

Crime Laboratory Commission Meeting

June 5, 2008

University of Rhode Island College of Pharmacy

41 Lower College Road

Kingston, RI 02881

Fogarty Hall, Room 133, Deans Office

10:00 a.m.

In attendance were Deputy Attorney General Gerald Coyne, Rhode Island Department of Attorney General; Christopher Cotta, Rhode Island Department of Attorney General; Director Dennis Hilliard, Rhode Island State Crime Laboratory; Amy Duhaime, Rhode Island State Crime Laboratory; Robert Hathaway, Rhode Island State Crime Laboratory; Ed Downing, Rhode Island State Crime Laboratory; Dean Ronald Jordan, University of Rhode Island; Lieutenant Dennis Pincince, Rhode Island State Police; Clay Choquette, Central Falls Police Department; Chief George Kelley, RIPCA; Nancy Haley.

I. INTRODUCTION

A. Welcome to Commission Members

Dean Jordan welcomed Commission members, while Deputy Attorney General Coyne representing Attorney General Lynch, called the meeting to order at 10:10 a.m. Introductions were made of Commission members.

a. Approve Minutes of 12/3/07 and 1/31/08

Deputy Attorney General Coyne reviewed the minutes of December 3, 2007 and January 31, 2008. Nancy Healey made a motion to approve the minutes of the December 3, 2007, with Clay Choquette seconding the motion.

Lt. Pincince made a motion to approve the minutes of the January 31, 2008, with Clay Choquette seconding the motion. Dean Jordan noted in reviewing the minutes of January 31, 2008, it was not noted that the previous meeting (December 3, 2007) minutes were not approved.

With the correction made to the January 31, 2008 minutes, all members were in favor to approve the minutes of both meetings.

II. II. DEANS REPORT

A. URI Space and Consolidation Offer

Dean Jordan spoke regarding his June 4, 2008, letter he sent to Commission members addressing two issues; the recommendation of the Director's reappointment and the University of Rhode Island's commitment to housing a consolidated State Crime Laboratory.

The June 4, 2008 letter states the position of the University as Dean Jordan understands it to be. Vice President Weygand has suggested two options, which could accommodate the proposed consolidation at the University in late 2010 to early 2011, after the College of

Pharmacy moves into a new facility.

The potential consolidated Lab including two floors at Fogarty and suggest the Crime Lab stay under the University Administration. There is significant value to that and we would request the Commission support that, with the Governor and other executive officers. We also know there are other possibilities potentially for citing a consolidated Crime Lab. Vice President Weygand also talked about the potential ability with the resource and technology from the opposite side of campus might be filled to house various programs including a consolidated Crime Lab. On the issue of the consolidation and getting a written statement from Vice President Weygand, Dean Jordan was unable to get the statement from Vice President Weygand and Mr. Weygand was unable to attend today's Commission meeting.

Director Hilliard spoke regarding his meeting with Senator Reed and Representative Kennedy's staff in making more funding available, especially when the consolidation happens. It's going to require renovation to the building. They don't provide money for bricks and mortar but they will provide money for renovations. We have a solid building here and a promise that we could have space in this building, even though it may be deteriorating in some places we can fix that. My preference would be to stay here and bring the people from the Health Department down here. We would have two floors, 15,000 square feet per floor, for a total of 30,000 square feet.

Currently the Laboratory has 1,300 square feet.

Director Hilliard felt if asked, the Commission should move towards requesting Vice President Weygand to make his final commitment in writing.

Director Hilliard also noted that something else that will be coming up this summer the National Academy of Science is putting out their Presidential Report on Forensic Science, hopefully that will bring us up and talk about issues other than DNA and one of the things out of the National Academy was the micro stamping. There may be some additional funding for renovation and bringing people down here.

a. University Administration Position

Due to the Governor's cutbacks, we have one person retiring from our laboratory. If we delay hiring somebody to replace that position, we would save \$5,000 a month, on cost and benefits package. Eventually we will have to hire someone, possibly as an Executive Assistant position as the job has changed dramatically.

b. Providence JD Biotech Plan (RIIBBS)

In the package passed out by Director Hilliard was attached a draft proposal for (The Rhode Island Institute for Biotechnology and Biomedical Sciences (RIIBBS)).

