

STATE CRIME LABORATORY COMMISSION MEETING

THURSDAY JANUARY 14, 2016

THE DEPARTMENT OF ATTORNEY GENERAL

150 SOUTH MAIN STREET

PROVIDENCE, RHODE ISLAND 02903

In attendance were Gerald Coyne, Deputy Attorney General from Rhode Island Department of Attorney General; Director Dennis Hilliard, Rhode Island State Crime Laboratory; Lt. John Grassel RISP; Robin Smith DOH, Designee for Nancy Haley; Brian Quillian URI Pharmacy Designee for Professor E. Paul Larrat Interim Dean.

I. INTRODUCTION

A. Welcome to Commission Members

Mr. Coyne thanked everyone for attending. He also explained that Robin Smith was the designee for Nancy Haley who could not be in attendance, and introduced Brian Quillian from URI Department of Pharmacy who was attending as Professor Larrat's designee. As a quorum was achieved the meeting was called to order at 10:10 AM.

B. Approve Minutes of July 9, 2015.

Mr. Coyne asked to approve the minutes of the October 16, 2015 meeting. Lt. John Grassel made a motion to approve the minutes and it was seconded by Robin Smith. All were in favor and the minutes were approved. The meeting at this point was turned over to Director Hilliard.

II. LABORATORY STATUS

A. Laboratory Progress Report

a. January to December, 2015

Director Hilliard passed out folders to each of the Commission Members. Enclosed in the folder is a copy of the year end progress report with a letter to the Attorney General which highlights the year in review.

Overall when compared to the same period last year there was about a 5.3% increase in case work, but there was a drop in the number of items submitted (6.8% drop). Resubmissions to the Laboratory were increased this year when compared to the previous year. There were 99 more total cases in 2015 than in 2014. The Laboratory is now seeing an increase in CODIS requests from DOH due to personnel changes at the Attorney General's office. There were five less homicides when compared to the previous year.

There have been decreases in assault with dangerous weapons, auto theft, firearm violations, hit and runs. There has been significant increase in the number of requests for latent print examination most notably from Pawtucket, North Providence, and the RI FSI. This in part is due to the loss of Roy Persson from the AG's office who is out with illness. There were some drop in cases most notably from Providence Police Department where there were 47 cases less than last year.

The Laboratory Staff presented 22 Lectures and seminars during this period, and attended over forty training programs both on line and at conferences. There were 26 tours of the State Crime

Laboratory which is up from previous years. More individuals want to tour the Laboratory than have Laboratory personnel Lecture at their facility.

Personnel were interviewed by URI News Bureau and High School students for senior projects. The Laboratory was highlighted in the September issue of Rhode Island Monthly Magazine. Internships were provided for two college students one from the University of New Haven and one from Norwich University. Laboratory staff hold several appointments on national, regional, and local committees which are involved with the advancement of forensic science and the policies and practices of the state and local agencies that conduct investigations. The State Crime Laboratory continues to offer a course in Criminal Investigations. In April, 2015 there were 40 graduates. A new class started on September 9, 2015 which consists of 32 law enforcement officers. Twenty-nine completed the first semester and will continue the second semester starting on January 15, 2016.

i. Backlog

The backlog in firearms right now is 76 cases which is down from almost 500 last year. Latent prints have gone up to 120. Generally the Laboratory sees a case load of about 30-40 cases. NIBIN cases are down to 2; trace 15, and there are no tool mark cases. The case backlog is down significantly. NIBIN searches are done and reported

within a few days and back to Providence. Having a third person in this section and the cooperation of the Providence Police Department has significantly reduced the backlog. Director Hilliard stated that he is still working with URI to bring the bullet recovery tank to Fogarty. The problem has been the requirements of the University to create a bullet resistant room. Panels have been purchased and received, a bullet resistant door has been ordered and the bid for a new tank has recently been approved. Approximately \$40,000.00 will be spent. The funds for this project have been carried over from last year along with a Byrne grant which was designated specifically for that purpose. URI will provide the cost for the installation of the panels and the doors. Director Hilliard stated that he is awaiting a time frame on this project from URI facilities as we expect the new tank to be delivered in about four weeks (end of February).

