



**May 13, 2022**

**Division of Criminal Justice Services  
Virtual Meeting<sup>1</sup>**

**10:02 AM – 11:44 AM**

## **DRAFT MEETING MINUTES**

### **DNA Subcommittee Members in Attendance:**

Frederick Bieber, Ph.D.  
Katherine Gettings, Ph.D.  
Ken Kidd, Ph.D.  
Jenifer Smith, Ph.D.  
Bruce Weir, Ph.D.

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

Dean Defruscio  
Jill Dooley  
Colleen Glavin  
Natasha Harvin-Locklear  
Shelley Palmer  
Brianna Robinson  
Elizabeth Suparmanto

Dr. Weir opened the meeting by stating that the DNA Subcommittee is conducting its meeting virtually. Dr. Weir then conducted a roll call for attendance as the members of the Subcommittee attended from their own locations. A quorum was established with 5 members present (Bieber, Gettings, Kidd, Smith, and Weir; Eastman and Sozer were absent).

*Approximate  
video times*

00:00:00 –  
00:01:15

Dr. Weir then asked for a motion to approve the agenda. A motion to approve the agenda was made by Dr. Smith, seconded by Dr. Kidd, and approved unanimously.

00:01:15 –  
00:02:05

The Chair then asked Subcommittee members for questions or comments on the minutes from the February 4, 2022, meeting of the Subcommittee. Dr. Gettings made a motion to accept the minutes, Dr. Smith seconded the motion, Dr. Kidd abstained. The motion passed.

00:02:05 –  
00:03:11

<sup>1</sup> Due to the Coronavirus (COVID-19), and pursuant to Chapter 56 of the Laws of 2022 authorizing the meetings of any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation, or a committee or subcommittee or other similar body of such entity to be held remotely by conference call or similar service.

	<i>Approximate Video Times</i>
<p>Next, the Subcommittee reviewed Accreditation/Laboratory updates from the Erie County Central Police Services Forensic Laboratory, Monroe County Crime Laboratory, New York State Police Crime Laboratory, and Onondaga County Center for Forensic Science. Representatives from the laboratories were available to answer questions as needed.</p>	00:03:20 – 00:24:10
<p>During Accreditation/Laboratory updates, the Subcommittee reviewed the final documentation from the ANAB reaccreditation assessment activity of the Erie County Central Police Services Forensic Laboratory. The Chair called for a motion to issue a binding recommendation to the Commission on Forensic Science to renew the New York State Accreditation of the Erie County Central Police Services Forensic Laboratory in the discipline of Biology for the period concurrent with its ANAB accreditation to expire August 31, 2026. Dr. Smith made the motion, Dr. Kidd seconded the motion, and the motion was approved unanimously.</p>	00:03:20 – 00:07:55
<p>The Subcommittee also reviewed the final documentation from the ANAB reaccreditation assessment activity of the New York State Police Crime Laboratory. The Chair called for a motion to issue a binding recommendation to the Commission on Forensic Science to renew the New York State Accreditation of the New York State Police Crime Laboratory in the discipline of Biology for the period concurrent with its ANAB accreditation to expire May 31, 2026. Dr. Bieber made the motion, Dr. Gettings seconded the motion, and the motion was approved unanimously.</p>	00:08:49 – 00:22:20
<p>The Chair then moved to Old Business. A verbal update was provided on the Partial Match and Familial Search programs. During the Familial Search update, the Subcommittee discussed the May 5, 2022, First Judicial Department in the Appellate Division ruling in the Matter of Stevens et. al., v. The New York State Division of Criminal Justice Services, the New York State Commission on Forensic Science, and the DNA Subcommittee of the New York State Commission on Forensic Science. The members expressed concern with the decision. Dr. Bieber made a motion for the Subcommittee to ask the Commission on Forensic Science to formulate and write to the Attorney General of New York to urge her to file an appeal forthwith and communicate the willingness of the Subcommittee to assist with preparing technical documentation. Dr. Smith seconded the motion, which was approved unanimously.</p>	00:24:10– 00:43:50
<p>There were no updates regarding CODIS Bulletins. Finally, the Subcommittee discussed a memorandum from the BIOTWG addressing the questions posed at the February meeting regarding proficiency testing. BIOTWG co-chair Craig O'Connor was available to address the memo and additional questions of the Subcommittee.</p>	00:44:03 – 00:56:32
<p>Next, the Subcommittee reviewed a laboratory disclosure from the New York City OCME Department of Forensic Biology.</p>	00:56:37 – 00:59:48
<p>Dr. Weir then requested a motion to enter Executive Session to discuss matters relating to a current investigation or matters that may lead to the appointment, promotion, demotion, discipline, or suspension of a person. Dr. Bieber made the motion, which was seconded by Dr. Smith and approved unanimously.</p>	00:59:51 – 01:01:50

*Approximate  
video times*

The Subcommittee adjourned into Executive Session with all present members in attendance. The Subcommittee discussed ongoing investigations, and no action was taken. Executive Session commenced at 11:12 AM and concluded at 11:41 PM. The Subcommittee reconvened the Open Meeting.

The Chair stated that no action was taken in Executive Session. Dr. Weir wanted to revisit his comments from earlier in the meeting regarding statistical calculations and reporting. He then made a motion to form a working group of 2 or 3 Subcommittee members to work in conjunction with the BIOTWG to examine the current procedures for calculating and reporting statistical strength of DNA evidence. Dr. Smith seconded the motion, and it was approved unanimously. The next meeting of the Subcommittee will take place on August 5, 2022, with the location to be determined. A motion to adjourn was made by Dr. Gettings, seconded by Dr. Smith, and approved unanimously.

01:01:50 –  
01:04:03

**Note: Video of the meeting is available at <https://www.youtube.com/user/nyspublicsafety>**