Dean Jordan spoke regarding the information on the Rhode Island

Institute for Biotechnology and Biomedical Sciences. There's a group of people that have been meeting in Providence with a private developer who is proposing to independently develop a building that would be offered to various state agencies, including the consolidated Crime Lab. There is some activity going on, the Governor's has made some commitment to this project; however, none of it is on paper and crystal clear at this point. Dean Jordan told the group in Providence that we have a commitment from the University, which is on a timeframe that is pretty dependable. It's the appropriate thing for us to hang on to and the consolidation if the Governor and the various forces that need to approve it can make a decision, it would be the right thing to do.

Deputy Attorney General Coyne noted that we have heard various plans over the years. In the amount of time and effort spent on them to come up with nothing is frustrating. The idea in Providence is a good one; it just seems to be an aggressive time line of 2008 to get approval. The relationship with URI has been incredibly productive over the years.

B. Director Salary Review and Recommendation

a. Provide Salary Survey, if necessary

Dean Jordan spoke regarding terms of the Director's reappointment and salary review. As a result of the January 31, 2008 Commission meeting, he spoke to the URI Human Resources Department regarding the salary and reappointment of Director Hilliard. Providing

them with comparative salary data from the Rhode Island Department of Health Laboratory, Forensic Sciences and from Public Forensic Laboratories throughout New England, they have suggested Director Hilliard receive a 10% in-grade salary increase, which would place the Director's salary at \$92,895. That number doesn't include a 2.5% cost of living, so that would be added on top of that. There was a 2.5% merit increase based on the Dean's recommendation, which has already taken effect. An in-grade salary increase rather than a change in pay grade can be accomplished here at URI without going to the Personnel Review Committee. If approved, they did know it would end up \$97,600 once all the proposed changes went through. We are relying on the Human Resource Department to be sure that they made the adjustment that was appropriate at the time that it was suggested.

Deputy Attorney General Coyne asked Director Hilliard how long had his salary been stagnant.

Director Hilliard stated he received a cost of living adjustment; however, hasn't seen an adjustment in salary since his appointment more than ten years ago. The first reappointment under Attorney General Whitehouse was the process of coming before a Committee that had been put together and it was a matter of keeping the job. When there was talk of consolidation and expansion of the Laboratory, Director Hilliard approached the Commission regarding his salary. At the time, Colonel Pare suggested tying it to the

consolidation at the State Police Headquarters; however, that didn't happen.

Dean Jordan recommended Director Hilliard's salary be increased by the 10% in-grade salary adjustment.

Discussion centered on funds available to provide for the salary adjustment and the effective date of the appointment. During the course of this discussion, Deputy Attorney General Coyne noted when the Commission was unable to meet due to Separation of Powers; Director Hilliard was the person that held the Lab together. When we look at where the Lab is today, compared to where the Lab was 15 years ago, you can't compare the two. On the merits alone, I'm prepared to support it. I want to make it clear everyone understands what the vote is, because as we've mentioned, times are tough. We are making up for what has been a deficit in the past, and it's time to bring the Director's salary up to where it should be. We need to as a Commission articulate that. After a short discussion, it was determined that funds would be available in the FY08 and FY09 budgets to accommodate the salary adjustment, which would be effective at the beginning of the next pay-period, which was June 8, 2008. Deputy Attorney General Coyne as Chair of the Commission (as designee of the Attorney General), moved to accept Dean Jordan's recommendation. The motion was seconded by Chief George Kelley and unanimously approved by all Commission

members.

C. Director's Reappointment

a. Reappointment of director – five-year appointment

1. R.I. General Laws 12-1.2-5(a)(b)

Dean Jordan made a recommendation to reappoint Mr. Hilliard as Director of the Rhode Island State Crime Laboratory. Deputy Attorney General Coyne accepted Dean Jordan's recommendation and it was seconded by Chief Kelley. The re-appointment of Mr. Hilliard as Director originally should have been May 2005; however, the Commission was unable to meet due to the lack of quorum resulting from passage of the "Separation of Powers" legislation, which removed legislative members from the Commission. It was decided that the re-appointment would be effective as of today's June 5, 2008 date. Deputy Attorney General Coyne made a motion before the Commission to be amended as to the effective dates, which was seconded by Chief Kelley and unanimously approved by Commission members.

