

Illinois Forensic Science Commission

Meeting Minutes

16 December 2024

I. **Call to order**

Illinois State Police Director Brendan Kelly, Commission Chairperson, called to order the meeting of the Illinois Forensic Science Commission at approximately 10:01 a.m. on December 16, 2024. The meeting was held via Web Ex.

II. **Roll-call**

1. The following Forensic Science Commission Members and staff were present via Web Ex:

1. Brendan Kelly, Chairperson
2. Dr. Ponni Arunkumar, Member
3. Jillian Baker, Member
4. Jeff Buford, Member
5. Claire Dragovich, Member
6. Katherine Drummond, Member
7. John Hanlon, Member
8. Judge Art Hill (ret.), Member
9. Dr. Cris Hughes, Member
10. Phil Kinsey, Member
11. Jeanne Richeal, Member
12. Caryn Tucker, Member
13. Carrie Ward, Member
14. Amy Watroba, Executive Director
15. Robin Woolery, Director Designee

2. Quorum confirmed.

3. The following members of the public were present via Web Ex:

1. Declan Binninger
2. Maya Dukmasova
3. Jan Johnson
4. Sabra Jones
5. Jennifer Maples
6. Kevin McMahan
7. Timothy Ruppel
8. Timothy Tripp
9. Sarah Ware

III. **Review/Adoption of the Minutes of September 16, 2024.**

The motion to adopt the Meeting Minutes from the September 16, 2024, Commission meeting was unanimously approved (one Commission member absent).

IV. **Executive Director Summary**

1. New Commission Member: ED Watroba welcomed new Commission member Katherine Drummond. Ms. Drummond introduced herself and explained her background as an attorney. Chairperson Kelly also welcomed Ms. Drummond to the Commission on behalf of the other members.
2. Outreach: ED Watroba shared that she attended three conferences since the Commission's September meeting.
 - a. First, ED Watroba attended the National Highway Traffic Safety Administration (NHTSA) Toxicology Summit which was held at IDOT in Springfield, IL on September 24th, and which was focused on issues related to impaired driving. Summit attendees included myriad stakeholders. ED Watroba shared the Commission's recommendation regarding legislation clarifying the definition of delta-9 THC at the Summit, which was well-received by attendees. ED Watroba reported in more detail to the Public Policy Subcommittee about what was discussed at this conference because of the relevance of the discussions to the subcommittee's work.
 - b. Second, ED Watroba attended the Agency Symposium held by the Illinois State Police Division of Forensic Services in Springfield, IL on October 29th. ED Watroba thanked ISP for inviting her to the Symposium and for providing her with time on the agenda to give a presentation about the Commission. ED Watroba gave a summary presentation about the Commission designed to educate attendees about the work the Commission does, how the Commission can serve as a resource for criminal justice stakeholders, and areas where the Commission may be impactful in the future.
 - c. Third, ED Watroba and Commission Member Judge Art Hill (ret.) attended the National Association of Forensic Science Boards (NAFSB) Annual Conference in Albany, NY from November 21st-22nd. ED Watroba explained that NAFSB is a grassroots organization that formed in 2023 to provide collaborative opportunities and support for state-level forensic science commissions and boards. DD Woolery attended NAFSB's first annual conference on behalf of the Commission in 2023. In 2025, NAFSB is hoping to promote growth by creating additional partnerships with stakeholder groups to expand membership and to assist state-level commissions' efforts to do the same by highlighting the work done by state commissions.

ED Watroba shared the agenda from the 2024 annual conference and indicated that she would report back to subcommittees regarding topics covered during the conference that are related to subcommittee work. ED Watroba then shared an overview of the topics covered at the conference for the Commission. ED Watroba felt that the conference

was very worthwhile for her to attend as the Commission's only staff member.

ED Watroba participated as a presenter for two of the panel discussions on the agenda. During the panel on "New Boards-making them work," ED Watroba and co-presenters discussed the practical aspects of developing and maintaining state-level commissions. The general consensus was that the best way to ensure success and longevity was to take the approach Illinois took in creating the Commission by first having a planning Task Force. Other key takeaways were the importance of building stakeholder trust over time and the idea of leaving advocacy at the door and focusing on the fact that sound forensic science is good for all stakeholders. ED Watroba commented that Illinois's Commission provided a good example of how a stakeholder commission model plays out in practice. Other topics discussed included the importance of having dedicated staff, the importance of taking on projects that are realistic with a commission's structure and resources, and the importance of ensuring that new projects are within the scope of the commission's work and keeping forensic science at the forefront.

The second panel focused on topics related to training. ED Watroba shared the Commission's work on training for external stakeholders and Commission members. ED Watroba felt that attendee response was positive to the Commission's use of the Technology Subcommittee's Phase 1 and Phase 2 presentations as a training resource for Commission members and the training documents for forensic scientists that were created by the Training Subcommittee which are publicly available on the Commission's website. ED Watroba shared future training plans from other states including Arizona, Massachusetts, and Wisconsin, that were discussed.

