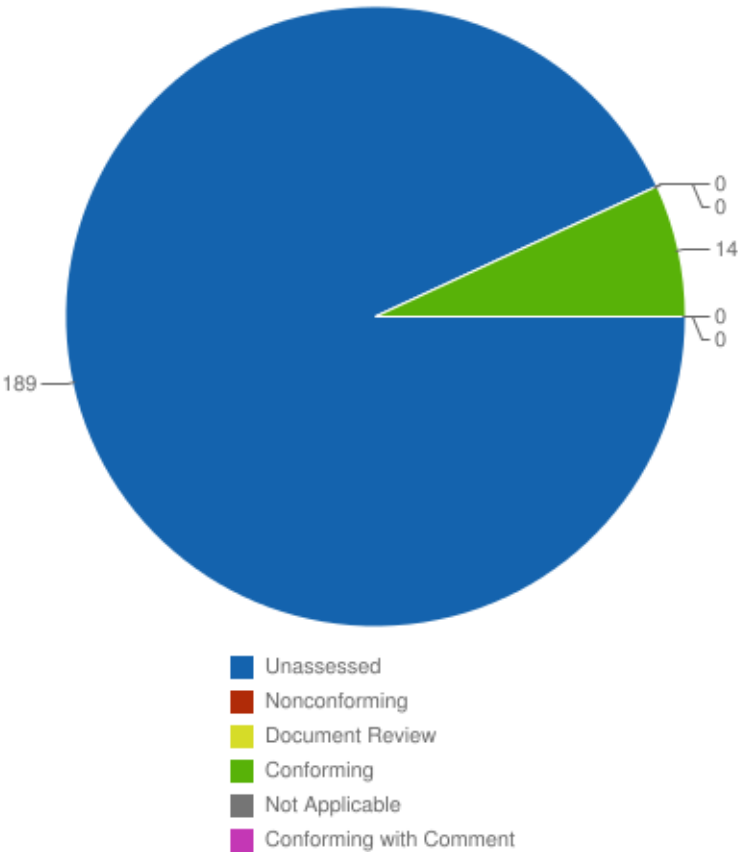
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Summary of Objective Evidence



Audit Objective Evidence



Received by OFS
10/08/2020

October 8, 2020

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

Dear Director O'Neill,

Congratulations! On September 3, 2020, ANAB granted an extension of scope in the Field of Forensic Testing in the Materials (Trace) discipline. Based on your organizational history, ANAB is comfortable that your organization will continue to meet or exceed the accreditation requirements and requirements of your own documented management system for this extension of scope.

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 will be a Surveillance Document Review in November 2020.

Sincerely,



Nina Boiz
Senior Manager of Accreditation
ANSI National Accreditation Board

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

Received by OFS
10/08/2020



CERTIFICATE OF ACCREDITATION

The ANSI National Accreditation Board

Hereby attests that

**New York City Police Department
Police Laboratory**

150-14 Jamaica Avenue, Jamaica, New York 11432 USA

Fulfills the requirements of

ISO/IEC 17025:2017

ANAB Forensic Testing & Calibration AR 3125:2019

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: 31 March 2022
Certificate Number: FT-0251





Received by OFS
10/08/2020

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 2022

Certificate Number: FT-0251

Discipline: Document Examination		
Component/Parameter	Item	Key Equipment/Technology
Chemical/Physical Comparison	Content Document Fractured Item Stamp	General Microscopy Infrared Spectroscopy Reference Collection Ultraviolet Spectroscopy Visible Spectroscopy Visual
Product (Make/Model) Determination	Copier Ink Printer Substrate Typewriter	General Microscopy Reference Collection Visual
Qualitative Determination	Content Document Fractured Item Stamp	General Microscopy Infrared Spectroscopy Reference Collection Ultraviolet Spectroscopy Visible Spectroscopy 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 Chromatograph 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	Dead Weight Measuring Equipment Visual
Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition	General Microscopy Visual
Product (Make/Model) Determination	Ammunition Firearm	General Microscopy Measuring Equipment Reference Collection
Qualitative Determination	Metal Nitrate	Chemical General Microscopy
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