III. FUNDING

A. Budget FY 2008

Director Hilliard spoke regarding the FY 2008 budget. In the package is the proposal for FY08, with allocations to the Crime Laboratory of \$654,964. In March, Chris Cotta from the Department of Attorney General contacted Director Hilliard and told him it was going to be reduced by 2.7%, which is a reduction of \$17,684.00. Also, in the

interim there were contracted raises that took effect as of December 2007 for all employees, except for the clerical position that was covered under a different contract and was already received in July of this fiscal year.

Director Hilliard then created a revised budget for FY08. The first column was with no raises; he then applied the raises to the second column, which would take effect for the last thirteen pay periods for this year. Staff members are just now seeing increases in their paychecks and retro will be added to their paycheck hopefully before the end of the fiscal year.

Due to Mr. Lawrence Pilcher's resignation we have lost a Criminalist I position. There was a search to replace this position. In discussing this with Mr. Hathaway, we came to the conclusion that Mr. Hathaway would stay for two years so we can hire a technician to be trained for two years. Director Hilliard, Mr. Hathaway, Amy Duhaime, and a member of the Connecticut State Forensic Laboratory comprised a search committee and hired Megan Murasso for the Technician Position. The Quality Assurance Officer position had to be changed from an hourly employee to a position employee in order to accommodate the number of hours we needed. The University is now reducing the number of hours on a contract positions. The agreement we came to with Human Resources was to hire her as a Criminalist I position with 20-hour week position with benefits. Because the Grant we were paying her on, the Coverdell money,

wasn't sufficient to accommodate that until September 30th of this year, we adjusted it and brought her into the FY08 budget to pay for her salary to June 21st and then to put her back on Coverdell from that point until the end of the Coverdell fiscal year, which is September 30th. We wanted to put that position in our fiscal year budget and contemplating putting it in FY09 but as you can see we didn't do that. We're going to leave her on the Coverdell money for the time being.

These raises also include merit increases, which were approved by this Commission and a grade increase for Kim Freeland from a Technician I to a Criminalist I. We also have this year adjustment in salaries based on the STAC Grant we had. For the first six months of this fiscal year, from July to December, part of their salary was paid. Basically 25% of the Criminalist I annual salary was covered and 5% of the Criminalist III position was covered, which ends up in some savings in our budget. We anticipate a surplus of approximately \$25,000 because from last year \$48,000 was rolled over from previous years. We've actually used approximately \$23,000 of that surplus. So for the fact, that if we had to rely upon the enacted amount, we'd be in deficit by \$23,000.

Deputy Attorney General Coyne noticed in the Proposed FY08 Capital equipment was \$6,624 and went up to \$33,992 in the Revised FY08.

Director Hilliard stated that is where they place the additional funds

that can be moved to where they need to be moved such as salaries, benefits, operating expenses, etc., as necessary. Director Hilliard expects out of this total available fund \$685,000 we will have \$25,000 remaining after we bill out the \$637,000 to the Attorney General's office. Then we will have to decide whether or not that can be rolled over.

B. Budget FY 2009

a. Salary recommendation for staff positions

Director Hilliard spoke regarding the FY09 budget, which includes another 2.5% increase for staff salaries and also includes the 10% raise for the Director, in addition to the 2.5% cost of living increase, so that's why you see the Director's salary at \$97,000 as opposed to \$93,000 that we had talked about. The difference of the 10% for the fiscal year is approximately \$10,688 within the Director's salary. There is also longevity included for one of the staff members that he will be eligible in January of 2009, so that's included in his salary. We also have a change in health benefit plans. The Governor has pushed limits in terms of city and towns. Mark Zabinski, who is retired from Cranston, was notified recently that if the job he is in currently offers health benefits he has to take them. That will save the City of Cranston the funds that they would pay for his health benefits, so we have to add the family plan at \$17,827 as opposed to \$2,000 when he waived it. Currently I am waiving the health benefits; however, due to the Governor's move on health care, my wife may retire. If she retires I then have to switch over and that's included in the health benefits.

