



Commission on Forensic Science

September 16, 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
1220 Washington Ave, Albany, NY 12226

9:06 AM – 12:04 PM

DRAFT MEETING MINUTES

Commission Members in Attendance:

Rossana Rosado, Chair
Superintendent Kevin P. Bruen
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 Rauch
Michelli Schmitz
Ann Willey, Ph.D., J.D.

DCJS Staff in Attendance:

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

Other Attendees:

Jennifer Alois – NYS DCJS Latent Print Laboratory
 Sgt. James Harrison – Westchester County Department of Public Safety Crime Laboratory
 Andrea Lester – NYS DCJS Latent Print Laboratory

*Approximate
video times*

Chair Rosado opened the meeting by introducing the new member, Beverly Rauch. Ms. Rauch will fill the role of forensic scientist with experience in quality standards on the committee. Chair Rosado then took a moment to acknowledge the passing of commission member Benjamin Ostrer. Commission members Dooley, Goldthwaite, and Schmitz, each spoke in remembrance of Mr. Ostrer's service to the Commission and dedication to the citizens of New York State. Chair Rosado then took a roll call as the members were in attendance in New York, Albany and virtually. A quorum was established with 12 members (Rosado, Bruen, Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch¹, Schmitz, and Willey).

00:00:52
00:07:22

Chair Rosado requested a motion to approve the September 16, 2022, agenda. Lydia de Castro requested a minor change to the date of the agenda. The motion to approve the agenda with the correction was made by Mr. Fitzpatrick, seconded by Ms. Goldthwaite, and approved unanimously with 12 votes.

00:07:25
00:08:47

Then, Chair Rosado requested a motion to approve the minutes of the June 3, 2022, Commission meeting. The motion was made by Dr. Buffolino, Dr. Dooley seconded the motion, and it was approved unanimously with 12 votes.

00:08:55
00:09:50

Chair Rosado asked Dr. Dooley to walk the Commission through the Accreditation/Laboratory Updates. During this agenda item, matters regarding the Monroe County Crime Laboratory, Niagara County Sheriff's Office Forensic Laboratory, Westchester County Department of Labs and Research Division of Forensic Sciences, Westchester County Department of Public Safety, Yonkers Police Department Forensic Science Laboratory, and Suffolk County Crime Laboratory were considered. Representatives from the laboratories were available in person or via WebEx to respond to members' questions.

00:09:52
00:19:16

The Commission reviewed the Monroe County Crime Laboratory ANAB re-accreditation assessment documentation and the binding recommendation of the DNA Subcommittee. Dr. Buffolino made a motion to accept the binding recommendation of the DNA Subcommittee to renew the New York State Accreditation of the Monroe County Crime Laboratory in the discipline of Biology and renew full New York State Accreditation for a period concurrent with their ANAB accreditation. Dr. Marciano seconded the motion, and it was approved with unanimously with 12 votes.

00:10:15
00:14:26

¹ Due to the timing of the expiration of the State of Emergency and Open Meetings Law suspension, and the date of the meeting, Rauch's location was not disclosed. Accordingly, in 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.

Next the Commission reviewed the Westchester County Department of Public Safety ANAB renewal of accreditation assessment documentation. Dr. Buffolino made for a motion to renew the laboratory's New York State Accreditation. Ms. Schmitz seconded, and it was approved it was approved with 11 votes (Rosado, Bruen, Buffolino, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch, Schmitz, and Willey) and 1 abstention (de Castro).

00:15:39
00:18:03

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 briefs are being filed and reviewed. Ms. Glavin mentioned that oral arguments are anticipated early in 2023 and followed up with a decision several weeks after that. Dr. Dooley stated there has been no additional applications or progress and no reporting of results.

00:19:20
00:21:55

The next agenda item was New Business. Ms. Schmitz discussed a letter submitted by NYCLAC regarding the interpretation of a recent change in Executive Law Section 995, which has removed a previous exemption of Latent Fingerprints from the definition of a forensic laboratory.