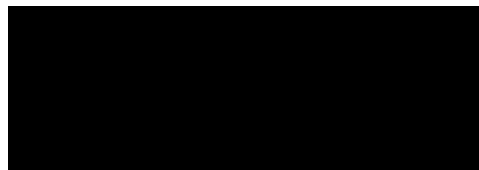
Discipline: Impressions		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Footwear	Chemical Physical Software Program
Physical Comparison	Footwear	Software Program Visual
Product (Make/Model) Determination	Footwear	Reference Collection

Discipline: Materials (Trace)		
Component/Parameter	Item	Key Equipment/Technology
Chemical/Physical Comparison	Coating Fiber/Textile Fractured Item General Unknown Glass Tape	Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microspectrophotometry Raman Spectroscopy Refractometry Scanning Electron Microscopy Ultraviolet Spectroscopy Visible Spectroscopy Visual X-Ray Fluorescence Spectroscopy X-Ray Powder Diffraction Spectroscopy
Product (Make/Model) Determination	Paint	Reference Collection

Qualitative Determination	Blood Coating Fiber/Textile General Unknown Glass Gunshot Residue Hair Tape	Chemical Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Raman Spectroscopy 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 Thin-Layer Chromatography Visual
Quantitative Determination	Botanical Liquid Solid	Gas Chromatography Liquid 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.



Pamela L. Sale
Vice President, Forensics



DNA Subcommittee

Received by OFS
11/18/2020

November 18, 2020

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

FREDERICK BIEBER, PH.D.
Harvard Medical School

ALLISON EASTMAN, PH.D.
Forensic DNA Consulting, LLC

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

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

JENIFER SMITH, PH.D.
D.C. Department of Forensic Sciences

AMANDA C. SOZER, PH.D.
SNA International

Michael C. Green, Esq.
Chair, Commission on Forensic Science
Division of Criminal Justice Services
80 South Swan Street
Albany, New York 12210

Dear Commissioner Green:

At the November 6, 2020 DNA Subcommittee meeting, members reviewed the final ANSI National Accreditation Board (ANAB) Assessment Report and renewal of accreditation documents for Onondaga County Center for Forensic Sciences Laboratory. 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 Onondaga County Center for Forensic Sciences Laboratory in the discipline of Biology for the period concurrent with their ANAB accreditation. This accreditation is valid until January 31, 2025.

Very truly yours,



Chair, DNA Subcommittee

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



Received by OFS
10/15/2020

October 12, 2020

Kathleen Corrado, Ph.D.
Onondaga County Center for
Forensic Sciences Laboratory
100 Elizabeth Blackwell Street
Syracuse, New York 13210

Dear Dr. Corrado,

Congratulations! On October 09, 2020 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.

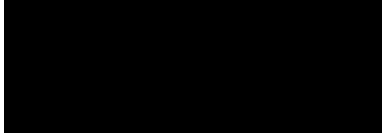
The planned surveillance activity and reassessment schedule is listed below:

- | | |
|------------------|------------------------------|
| • September 2021 | Surveillance Document Review |
| • September 2022 | Surveillance Assessment |
| • September 2023 | Surveillance Document Review |
| • September 2024 | 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 was provided to you during the assessment activity. An electronic version of accreditation documents is included with this letter. Printed versions of accreditation documents will be sent via common carrier.

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.



Nita Bolz
Sr. Manager of Accreditation
ANSI National Accreditation Board

cc: Kathleen Hum, Quality Assurance Manager
ANAB Office

Received by OFS
10/14/2020



CERTIFICATE OF ACCREDITATION

The ANSI National Accreditation Board

Hereby attests that

**Onondaga County Center for
Forensic Sciences Laboratory**
100 Elizabeth Blackwell Street, Syracuse, New York 13210 USA

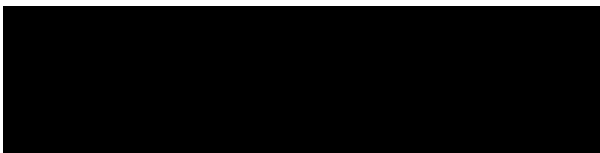
Fulfills the requirements of

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.