You will see a drastic increase in health benefit costs going from \$50,000 to \$86,000. I'm told these numbers for health benefits are accurate at least for the first six months of the fiscal year. I do not know if they are going to change in January or not, so it may go up. This is effective as of June 22nd of this year. Due to the fact that both of us were on waiver until the middle of the year, we will still get \$1,000 each from the health rebate.

Director Hilliard noted the recommended allocation for the Laboratory is \$675,000; however, we anticipate needing \$711,000; so there is a difference of approximately \$36,000. What I wanted to mention here that the Commission has a couple of things to think about regarding the deficit spending. We anticipate the rollover funds of \$25,000 from last year. I had an opportunity to speak with Dave Smith of Rhode Island EMA and I asked him if he could put paperwork in to see if his organization would pay for the service contract for AFIS. He told me we could put a White Paper in there is some sort of panel that meets and felt it's an option that we should look at. He said, anything is possible.

Deputy Attorney General Coyne agreeing with Director Hilliard stating that this needs to be looked at, while recognizing that our interest is a subset of Connecticut. We have to make sure that whatever our intentions are in Rhode Island that it would be consistent with Connecticut.

Director Hilliard noted another option would be a contract based on the percentage you have in the Lab rather than on a 25, 25, 50 basis. It's possible that Ed Downing and Mark Zabinski could go to State Police and use their equipment. Between the State Police, the Attorney General's Office and the Laboratory, we make the most inquiries with the system, so it's a valuable resource and we would hate to lose it, but it's a consideration we will have to make.

That's the FY09 budget. It will have to be adjusted down to whatever amount is available, what's enacted plus what is allowed in rollover, so currently if we have a rollover of \$25,000 we get enacted we'll have several hundred thousand in funding for this fiscal year. There is nothing to approve here as of yet because we don't know what the numbers are.

Again, you're looking at a 2.5% increase in salary for FY10, an increase in health benefit costs and if we talk about salary adjustments, in your package you see the survey data that was done. Two of the pages you had already seen, the third page is new. You had received these two pages at the last meeting, which basically compared us to the Health Departments; the reasoning was to look at my salary. I would suggest to the Commission we do the same thing with review for positions in our laboratory.

This information was sent off to Representative Shanley who suggested I needed to do this in order to backup my statement that

the staff members are underpaid based on comparison to other laboratories. We did the salaries throughout New England. You'll see if you look at the straight numbers, these numbers don't look so bad for Rhode Island. The problem is that the non-classified employees at the University do not have automatic steps. The staff can move up on merit and availability of funds. If someone has worked here for eight years, they may still be at Step one, two or three, depending on merit, whereas if someone worked at the Health Department within four years they are at the top of their step. There are longevity differences also. The Health Department gets up to 20% longevity after 20 years; we get 10% longevity after 20 years. If we are going to be talking about consolidation down the road, there will have to be somewhat equalize compensation. My recommendation to Representative Shanley is they need to add \$100,000 for our budget to accommodate a two-tier step increase for lab personnel.

Lt. Dennis Pincince asked if Director Hilliard is under contract as an unclassified employee?

Director Hilliard stated he is a non-classified employee of the Board of Governors.

Director Hilliard explained that in the past the Commission meets the recommendation of the raises across the board for Laboratory staff through re-budgeting the allocation. We may reallocate sources from training, travel and allocate it to staff personnel as allocated to us by

the General Assembly and signed by the Governor's budget. So no matter what we get in terms of the cost of living increases based on the University negotiations, we are based on the Board of Governors recommendations. We have to be accounted for within whatever is available in the last budget. We can accommodate this year. In FY10 we're going to have to ask for much more money to accommodate not only the increases we're talking about today, but also other increases that we're proposing and the increase in health insurance. That \$25,000 we have today that we're rolling over into next year, will no longer be available at the beginning of 2010, so that's being accounted for in our request for allocation.

Chris Cotta noted on the state level they're not proposing any raises at all.