00:22:00
00:29:15

The Commission then reviewed disclosures from the Erie County Medical Examiner Forensic Toxicology Laboratory, Monroe County Crime Laboratory, New York City Police Department Police Laboratory, New York State Police Crime Laboratory, Onondaga County Center for Forensic Sciences, Suffolk County Crime Laboratory, Suffolk County Office of the Medical Examiner Toxicology Laboratory, and Westchester County Department of Labs and Research Division of Toxicology. Representatives from the laboratories were available via WebEx to respond to members' questions.

00:29:20
01:06:38

Chair Rosado then requested a motion to enter Executive Session to discuss matters relating to a current investigation or matters that may lead to the appointment, promotion, demotion, discipline, or suspension of a person. Dr. Dooley made the motion, which was seconded by Ms. de Castro, and it was approved with 11 votes (Rosado, Bruen, Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Schmitz, and Willey) and 1 abstention (Rauch).

01:06:52
01:08:34

The Commission adjourned into Executive Session. Present were Commission members Rosado, Bruen, Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch, Schmitz, and Willey. The Commission took no action and reconvened the open meeting at 12:01pm.

Mr. Fitzpatrick made a motion requesting a letter to be sent to the Niagara County Sheriff authored by Commissioner Rosado, strongly suggesting that the Sheriff advertise and hire a quality assurance manager for the Niagara County Sheriff's Office Forensic Laboratory. Additionally, that Commissioner Rosado or Dr. Dooley communicate to ANAB the Commission's concerns regarding Niagara before their next on-site visit in February of 2023. The motion was seconded by Judge Mazzarelli, and it was approved with 10 votes

01:09:17
01:10:58

(Rosado, Bruen, Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, and Willey) and 2 abstentions (Rauch and Schmitz).

*Approximate
video times*

The next meeting is scheduled for December 2, 2022. A motion to adjourn was made by Dr. Dooley, seconded by Dr. Buffolino, and it was approved with 11 votes (Rosado, Bruen, Buffolino, de Castro, Dooley, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Schmitz and Willey) and 1 abstention (Rauch).

01:11:04
01:12:12

Note:

Video of the open meeting is available at YouTube.



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

2022 - 17025T - Surveillance Document Review

Prepared by Terry Mills

Data collected on 2022-10-01

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.

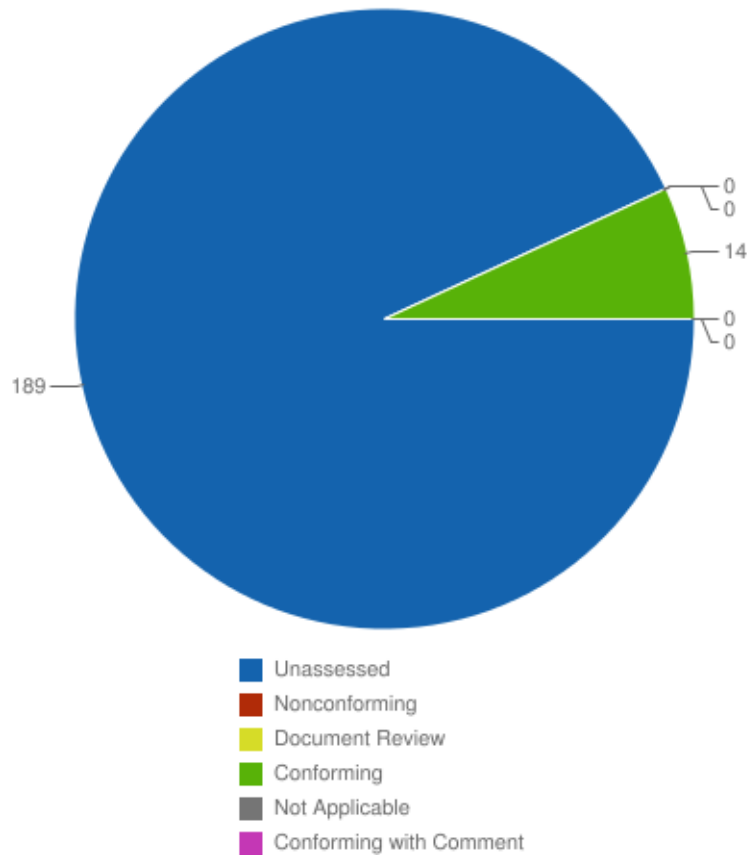
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

