



## Commission on Forensic Science

**March 15, 2024**

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

**Videoconference Locations:**

445 Hamilton Ave., Suite 1203, White Plains  
The Legal Aid Society, 199 Water St., Room 3023, Manhattan  
666 Old Country Road, Suite 700, Garden City  
Nassau County Crime Laboratory, 1194 Prospect Ave., Westbury

**9:07 AM – 1:15 PM**

### **DRAFT MEETING MINUTES**

**Commission Members in Attendance:**

Pasquale Buffolino, Ph.D.  
James Chithalen, Ph.D.<sup>1</sup>  
Lydia de Castro  
Jill Dooley, Ph.D.  
Steven Epstein, Esq.  
William Fitzpatrick, Esq.  
Jessica Goldthwaite, Esq.  
Michael Marciano, Ph.D.  
Hon. Angela Mazzairelli<sup>2</sup>  
Beverly Rauch  
Rossana Rosado  
Michelli Schmitz

**DCJS Staff in Attendance:**

Colleen Glavin, Esq.  
Natasha Harvin-Locklear, Esq.  
Janine Kava

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<sup>1</sup> Representative of Commission Member James V. McDonald, M.D.

<sup>2</sup> In accordance with a resolution and related procedures regarding the use of videoconferencing under extraordinary circumstances, which were adopted by the Commission on Forensic Science on June 9, 2023 and added to its bylaws, Judge Mazzairelli participated by videoconferencing from a private location due to extraordinary circumstances and, thus, shall not count toward quorum, but was able to participate and vote as there was a quorum of members at physical location(s) open to the public.

Katherine Mayberry  
 Shelley Palmer  
 Joseph Popcun  
 Lindsey Rockwell  
 Elizabeth Suparmanto

**Other Attendees:**

Jennifer Alois – New York State DCJS Latent Print Laboratory  
 Bradley Brown – New York State Police Crime Laboratory  
 John Clark – Monroe County Crime Laboratory  
 Eric Freemesser – Monroe County Crime Laboratory  
 Russell Gettig – New York State Police Crime Laboratory  
 Nichole Hurbanek – New York State Police Crime Laboratory  
 Michael Jankowiak – New York State Police Crime Laboratory  
 Andrea Lester - New York State DCJS Latent Print Laboratory  
 Jennifer Limoges – New York State Police Crime Laboratory  
 Christopher McDonough – New York State Police Crime Laboratory  
 Daniel Myers – New York State Police Crime Laboratory  
 Julie Pizziketti – New York State Police Crime Laboratory  
 David Pulikowski – New York State Police Crime Laboratory  
 Kerri Sage – New York State Police Crime Laboratory  
 Ray Wickenheiser – New York State Police Crime Laboratory

*Approximate  
video times*

Chair Rosado opened the meeting by stating that she was attending virtually, and that Dr. Dooley would run the meeting. Dr. Dooley then took a roll call as the members were in attendance in Albany and virtually. A quorum was established with 10 voting members (Buffolino, de Castro, Dooley, Epstein, Fitzpatrick, Goldthwaite, Marciano, Rauch, Rosado, Schmitz); one member participated from a private location due to extraordinary circumstances (Mazzarelli<sup>3</sup>).

00:00:00  
00:01:43

Dr. Dooley requested a motion to approve the March 15, 2024, agenda. The motion to approve the agenda was made by Ms. de Castro, seconded by Mr. Fitzpatrick, and approved unanimously with 11 votes.

00:01:45  
00:02:25

Then, Dr. Dooley requested a motion to approve the minutes of the December 15, 2023, Commission meeting. The motion to approve the minutes was made by Ms. Schmitz. Ms. Rauch seconded the motion, and it was approved with 10 votes (Buffolino, Dooley, Epstein, Fitzpatrick, Goldthwaite, Marciano, Mazzarelli, Rauch, Rosado, and Schmitz) and 1 abstention (de Castro).

00:02:26  
00:03:01

Next, the Commission reviewed the Accreditation/Laboratory Updates. Matters regarding the following laboratories were considered: Monroe County Forensic Toxicology Laboratory, Nassau County Medical Examiner Division of Forensic Toxicology, New York City OCME Department of Forensic Biology, New York City OCME Forensic Anthropology

00:03:02  
01:17:30

<sup>3</sup> See FN. 2 above.