Director Hilliard stated the Board of Governors has already offered 2.5% to the professional staff even to the non-union people. If you go back to 2009 there is a difference of \$36,268 including the Director's raise, so the \$97,600 is in there. If you move the \$25,000 over you'd have a deficit of \$11,000. If the secretary's position is not filled for two months you have met your obligation, so there are potential savings to make the budget work for next year, the big challenge will be 2010. The numbers we come up with in September will be significantly higher than the \$675,000, it's going to be somewhere between \$750,000 and \$850,000.

C. Coverdell Grant – FY07 & FY08

We have used some of the Coverdell money this year to pay for some travel with our training, with at least one more training coming up. We also used the money to pay the salary for the Quality Management Position. We anticipate another Coverdell Grant for \$46,500 to pay for that position from October 1 through September 30, so that we do not have to put the Quality Management Position into our budget yet, but it's something we will have to look at for FY10. Coverdell money would then most likely be used for training purposes; since we're pretty much zeroing out training in our regular budget and travel has been restricted.

The State gets approximately \$96,000 in Coverdell money. Right now it is being split between the Crime Lab, Department of Health Laboratories and the Medical Examiner Office. We're getting a major chunk of it this year. If the consolidation comes along I would expect we would get a much bigger chunk. One of the purposes of visiting the Congress and Senate down in Washington in February was to ask them to make sure that funding continues and if possible to increase the funding; however, we can't rely on that forever.

Director Hilliard met with Senator Reed and Representative Kennedy's staff, and asked them to continue increase in Coverdell and to look for any other funding that the Crime Lab may be able to apply for. Senator Reed sent Director Hilliard some paperwork to fill out. Director Hilliard also wrote a letter to Senator Whitehouse.

IV. LABORATORY STATUS

A. Laboratory Progress Report – January 1 to April 30, 2008

Director Hilliard spoke regarding the Progress Reports for January 1 through May 31, 2008, which he included in the package. Also, enclosed related 2007 report for the same period. The casework is approximately the same; in 2007 there were 248 cases and in 2008 there were 235 cases. Approximately 300 less exhibits brought in while courtroom testimony is the same.

Trace - is approximately 9 cases higher this year than last year; Firearms – we had 139 last year versus 116 this year; Latent Fingerprints – there were 122 cases last year versus 115 cases this year.

We're still giving lectures; however, we will be cutting down as we pay for travel. Also, is a list of training that Laboratory personnel have attended.

Amy Duhaime spoke regarding request for analysis in which there has been a dramatic increase. Ms. Duhaime felt this increase was due to BCI School. They train in all areas but in particular footwear and tool marks. They are becoming more aware of what the Crime Laboratory can do for them. Prints in particular have been going crazy on footwear. We also have a new imaging system for the microscope.

Ed Downing noted that caseload remains pretty much the same through 2007 and 2008. The period of January 1 to beginning of May 07 there were 579 searches of latent prints, this year the same period there were 1091. Palm prints in May 2007 there were 70, this month 204, which resulted in 26 identification of latent prints in 07, with 34 this year.

We also run unidentified latent prints through the system. We have approximately 200 fingerprints in the system and 50 palm prints. What it does is register those prints in a database, with new people arrested people send the request and we can check it against that database. The computer never had that before, so beside the DNA we did 4,950 latent fingerprints and also 400 palm prints. A lot of this increase is due to the utilization of the AFIS equipment. We make identifications on at least a weekly basis.

a. Reference Gun Collection

Robert Hathaway spoke about trying to get the Committee to allow us to have a gun library here. For some reason for two or three years we've tried it, we can't get it. Jim Baum from the Department of Attorney General, has been calling on a case in which they only have a slide and a frame. The glitch we have in Rhode Island Law is can the gun readily be made operable. This gun is missing six or seven parts and he wants me to try and put it back together and see if it will in fact test fire. I have to call Connecticut, take a day to go over there,

rebuild that gun and then shoot it in their lab and bring it back. This is not cost effective. These guns are going through the Police Departments, they're being destroyed and we just can't seem to nail down the law to allow us to have them.

