

Illinois Forensic Science Commission- FIGG Subcommittee

Meeting Minutes

April 25, 2024, 10 a.m. meeting

- I. Call to order
Amy Watroba, Executive Director of the Forensic Science Commission, called the meeting to order.
- II. Roll-call
The following people were present:
 1. Dr. Ponni Arunkumar, Commission Member, subcommittee member
 2. Claire Dragovich, FS Commission Member, subcommittee member
 3. Cris Hughes, FS Commission Member, subcommittee member
 4. Jeanne Richeal, FS Commission Member, subcommittee member
 5. Robin Woolery, ISP Deputy Director for Forensic Services (DFS), subcommittee member
 6. Amy Watroba, Executive Director-Forensic Science Commission
 7. Maj. Abigail Keller, ISP Division of Criminal Investigation (DCI)
- III. Organization of Subcommittee Members/Selection of Chairperson
 1. Cris Hughes discussed the genesis of the FIGG subcommittee.
 2. Cris Hughes volunteered for the position of FIGG subcommittee chairperson and was approved by a unanimous vote.
- IV. Discussion Topics- Subcommittee Goals
 1. DD Woolery stressed the importance of the FIGG subcommittee and the fact that FIGG is a technology/technique that should be utilized in Illinois. She suggested that members attend the IHIA Conference on DNA and FIGG on June 10th in Collinsville, Illinois. Ms. Watroba, Ms. Hughes, and Ms. Richeal will attend. Ms. Watroba will create a FIGG reference library for the subcommittee and will include any materials from the conference.
 2. Ms. Hughes provided background information about the use of FIGG in Illinois and discussed the partnership between ISP and the University of Illinois-Urbana Champaign (UIUC) to examine FIGG and a path forward towards eventually having ISP facilitate FIGG services state-wide. A survey conducted showed that a short-term goal might be to conduct FIGG by contracting with a vendor lab and a long-term goal might be to bring FIGG in-house at ISP. DD Woolery discussed that a pilot program with a vendor lab is part of what ISP is working on in conjunction with UIUC. Discussion ensued regarding the current use of FIGG by agencies in Illinois and how the Commission might facilitate the use of FIGG in the short-term, mid-term, and long-term.

3. Three ways in which the Commission might facilitate the use of FIGG in Illinois were identified: 1) study how FIGG is being used by other systems/agencies, 2) provide educational materials for law enforcement agencies that will ensure consistent messaging throughout the state, and 3) make recommendations regarding FIGG.
 - i. First, using the subcommittee as a means of gathering information to understand what other lab systems are doing was deemed an appropriate task. The subcommittee could collect information about different models and examine what lessons other agencies have learned. This information could then be shared with ISP and other Illinois agencies to assist in decision making. Ms. Dragovich saw a presentation from Michigan State Police at last year's Midwest Crime Directors Meeting about their program, which involves centralized funding obtained by MSP and outsourcing to a private vendor in the short-term with a long-term goal of conducting FIGG in-house. Ms. Dragovich will reach out to the Michigan State Police to see if they are available to present at next subcommittee meeting. Ms. Richeal indicated that she could reach out to Indiana State Police, which opted for a FIGG model that included training forensic scientists in genealogy. Ms. Hughes indicated that other systems to consider studying include: the University of North Texas, Washington State, and Florida.
 - ii. Second, using the subcommittee to create educational materials as a means of ensuring consistent information is available to agencies throughout the state was discussed. Possible materials included: 1) a one-page document resembling a decision-tree or checklist of the steps involved in FIGG targeted towards law enforcement and state's attorney's offices and distributed through the three state CODIS labs; 2) a basic fact/summary sheet about FIGG for law enforcement and SAOs; 3) a resource guide for law enforcement agencies with links to documents such as the DOJ guidelines, possible sources of FIGG funding (grants, crowd-sourcing, non-profits), FBI resources, a list of vendor laboratories (without endorsing any vendor); and on-line training resources for FIGG such as the recent SAKI webinar.
 - iii. Third, types of recommendations that the Commission could make related to FIGG were discussed. Ms. Richeal stressed the importance of identifying and distinguishing the role of the Commission with respect to FIGG from that of ISP. It was agreed that a clear line of demarcation is necessary and that the Commission could make recommendations about FIGG but not dictate what ISP decides to do in the short-term or long-term with respect to FIGG. Ms. Dragovich suggested that the Commission might identify ways in which the Commission can help ISP with the shared end goal of advancing investigations.