Expiry Date: 31 January 2025
Certificate Number: FT-0229





Received by OFS
10/16/2020

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

Onondaga County Center for Forensic Sciences Laboratory

100 Elizabeth Blackwell Street
Syracuse, New York 13210 USA

FORENSIC TESTING

Expiry Date: 31 January 2025

Certificate Number: FT-0229

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: Digital and Video/Imaging Technology and Analysis		
Component/Parameter	Item	Key Equipment/Technology
Acquisition/Extraction	Digital Data	Software Program
Content Analysis	Digital Data	Software Program Visual

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
Distance Determination	Firearm Physical Item	Chemical General Microscopy Measuring Equipment
Function Evaluation	Firearm	Measuring Equipment Visual
Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition	General Microscopy Visual
Product (Make/Model) Determination	Ammunition Firearm	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

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

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Pamela L. Sale
Vice President, Forensics

Received by OFS
09/25/2020



Onondaga County Center for Forensic Sciences Laboratory

2020 - 17025 - Reassessment

Prepared by Deedra Hughes

Data collected on 2020-09-21

ANSI National Accreditation Board

United States

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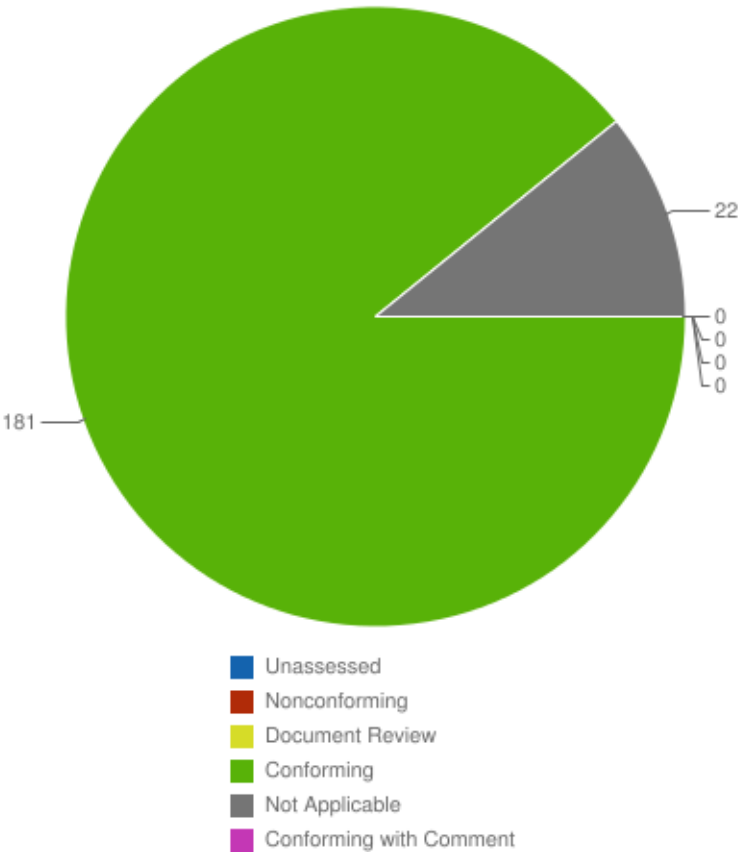
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ASSESSMENT RESULT:

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

From: [Kathleen Corrado](#)
To: dcjs.sm.forensiclabs
Cc: [Kathleen Hum](#)
Subject: Notification of change in laboratory director
Date: Monday, October 26, 2020 8:50:26 AM

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

DCJS Forensic Services:

This email is to notify your agency that I will be retiring from my position as Laboratory Director effective October 30, 2020. The Onondaga County Health Commissioner has appointed Kathleen Hum, our current Quality Assurance Manager, as Interim Director effective October 31, 2020 until a permanent replacement can be determined. Kathleen Hum will also still continue in her role as Quality Assurance Manager for the laboratory during this time. Kathleen Hum may be reached at phone number [REDACTED]

It has been my pleasure to work with your agency during my tenure at the CFS and I thank you for all of the work you do for the forensic labs in New York State.

Sincerely,
Kathy

Kathleen Corrado, Ph.D.
Director of Laboratories
Onondaga County Center for Forensic Sciences
100 Elizabeth Blackwell Street
Syracuse, New York 13210

[REDACTED]

CONFIDENTIALITY NOTICE: The information contained in this email is confidential information and may be privileged and exempt from disclosure. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the e-mail is strictly prohibited. If you have received this email in error, please immediately destroy all copies and attachments and notify this office by replying to this message or by calling [REDACTED]



Received by OFS
10/02/2020

October 2, 2020

Robert Genna
Suffolk County Crime Laboratory
725 Veterans Memorial Highway
Hauppauge, New York 11788


Dear Director Genna,

Congratulations, ANAB has 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 Reassessment in August 2021.