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



NYC
**Office of Chief
Medical Examiner**

Timothy D. Kupferschmid, MBA, MFS
Chief of Laboratories
Charles S. Hirsch Center for Forensic Sciences
421 East 26th Street
New York, New York 10016
Telephone: 212-323-1300 Fax: 212-323-1590
Email: tkupferschmid@ocme.nyc.gov
Official Website: www.nyc.gov/ocme

October 14, 2022

Rossana Rosado, Commissioner
Division of Criminal Justice Services
Alfred E. Smith Office Building
80 South Swan Street
Albany, NY 12210
Via Rossana.Rosado@dcjs.ny.gov

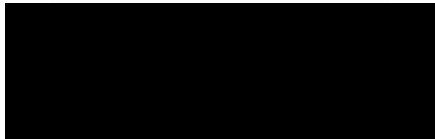


Dear Commissioner Rosado:

I am writing to inform the New York State Commission on Forensic Science that Donald Siegel, Ph.D. will be taking on the role of Technical Leader of the Molecular Serology program, effective immediately. While not a role that is required because serology does not fall under the FBI Quality Assurance Standard for Forensic DNA Testing Laboratories, the OCME feels it is prudent to name a technical authority over our new program.

Thank you and please do not hesitate to let me know if you have questions or wish to discuss this matter.

Sincerely,



Timothy D. Kupferschmid, MBA, MFS

c: Jill Dooley, Director, DCJS Office of Forensic Services
forensiclabs@dcjs.ny.gov
anab@anab.org, ANSI National Accreditation Board (ANAB)



NYC
**Office of Chief
Medical Examiner**

Dr Gail Cooper, Director of Forensic Toxicology

Department of Forensic Toxicology
520 First Avenue, New York NY 10016

Telephone: 212-447-2642 **Fax:** 212-447-6062

Email: gcooper@ocme.nyc.gov

Official Website: www.nyc.gov/ocme



Rossana Rosado
Chair, New York State Commission on Forensic Science
Executive Deputy Commissioner, New York State Division of Criminal Justice Services
Alfred E. Smith Building
80 South Swan St.
Albany, New York 12210

September 15, 2022

Dear Ms. Rosado,

I am writing to inform the New York State Commission on Forensic Science that Ms. Justine Pardi, previously Criminalist IV (Supervisor) has been officially promoted today to Assistant Director of Forensic Toxicology at the New York City Office of Chief Medical Examiner, effective since Sunday July 31st, 2022.

I attach a copy of her curriculum vitae for your reference.

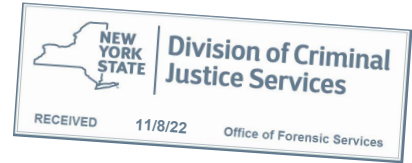
Yours Sincerely,

Dr Gail Cooper BSc MSc PhD CChem FRSC FHEA

Director of Forensic Toxicology



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

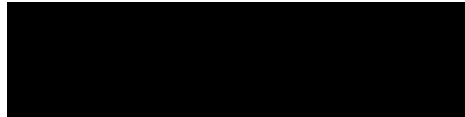
Discipline: Impressions		
Component/Parameter	Item	Key Equipment/Technology
Enhancement	Footwear	Chemical Physical Software Program
Physical Comparison	Footwear	Software Program Visual
Qualitative Determination	Footwear	Reference Collection

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 Determination	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



November 16, 2022

Andrea Lester
New York State Division of Criminal Justice Services
Latent Print Laboratory
80 South Swan Street
Albany, New York 12210

Dear Director Lester,

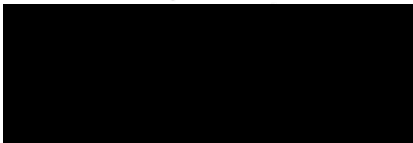
Congratulations! On November 15, 2022, ANAB approved the continuation of your organization's accreditation based upon the results of your recent surveillance activity. Continuation of accreditation is a formal acknowledgement that your organization continues to operate in conformance with accreditation 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 Document Review in November 2023.