Unit, New York State Police Crime Laboratory and, Niagara County Sheriff's Office Forensic Laboratory. Representatives from the laboratories were available in person or via WebEx to respond to members' questions.

*Approximate  
video times*

The Commission reviewed the New York City OCME Department of Forensic Biology ANAB re-accreditation assessment documentation and the binding recommendation of the DNA Subcommittee. Ms. Goldthwaite made a motion to postpone the vote for the New York State Accreditation until after discussing laboratory disclosures information regarding the laboratory. The motion was seconded by Mr. Epstein. The motion did not pass with 8 nays (Buffolino, de Castro, Dooley, Fitzpatrick, Marciano, Mazzarelli, Rosado, and Schmitz), 2 approval (Goldthwaite and Epstein), and 1 abstention (Rauch). Dr. Marciano made a motion to accept the binding recommendation to renew the New York State Accreditation of the New York City OCME Department of Forensic Biology in the discipline of Biology and issue full renewal of New York State Accreditation concurrent with their ANAB accreditation to expire February 28, 2028. Ms. Schmitz seconded the motion, and it was approved with 9 votes (Buffolino, de Castro, Dooley, Fitzpatrick Marciano, Mazzarelli, Rosado, Rauch, and Schmitz) and 2 abstentions (Epstein and Goldthwaite).

00:04:19  
00:08:46

The next agenda item was Old Business. Dr. Dooley provided the Commission members with a verbal update on the Familial Search Program and the Crime Gun Index. Direction Wickenheiser was available to comment on the Crime Gun Index.

01:17:33  
01:25:41

The Commission then discussed matters regarding a memo sent by Dr. Marciano. Dr. Marciano is requesting an outline of the authority of the commission. Ms. Harvin-Locklear will be sending out a memo with the information to all Commission members.

01:18:57  
01:20:24  
01:25:12  
01:25:36

Next agenda item was New Business with Dr. Dooley providing an update on the 2023 Annual Lab Summaries. A complaint was sent to the Commission regarding New York State Police Crime Laboratory. Representatives from the New York State Police Crime Laboratory were available for comment.

01:25:47  
02:02:48

A break was taken at 11:10 am and returned to the meeting at 11:23 am.

02:02:49  
02:15:21

The next agenda item was Laboratory Disclosures and matters from the Erie County Central Police Services Forensic Laboratory, Monroe County Crime Laboratory, Monroe County Office of the Medical Examiner Forensic Toxicology Laboratory, Nassau County Office of the Medical Examiner Toxicology Laboratory, New York City OCME Department of Forensic Biology, New York City OCME Department of Forensic Toxicology, New York City Police Department Latent Print Section, New York City Police Department Police Laboratory, New York State Police Crime Laboratory, Niagara County Sheriff's Office Forensic Laboratory, Onondaga County Health Department Center for Forensic Sciences, Suffolk County Office of the Chief Medical Examiner Toxicology Laboratory, Westchester County Department of Laboratories and Research Division of Forensic Sciences, Westchester County Department of Laboratories and Research Division of Forensic Toxicology, and Yonkers City Police Department Forensic Science Laboratory were reviewed. Representatives from the laboratories were available in person or via WebEx to respond to members' questions.

02:15:35  
03:39:23

Chair Rosado then requested a motion to enter Executive Session to discuss matters relating to a current investigation or matters that may lead to the appointment, promotion, demotion, discipline, or suspension of a particular person. The motion was made by Judge Mazzarelli, seconded by Ms. de Castro. The motion was approved with 8 votes (Buffolino, de Castro, Dooley, Fitzpatrick, Marciano, Mazzarelli, Rauch, Rosado and Schmitz) and 2 abstentions (Epstein, Goldthwaite).

*Approximate  
video times*  
03:39:24  
03:40:56

The Commission took a 5-minute break and adjourned into Executive Session at 12:53 pm.

The Commission reconvened the open meeting at 1:13 pm and Dr. Dooley indicated that the Commission took no formal action during Executive Session. Mr. Fitzpatrick noted that he would like to encourage all his colleagues and laboratory directors to re-review hair cases.

03:41:33  
03:42:18

Chair Rosado stated that the next meeting of the Commission will take place on June 14, 2024. Mr. Fitzpatrick made a motion to adjourn the meeting, seconded by Mr. Epstein and approved unanimously.

03:42:19  
03:43:14

**Note:**

***Video of the open meeting is available on YouTube.***