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



Nita Bolz
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: Constance Dinkel, Quality Manager
ANAB Office

Received by OFS
10/02/2020



CERTIFICATE OF ACCREDITATION

The ANSI National Accreditation Board

Hereby attests that

Suffolk County Crime Laboratory
725 Veterans Memorial Highway, Hauppauge, New York 11788 USA

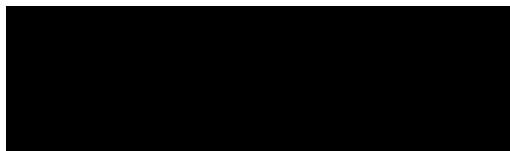
Fulfills the requirements of

ISO/IEC 17025:2017
ANAB Forensic Testing & Calibration AR 3125:2019
FBI Quality Assurance Standards for Forensic DNA Testing Laboratories:2011

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: 31 December 2021
Certificate Number: FT-0219



SCOPE OF ACCREDITATION TO:
ISO/IEC 17025:2017
ANAB Forensic Testing & Calibration AR 3125:2019
FBI Quality Assurance Standards for Forensic DNA Testing Laboratories:2011

Suffolk County Crime Laboratory

725 Veterans Memorial Highway
Hauppauge, New York 11788 USA

FORENSIC TESTING

Expiry Date: 31 December 2021 Certificate Number: FT-0219

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	Chemical General Microscopy Immunoassay

Discipline: Bloodstain Pattern Analysis		
Component/Parameter	Item	Key Equipment/Technology
Area of Convergence/Origin Determination	Stain	Imaging
Bloodstain Pattern Classification	Stain	Visual
Reconstruction	Inspection/Test Result Other Information Physical Item	Not Applicable

Discipline: Document Examination		
Component/Parameter	Item	Key Equipment/Technology
Chemical/Physical Comparison	Content Document Fractured Item Stamp Substrate	General Microscopy Infrared Spectroscopy Reference Collection Software Program Visual
Product (Make/Model) Determination	Ink	Visual
Recovery	Content Document	Electrostatic Detection Device Infrared Spectroscopy Software Program Ultraviolet Spectroscopy Visible Spectroscopy Visual

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
Distance Determination	Firearm Physical Item	Chemical General Microscopy Measuring Equipment
Function Evaluation	Firearm	Measuring Equipment Visual
Individual Characteristic Database	Ammunition	National Integrated Ballistic Information Network (NIBIN)
Physical Comparison	Ammunition Fractured Item Tool/Toolmark	General Microscopy Visual
Serial Number Restoration	Physical Item	Chemical General Microscopy Visual
Trajectory Determination	Inspection/Test Result Physical Item	Not Applicable

Discipline: Impressions		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Footwear Tire	Chemical Physical Software Program
Physical Comparison	Footwear Tire	Software Program Visual
Product (Make/Model) Determination	Footwear Tire	Reference Collection

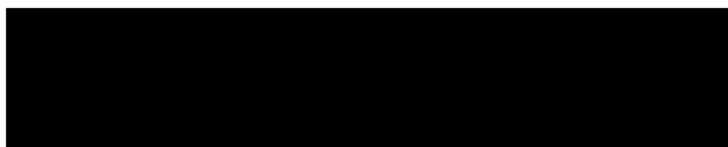
Discipline: Materials (Trace)		
Component/Parameter	Item	Key Equipment/Technology
Chemical/ Physical Comparison	Coating Fiber/Textile Fractured Item General Unknown Glass Hair Metal Polymer Tape	Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microspectrophotometry Refractometry Scanning Electron Microscopy X-ray Fluorescence Spectroscopy
Qualitative Determination	Coating Fiber/Textile Filament General Unknown Glass Gunshot Residue Hair Metal Polymer Tape	Energy Dispersive Spectroscopy Gas Chromatography General Microscopy Infrared Spectroscopy Mass Spectrometry Microspectrophotometry Refractometry Scanning Electron Microscopy X-ray Fluorescence Spectroscopy
Product (Make/Model) Determination	Paint	Reference Collection
Serial Number Restoration	Physical Item	Chemical General Visual

Discipline: Scene Investigation		
Component/Parameter	Item	Key Equipment/Technology
Field Sampling	Physical Item	Not Applicable
Enhancement	Physical Item	Chemical Physical
Qualitative Determination	Body Fluid	Chemical
Reconstruction	Inspection/Test Result	Not Applicable

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

Received by OFS
11/2/2020



**Westchester County Department of Laboratories & Research
Division of Forensic Science**

2020 - 17025T - Reassessment

Prepared by Amanda Julian

Data collected on 2020-10-06

ANSI National Accreditation Board

United States

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.