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

Sincerely,



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

cc: Jennifer Alois, Quality Manager
ANAB Office



New York State Division of Criminal Justice Services - Latent Print Laboratory

2022 - 17025T - Surveillance Assessment

Prepared by Mike Healy

Audit Date

2 Nov, 2022

Data collected on 2022-11-02

ANSI National Accreditation Board

United States

Description

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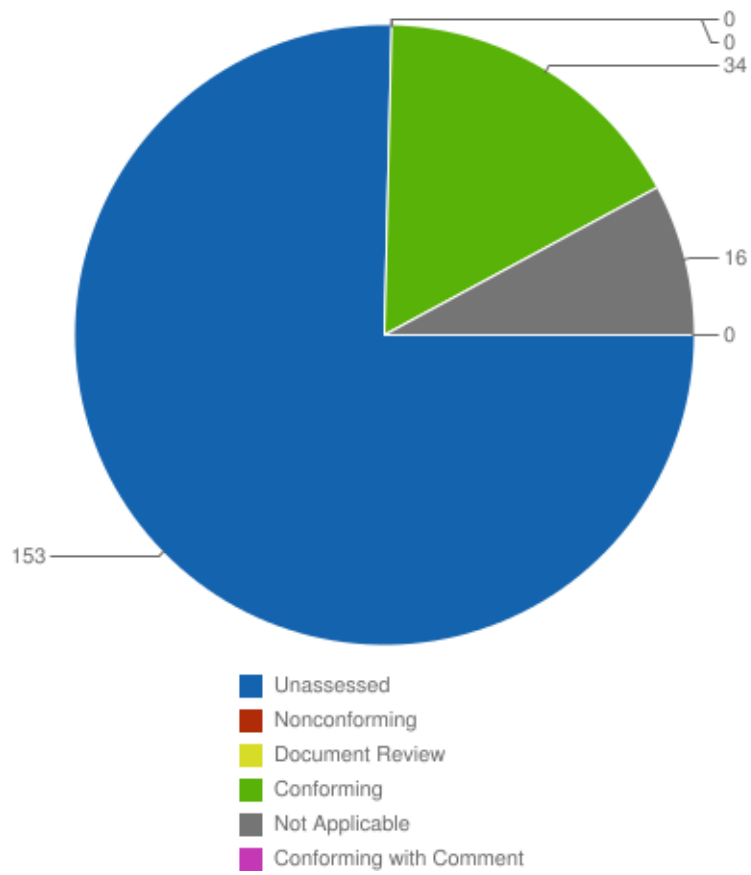
The accreditation activity also evaluates forensic science provider's conformance with their own management system requirements.

ASSESSMENT RESULT:

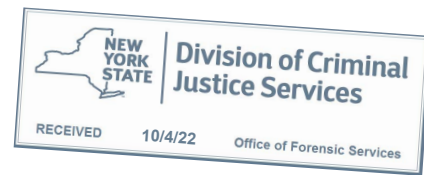
Based on the assessment techniques and sampling reviewed during the assessment activity, the assessment team found that the forensic service provider demonstrated competence to operate a management system that fulfills all applicable accreditation requirements, including those specified within their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



October 4, 2022

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

Dear Director Ho,

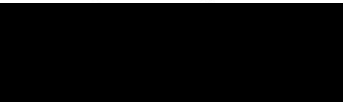
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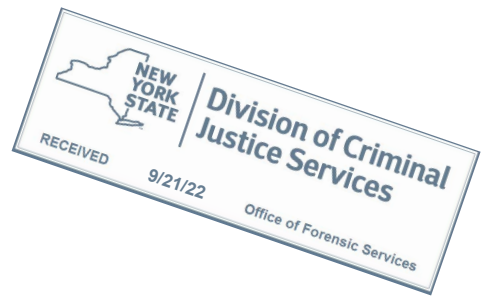
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Sincerely,