b. AFIS Connectivity/Searches

Director Hilliard stated that they are still waiting on the distribution of new hardware and software from the AG's office. Three examiners had been trained on the system in December. In speaking with Ed Cabral he states that he is expecting distribution hopefully within the next two to three weeks. Mr. Coyne then stated that he was told the same timeframe.

c. Search for Latent Print Examiner

With respect to the backlog in Latent Prints recommendation has been made to bring in the third examiner. At this time there are two full time examiners and Ed Downing who was a previous examiner and has retired continues to work on a limited basis at 5-10 hours a

week. This is not enough time to clear the backlog. Director Hilliard then asked the commission members to recommend and approve bringing in a new examiner at least on a part time basis. Mr. Coyne then asked if Director Hilliard felt the increase was a temporary or permanent problem. Director Hilliard then asked if Roy Persson was coming back to work. Mr. Coyne, stated that at this point it was unclear how he was progressing. Director Hilliard then stated that

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it may or may not be and it all depends on what happens in the future. The idea Director Hilliard had is to bring a third examiner in on a part time basis and then depending on future workload on a full time basis, contingent upon funding. Based on interviews which were just conducted Director Hilliard stated that they have an individual in mind who they would like to do this. It is not something that a search would need to be done

B. Space Allocation

Still working with URI about obtaining the entire first floor of Fogarty for use by the Laboratory. Problems faced will be renovating the space. Confirmation has been received that the Laboratory will have at least a majority of the space. Rooms on the second floor will be vacated and eventually the entire Laboratory operation will be in the basement. URI has said that hopefully by September, 2016, there will be some type of decision made.

III. Funding

A. Budget FY 2016

Expenditures to date spreadsheet is enclosed in the packet. Expenses are just below 50% in most categories, large expenses that still need to be made – tank door, accreditation audit, etc. There are savings in the student help with the College of Pharmacy for IT support. The College of Pharmacy will provide this service at no cost to the Laboratory. There are also savings in the telephone area with long distance calls. The T1 line has been discontinued and placed on the RILETS network at URI which is a savings of about \$200.00 per month. Another source of savings was that one of employees went on a reduced work week schedule last year; her salary is in the budget and the savings from her reduced work week could be used to fund the part-time latent print examiner. Robin Smith inquired about the reduced work week for Karen Vallaro. Director Hilliard stated that right now she is working four days a week (28 hours). She is scheduled as a 35 hour a week employee and at any time she can request to go back to full time. That money, therefore, needs to be programed into the budget for her full-time salary and benefits and should she elect to go back, the money is available. For the time being, any savings can be used.

Any questions on the FY2016 expenditures?

B. Budget FY2017 Request – includes 3% COLA

The budget was put together based on what was done in

2016 and a 3% COLA based on contracts that were signed last year. This was sent from URI to the Department of Education and was subsequently given to the Governor for her consideration.

a. Equipment

In this budget there is a request for two pieces of equipment. The UV-VIS Spectrophotometer which was asked for last year and declined and Comparison Microscope for Firearms section. We are waiting to see the outcome of the budget recommendation from the Governor.

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b. Latent Print Examiner Position

This was not included in the original proposal. This will be funded by savings in different areas, and will work with URI to see if a full-time examiner is needed or not. If one is needed will work with URI to add that to the Budget. Mr. Coyne then asked when Director Hilliard would be looking to fill the part time position. Director Hilliard stated probably February or March, 2016.