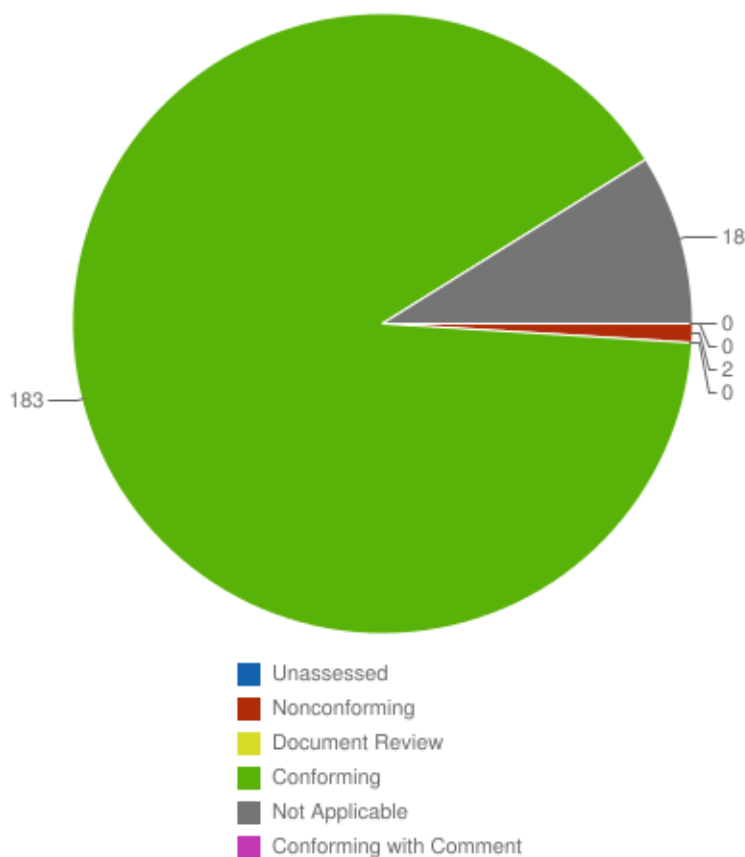
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

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 Objective Evidence



Audit Objective Evidence

7.7 Ensuring the validity of results

7.7.2.1 ANAB Accreditation Requirement

Nonconforming

Requirement

Does the process for monitoring performance by comparison with results of other forensic service providers at a minimum:

- ensure successful completion of at least one proficiency test for each discipline prior to accreditation being granted in that discipline? and
- ensure each location on the scope of accreditation successfully completes, per calendar year, at least one proficiency test for each discipline in which accredited services are provided, with authorized release of the test results to ANAB from the test provider?

NOTE 1 Accreditation occurs in the discipline of Toxicology in both Calibration and Testing. The above requirements apply to the Testing scope of accreditation and Calibration scope of accreditation separately.

NOTE 2 For proficiency tests taken at the end of one calendar year, evaluation of successful completion can occur in the subsequent calendar year.

Nonconformity Resolution Workflow

No proficiency test for the Scene Investigation discipline was taken where test results were authorized for release to ANAB from a test provider in 2019.

Due Date & Responsible Party : Amanda Julian until 2020-12-08 (Nonconformity Resolution Workflow not completed)

Requirement

To satisfy the proficiency test requirements in clauses 7.7.2.1.a) and b), did the forensic service provider:

- a) where available and appropriate for the work conducted, use a proficiency test provider that is accredited to ISO/IEC 17043 by an accreditation body that is a signatory to the APAC MRA or IAAC MLA and has the applicable proficiency test(s) on its scope of accreditation? or
- b) where not available or not appropriate for the work conducted, gain approval from ANAB for alternative means by which the laboratory's performance can be assessed? and
- c) submit results to the proficiency test provider, if applicable, on or before the agreed upon due date?

Nonconformity Resolution Workflow

The proficiency test provider used in the Digital and Video/Imaging Technology and Analysis discipline is not accredited to ISO/IEC 17043 nor was approval sought from ANAB for alternative means to assess the laboratory's performance.