Director Hilliard and Deputy Attorney General Coyne received information from Joe Lindbeck from the Attorney General's Department, with legislation and some changes in the language. The language came back, I looked at it, Deputy Attorney General Coyne looked at it, I made some suggestions and Ms. Lindbeck said she would present it to Senator McCaffrey. It makes the state as the owner and us as the custodian of the weapon and we maintain custody of it for an indefinite period of time. After speaking with Joe Lindbeck yesterday, I sent an e-mail to Senator McCaffrey asking where it stands, but have not heard back as of today's meeting.

b. Micro-Stamping Testimony

Robert Hathaway spoke regarding micro stamping, putting a number on the firing pins. We've done research across the country and it's easily removed by just taking an Emory Board from Job Lot and two swipes and it's gone. Director Hilliard and I went up and I spoke against the bill and they had different manufacturers there, Smith & Wesson, Colt.

B. ISO/IEC Accreditation

Director Hilliard submitted one-year reports to accrediting body.

They came back with three findings, which Director Hilliard is responding to.

C. Systems Updates

a. NIBIN Update

Director Hilliard spoke of Adel Irizzary, who is on loan to us from the AG's office to enter NIBIN entries. Lawrence Pilcher was also trained; now that he has left we are down to Adel. Adel may be retiring and if that happens we won't have anyone for NIBIN entries.

We haven't been meeting our minimum requirements over the last nine months for entering the cartridge casings. We received a letter from ATF stating we were not meeting the minimum input. We had to explain why that was, due to vacation issues, coverage issues, we told them about the upcoming loss of our fire examiner, who is also a NIBIN entry person, so we expect it to be less in the first quarter. Right now it's an average of 25 a month for three months in the quarter, so 75 a quarter. We don't have to put 25 each month but you have to do 75 over three months. ATF is considering raising the minimum, to approximately 40 per month, so that would be 120 over the three months. We can't meet that even with the caseload we get in. Adel is going to the NIBIN User's Conference in June and she will make the issue for the small states not to be under that. We would like to see NIBIN remain a viable system in Rhode Island, but there is a possibility that we could lose it. NIBIN is a nice tool and we have made hits, certainly not as many as AFIS. There are not as many

items in NIBIN as in AFIS, over the last five or six years we should have seen an increase in hits but haven't.

Robert Hathaway spoke regarding one of the Connecticut examiners, who will also be going to the NIBIN User's Conference. He told Mr. Hathaway that VT, NH and ME have all lost their systems. I was talking to a MA State Police officer who have a number of satellite labs. Their Springfield lab is considering making an offer to VT to input anything they would like to have put in by mailing it down, they will put it in and mail it back, so that's an option we have to keep on the table if in fact they come through and say they are going to pull the system.

Deputy Attorney General Coyne asked how much notice would we have before they take the system away?

Director Hilliard figured it would be a month or two. They sent us a letter saying we're not meeting quota and we need to respond. If our response is not satisfactory to them, then they will take the system.

b. AFIS Update

Deputy Attorney General Coyne noted when we bought the machine, we could not afford to be independent so we became a workstation off of Connecticut. Originally what we did was locate sites at the State Police, the Crime Lab and our office. Our office focused on criminal identification record and maintaining the records, while the

investigative end was the focus of the State Police. It's the same network without being really the same machine.

Three to four years ago, we had an older model with Connecticut and when Connecticut advised us they were going to buy a new system, we actually took a look whether or not it would be cost efficient to go out and get our own. Everyone came to the conclusion it just was not cost efficient. Part of that was: Connecticut didn't want us to leave so they made it even a little bit more favorable to us. When we signed on with Connecticut it was a three-year term, we're into the second three years and we have not formally renewed; however, it has not been an issue. I think when Connecticut looks at replacing theirs and that time will be coming because it's six years old now, I think we as a group really need to look again as to whether or not Rhode Island is ready and is cost efficient. There are reasons why we don't like to be so dependent on another state; however, by the same token it's been a very good partnership. They have been very good to work with.

i. Cogent maintenance costs

Director Hilliard noted \$39,000 was allotted for maintenance costs, which includes AFIS, LIMS, FTIR, CGMS. He also mentioned a possibility to reduce the liability cost to the Crime Lab, based on percentage of equipment at the Laboratory or by removing the system and using similar systems at Attorney General's Department or the Rhode Island State Police site.

ii. Homeland Security Funding

Director Hilliard met with Dave Smith from EMA on the possibility of obtaining a Homeland Security Grant. He suggested a White Paper, which would be considered in September. He also brought to my attention that the Crime Lab might want an emergency radio sitting on Director Hilliard's desk in case there is a crisis in Rhode Island we could respond. It's a \$3,000 radio that he felt he could get for the Laboratory.