D. Other Sources of Funding

a. Coverdell FY2014

Funds from this grant were completely spent in October, 2015,

with the cost of travel for a RISCL examiner attending the AFQAM Conference in Florida and funds were provided for a member of the DOH FSL to attend the NEAFS meeting in Massachusetts, as there were some funds left over. This is a shining example of the cooperation between departments to share Coverdell funds when necessary.

b. Coverdell FY2015

Director Hilliard stated that he just received notification last week that the funding has been made available. Original proposals were submitted in June of 2015 and then they had to be resubmitted due to federal budget issues. It was finally approved last week and he is working with URI to get the application resubmitted again. The total of this funding is \$14,333.75 which is the same amount received last year. That money will be used for continuing education and training of the laboratory personnel and conferences.

c. Byrne FY 2014

These funds are to be used on the purchase of the ballistic resistant panels and the new bullet recovery tank. Funds should be disbursed by February.

d. Byrne FY2015

Award letter was received at the end of December, 2015, for \$8,800.00. These funds will be used to upgrade computer hardware and software in the Laboratory. Right now there is a 2013 server which needs to be replaced. Also working with URI to upgrade other work stations in the Laboratory with Office 2007 being upgraded to 2013.

IV. OTHER BUSINESS

A. Old Business from October Commission Meeting

At the last meeting Ms. Veroni was the AG Designee and there was a request made at that meeting by Director Hilliard to have the Commission send letters to various groups.

One in particular is a letter to RI leadership regarding “limited period appointments”, which is used when advertising for new personnel. This originated when the Laboratory was not under the leadership of URI and personnel were grant funded through the AG’s office. This creates problems in terms of searches for open positions. Recently when looking for a latent print examiner there should have been 50-60 applications received, but only six were received. This seems to be due to the advertisement which must read that the position is limited to June of the next year. Director Hilliard stated that he would suggest to strike the limited position and just have the position listed as a nonclassified position. Mr. Coyne then asked Director Hilliard to speak to whomever at URI regarding this and to contact Mr. Coyne and then a letter will be sent.

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A second letter requested from the Commission is for letters to Federal Senators and Representatives in continued support of Byrne and Coverdell Grants. Mr. Coyne stated that he would work with Director Hilliard to compose this letter from the Commission.

Another letter would be to the RI House and Senate Leadership once

the budget comes out to let them know that it is important even if the Governor has not put in the full budget that they should consider funding the full budget request, rather than what the Governor requests, as this would put off again the purchase of a new piece of equipment. Mr. Coyne stated that he would hold on that letter until the Governor's budget is released.

B. Federal Initiatives Concerning Forensic Science

a. This committee still continues to meet. Enclosed in the packets is a copy of a letter from the US Attorney General which states that by December, 2020, they want only accredited laboratories working on federal cases. Director Hilliard stated that he has forwarded a copy of this letter to each of the police departments to inform them of this change. Any police department which works on federal cases would be affected by this. Director Hilliard then stated that he feels once this is accepted by the Federal Government it will trickle down to the State Courts as well. The requirements will force the local department to become accredited. Another change that may be down the line may be to have examiners certified in order to testify.

b. NIST Organization of Scientific Area Committees will be having a meeting in Virginia in two weeks which Director Hilliard stated he will be attending.

c. Legislation: Forensic Reform, Rapid DNA, Forensic Research. There is legislation coming out - Senator Hatch, concerning rapid DNA where they apparently would like to have an analyzer in every booking station at every Police Department in the nation and forensic research legislation which is Senator Rockefeller's bill. The Justice

for All Act comments were requested and are enclosed in packet for review.

There have been changes mentioned in the Coverdell grant which would up the minimum state allocation from .6% to 1%. This would be great for small states, such as Rhode Island. If the grant was based on population, Rhode Island actually will get very little. Senator Reed put in the minimal amount which helped Rhode Island and if it goes up to 1%, it would be great. If the competitive portion of the Coverdell is dropped to 10% from 25% it would help increase Rhode Island's share.

C. Forensic nursing

Director Hilliard stated about fifteen years ago he had approached URI about offering training in forensic nursing, but at that time they were too busy. Training for this now comes basically from DOH on an ad hoc basis. Robin Smith then stated that they are trying to put together a training program with Woman & Infants which would cost approximately \$3500.00 per individual to receive a certification of some sort in this area. Director Hilliard stated that it would be a good idea that when the nursing educational center program moves to Providence with RIC and URI, that this course should be incorporated into the regular program.

The meeting was adjourned at 10:50 AM.

Minutes taken and transcribed by:

Monica Nason, Department of Attorney General