Due Date & Responsible Party : Amanda Julian until 2020-12-08 (Nonconformity Resolution Workflow not completed)

George Latimer
County Executive

Department of Laboratories and Research
Aleksandar Milovanovic, M.D.
Pathologist-Deputy Medical Examiner

November 2, 2020


Commissioner Michael Green
New York State Division of Criminal Justice Services
Alfred E. Smith State Office Building
80 South Swan Street
Albany, NY 12210

Dear Commissioner Green:

This is to inform you of a change in management at the Westchester County Department of Laboratories and Research, Division of Forensic Science. As of Monday, November 2, 2020, the following appointments are in effect:

Lydia de Castro – Director of Forensic Science
Jennifer A. Reilly – Senior Forensic Scientist (Quality Manager)

Respectfully,


Aleksandar Milovanovic, M.D.
Pathologist-Deputy Medical Examiner

AM:lal



DNA Subcommittee

November 13, 2020

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

FREDERICK BIEBER, Ph.D.
Harvard Medical School

ALLISON EASTMAN, Ph.D.
Forensic DNA Consulting, LLC

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

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

JENIFER SMITH, Ph.D.
D.C. Department of Forensic Sciences

AMANDA C. SOZER, Ph.D.
SNA International

Michael C. Green, Esq.
Chair, Commission on Forensic Science
Division of Criminal Justice Services
80 South Swan Street
Albany, New York 12210

Dear Commissioner Green:

At the November 6, 2020 DNA Subcommittee meeting, members reviewed your letter dated September 21, 2020 requesting the Subcommittee to provide a written explanation as to whether or not further action regarding the STRMix Software issue, originally discussed at the Subcommittee's August meeting, is needed. The Subcommittee also reviewed a letter dated October 26, 2020, from Commission member Mr. David Loftis, which included many detailed questions regarding the STRMix Software issue.

After discussing both letters, the Subcommittee made a motion and voted to provide Mr. Loftis's letter to the STRMix Software developer, ESR, for a formal written response and to ask ESR for their internal paper regarding this issue.

The Subcommittee will review and discuss these materials at its next meeting on February 5, 2021. At that time, the Subcommittee will provide the Commission with a response as to whether further action is needed.

Very truly yours,

Bruce Weir, Ph.D.
Chair, DNA Subcommittee

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



Commission on Forensic Science

Received by OFS
09/22/2020

September 21, 2020

MICHAEL C. GREEN, ESQ.

CHAIR
New York State Division of Criminal
Justice Services

PASQUALE BUFFOLINO, PH.D.

Nassau County Office of the Medical
Examiner Division of Forensic Services

LYDIA DE CASTRO

New York City Office of the Chief Medical
Examiner

HONORABLE WILLIAM J. FITZPATRICK

Onondaga County District Attorney

DAVID LOFTIS, ESQ.

Legal Aid Society

HONORABLE SCOTT D. MCNAMARA

Oneida County District Attorney

HONORABLE ANGELA M. MAZZARELLI

Appellate Division, First Department

SCOTT O'NEILL, PH.D.

New York City Police Department Police
Laboratory

BENJAMIN OSTRER, ESQ.

Ostrer & Associates

ANNE WALSH, M.D., PH.D.

New York State Department of Health

ANN WILLEY, J.D., PH.D.

HOWARD ZUCKER, M.D., J.D.

New York State Department of Health

Bruce Weir, Ph.D.
Chair, New York State DNA Subcommittee
c/o NYS Division of Criminal Justice Services
80 South Swan Street
Albany, New York 12210

Dear Dr. Weir:

At the September 16, 2020 meeting of the Commission on Forensic Science (Commission), the Commission reviewed a letter dated August 3, 2020, from the Biology Technical Working Group (BIOTWG) regarding an issue with the STRMix software. An aspect of the high posterior density (HPD) method was not giving the desired 99% coverage.

It is the Commission's understanding that the DNA Subcommittee (Subcommittee) spoke with the developer of the software at its August 14, 2020 meeting. The Commission would like the Subcommittee to provide a written explanation as to whether further action by either the Subcommittee or the Commission should or should not be taken.

Thank you and the members of the Subcommittee for your cooperation with this matter.

Very truly yours,

Michael C. Green
Chair

Enclosures

cc: Members of the DNA Subcommittee
Members of the Commission on Forensic Science
Natasha Harvin-Locklear, Esq., Special Counsel