Nita Bolz
Senior Manager of Accreditation
ANSI National Accreditation Board

cc: Kathleen Hum, Quality Assurance Manager
ANAB Office



Onondaga County Center for Forensic Sciences Laboratory

2022 - 17025T - Surveillance Assessment

Prepared by Lisa Burdett

Data collected on 2022-09-14

ANSI National Accreditation Board

United States

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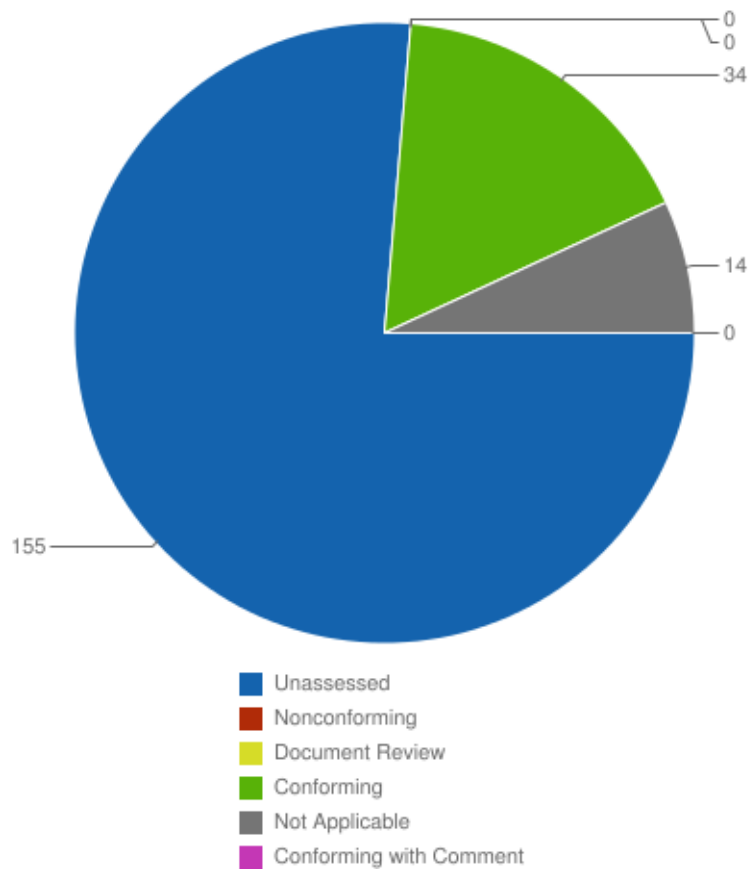
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Summary of Comments



Audit Comments

dcjs.sm.forensiclabs

From: Harrison Jr., James G <jghj@westchestergov.com>
Sent: Monday, November 14, 2022 8:29 PM
To: dcjs.sm.forensiclabs; QualityMatters
Cc: jjh8@westchestergov.com; Palanzo, James; van der Meulen, Richard; Harrison Jr., James G
Subject: Lab Management /Org chart change at WC DPS CL Cert #FT-0169

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

To whom it may concern:

Our Laboratory is reporting that we are changing the structure of our Management. Namely our Assistant Laboratory Director, Lieutenant James Palanzo, has been reassigned to other Police Duties per the needs of our Parent Organization, and within the Westchester County Police Department. Lt. Palanzo served with distinction in his capacity as Assistant Lab Director and his performance was admirable. It is unclear at this time if the Laboratory will fill his vacancy; you will be notified should this occur. The structure of our Management is now:

- Laboratory Director: Sergeant James Harrison
- Quality Assurance Manager: Detective Richard van der Meueln

Please contact me if any further information is needed.

Respectfully,

Sgt. James Harrison #3017
Laboratory Director / WC DPS Crime Laboratory
Commanding Officer / Forensic Investigations Unit
Westchester County Police Dept. Detective Division
work: (914)-231-4031
jghj@westchestergov.com

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