D. Laboratory Personnel

a. Quality Officer and Firearms Technician Position

Robert Hathaway spoke regarding the biggest issue of the year was Lawrence Pilcher leaving after being with the Crime Lab for almost six years, fully trained, an excellent examiner. In looking for a replacement, Mr. Hathaway contacted various other labs. NY State Police had two examiners that were talking about retiring, I mentioned to them the possibility of an opening here, they asked what the salary was and that was the end of it. Director Hilliard went to the State Police, we went up to talk to Major Campbell at the Providence Police Department about training one of their people as an examiner; however, manpower is an issue. Mr. Pilcher went to the ATF Firearms Examiner's Academy, which is about a year long, very intense. In helping out the Connecticut Lab I learned that they wanted to bring somebody in possibly from one of the Police Departments who had also gone to the ATF Firearms Examiner's Academy. It ended up they got a contract with the Chief and with the State Police Lab they

brought in a Sergeant that was already trained. Now they are currently trying to get Hartford Police to have possibly two officers come in for training. This is something that we are going to have to pursue in Rhode Island. Because we're not paying the salaries we have to try to tap the Police Departments that we're doing a lot for to see if they can help us out. We can't go to the ATF people again because it looks like their Academy is closing down. They were going to start a class this year; however, there is no funding for it. That left us with trying to go out and get a trainee for the position.

Megan Murraso worked here last summer; both Mr. Pilcher and I were very impressed with her. She was very interested in firearms, and put together a whole database that went over very well at our annual meeting for New England Area Examiners. When Mr. Pilcher was leaving, Director Hilliard agreed to bring her back as a part-time employee while she's finishing her Master's Degree. NFSTC has started a modular program, which we're going to follow with Megan and I think that will work out well once we get her into a training status. Amy has worked with her, she's excellent on computers and picks things up extremely quick.

Chief Kelley asked with this technician not being able to go to the ATF training and the training that's being done here at the Lab. Has anybody made sure that the training she receives will be sufficient enough for her to testify in court?

Director Hilliard stated that within the Laboratory there is a training protocol in terms of accreditation, and Amy Duhaime oversees that. She won't testify for at least two years, unless it's testifying to simple test fire. She won't testify on a homicide case until we're convinced in the Laboratory that she is fully able to. There are seminars, workshops, and she will work under a trained examiner. You create a building block of certificates and when you go to court you have your resume. We have a good program that we built up even before accreditation. We will have no qualms when she goes to testify that she will be accepted as an expert. That will be between her and the AG in charge of the case to go over her credentials and then to present it to the court.

b. Approval of Reappointment of staff members on an annual basis
i. R.I. General Laws 12-1-1-8(10)

Director Hilliard asked for the reappointment of staff members, including Kathrine Beagan and Megan Murraso, from June 22, 2008 to June 21, 2009, based on the availability of funds.

Deputy Attorney General Coyne made a motion to reappoint staff members, based on the availability of funds, with Nancy Haley seconding the motion. All Committee members were in favor, the motion passed.

Director Hilliard turned into the Committee Lawrence Pilcher's badge and ID and requested ID's and badges for Kathrine Beagan and

Megan Murraso.

E. Consolidation Efforts

Dean Jordan spoke about the consolidation efforts during his presentation.

V. NEW BUSINESS

A. Items from the Floor

Director Hilliard spoke regarding the record retention and timeline. He has spoken with Richard Woolley from the Attorney General's Department, who has done extensive research on this. He suggested I contact Richard Hite from the Secretary of State's office. Director Hilliard will contact Mr. Hite and talk to him about schedule destruction and what needs to be maintained and report back to the Commission at the next meeting.

The meeting was adjourned at 12:00 p.m.

Minutes taken and transcribed by:

Teresa A. Dorrance, Department of Attorney General