4. Ms. Hughes suggested creating an in-state network to connect Illinois agencies who have used FIGG with agencies considering using FIGG. With permission, agency and contact information could be shared to support networking without endorsing any vendor. The UIUC survey includes a list of Illinois agencies that have used FIGG as well as information about whether their use of FIGG generated a successful lead. DD Woolery suggested looking at the information ISP provides to agencies for services that ISP does not provide in its labs (soil sampling, horse doping, etc.) as a model for this idea. The FBI recently indicated in a presentation that it reviews labs yearly and provided a list of labs that they have worked in conjunction with during the past year. If that information is publicly available a link also could be provided to assist law enforcement with finding vendors.
5. Funding was identified as another area where the Commission might provide support for FIGG programs in the future, since the Commission's enabling statute provides authority for the Commission to make recommendations regarding lab resources. Ms. Hughes offered that the Commission might consider making recommendations for funding similar to the allocations for FIGG in Florida and Washington. Such state-level financial allocations ensure that unsolved violent crimes and unidentified human remains cases from lower-funded jurisdictions have equal access to FIGG. Florida's program targets violent crimes whereas Washington's program focuses on missing persons and unidentified human remains.
6. Given their experience with cases of missing persons and unidentified human remains (UHR), members asked Ms. Hughes and Dr. Arunkumar whether they could envision a separate space for FIGG focused on missing persons/unidentified human remains. Dr. Arunkumar saw the possibility and noted that many UHR cases are classified as undetermined cause of death because, without the identity of the decedent, law enforcement cannot determine whether the person's death resulted from a homicide- they first need to identify the decedent and then investigate the circumstances surrounding their death. FIGG can potentially help with those cases. Ms. Hughes expressed that not every person who is missing is murdered and that an approach like the one underway in Washington, which does not limit funding to homicide victims, could be considered. Ms. Hughes noted the value of expanding access to FIGG beyond just violent crimes when it comes to unidentified human remains.
7. Dr. Arunkumar explained that the Cook County Medical Examiner's Office now retains a bone sample when a blood card is not available, such as from skeletal remains, for unidentified human remains in anticipation of using FIGG in more cases in the future. Ms. Hughes offered that such a practice could be the basis for a possible Commission recommendation for coroners throughout the state

to make FIGG more accessible and less expensive due to the lack of exhumation processes and costs.

8. Discussion took place about topics where the law enforcement community and ASAs might benefit from guidance due to general confusion/lack of familiarity with FIGG. The importance of understanding that STR confirmatory testing is necessary after a lead is generated via FIGG for both probable cause and court purposes was discussed. It was noted that the DOJ interim policy for FIGG includes an introduction which explains the different types of DNA testing and, as such, that document might be a good reference whether or not the Commission issues a recommendation related to that the policy. Education regarding the decisional stages of FIGG and importance of communication between law enforcement, crime laboratories, and State's Attorney's Offices also was identified as a priority.
9. Trying to ensure that all law enforcement agencies in the state have consistent information about FIGG was identified as a goal. A packet of information for labs to provide to law enforcement and state's attorney's offices is a possible mechanism for disseminating such information.
10. Public education about FIGG also was discussed, specifically on the topics of reference testing and opting-in/opting-out of the direct-to-consumer databases that are accessible to law enforcement.

V. Public Comment

1. Major Abigail Keller from ISP made suggestions on what types of assistance could be useful to law enforcement as they become more familiar with FIGG and begin to utilize it more in casework. Discussion took place on what areas the Commission could address versus what areas were appropriate for ISP to address. Subcommittee members agreed that working on educational materials and getting more information about what other states are doing with FIGG are the next steps for the subcommittee. Maj. Keller was invited to join subcommittee as an invited guest/subject matter expert for law enforcement's use of FIGG. Ms. Hughes indicated that the subcommittee may want to invite additional subject matter experts in genealogy and will gather information about potential invitees to share with the subcommittee.

VI. Meeting Schedule

The next meeting was tentatively scheduled for June 6, 2024, at 10:00 a.m.

VII. Adjournment

The meeting was adjourned at approximately 11:41 a.m.