ED Watroba summarized some key takeaways from other presentations, including the importance of monitoring the health of forensic scientists and the need for commissions to help identify trends and needs of forensic scientists outside of the normal structure of lab systems. The panel discussion on dedicated legal advisors for lab systems was the most popular agenda topic according to a post-conference survey. Many labs have dedicated legal advisors housed in different agencies (AG, within lab, DOJ, etc.). Every model is different, and all dedicated legal advisors act in different capacities depending on the lab's needs. An overarching theme was that dedicated legal advisors to labs may cover blind spots with scientists and the court system.

The idea of legislation providing loan forgiveness for forensic scientists who commit to working in state labs for a certain number of years was discussed and met with favorable response. Areas identified where state-level boards and commissions may want to weigh-in going

forward included: salaries, retention, mental health, and vicarious trauma. ED Watroba indicated that she would share more information about the presentation on Artificial Intelligence (AI) with the Technology Subcommittee but shared that one key takeaway from that presentation was that having individuals involved in the procurement process who are knowledgeable about AI was recommended by the presenters. The presenters shared that NIST has started US Artificial Intelligence Safety Institute Consortium (AISIC) which will be a good resource for staying current on AI best practices for forensic science service providers (FSSPs).

Judge Hill commented that he found the NAFSB conference to be very worthwhile and shared topics that resonated with him. One was that understanding the limits of AI is crucial. The question to ask is not when the AI system works, but rather when it does not work. Another critical topic for Judge Hill was the importance of looking at the health and care of forensic scientists who work in labs. He noted that backlogs were identified as not just a sign of how much work needs to be completed, but also a symptom of possible stress and mental health issues for forensic scientists. Judge Hill thought that loan forgiveness for forensic scientists was a great idea which a lot of stakeholders would support because it would serve as an incentive to keep quality forensic scientists in state lab systems. Judge Hill also found discussions about the differences between the neutral and linear truth-seeking work forensic scientists do in labs and the adversarial truth-seeking process they confront on the witness stand in courtrooms to be interesting. He observed that training forensic scientists on what to expect from attorneys in the courtroom is important to minimize stress and “whiplash” forensic scientists might experience when they testify and interact with attorneys.

ED Watroba and Judge Hill both commented that they met many interesting people and made worthwhile contacts at the NAFSB conference. Chairperson Kelly noted that the information shared at the conference demonstrates that Illinois is approaching the organization and evolution of the Commission in the right way. ED Watroba added that Illinois was highlighted as one of the most active state commissions right now. She will continue to engage with the NAFSB, she attended the NAFSB’s annual executive meeting, and she is serving on the membership committee for NAFSB.

3. Legal/Legislative Update: ED Watroba provided a brief update on the Illinois Supreme Court decisions in the *Redmond* and *Molina* cases which address whether the smell of burnt or raw cannabis alone can provide a basis for a warrantless search of a vehicle in Illinois. ED Watroba noted that, although the cases were based on the 4th Amendment, the decisions could impact submissions to the Drug Chemistry sections of all labs.

ED Watroba noted that the Commission's first legislative recommendation, which was related to the use of crime victim DNA made its way into legislation which takes effect on January 1, 2025.

4. Administrative updates: ED Watroba noted that the Commission's informational video is now up on the homepage of the Commission's website. She also thanked Commission members for completing their annual training modules and informed Commission members that there will be a total of 5 training modules required of Commission members in 2025. ED Watroba outlined some of the administrative management projects she has been working on during the last quarter, including centralizing and streamlining procedures for on-boarding new Commission Members, training tracking, and responding to the Commission's first FOIA request. ED Watroba is creating a procedures manual for the Executive Director's Office and may also compile a resource guide for Commission Members. Since Commission Members' 4-year appointments will begin to expire in December of 2025, ED Watroba also is working on gathering information about procedures and timelines for interested Commission Members to apply for reappointment. She reminded Commission Members that they can change or join subcommittees at any time.

V. **Subcommittee Reports**

1. Quality Systems Subcommittee: Claire Dragovich, subcommittee chairperson, indicated that the subcommittee had nothing to report from last quarter. The subcommittee will meet in January to collate and review any significant non-conformities from the publicly funded ISO 17025 labs for the annual report.
2. Training and Career Development Subcommittee: Caryn Tucker, subcommittee chairperson, summarized current subcommittee projects. The subcommittee is still focused on video projects. The informational video about the Commission is completed and on the Commission's website. The second project is in progress and involves creation of training videos for the core disciplines. These foundational videos will serve as introductions to the disciplines and can be building blocks for future advanced training programs.

The subcommittee decided to start with the disciplines of Latent Prints and Drug Chemistry and subject matter experts have been identified from all three lab systems to work on the videos. ISP has training materials that can serve as a starting point for content and the subcommittee is in the process of getting authorization from ISP to share those materials for the video project.

The subcommittee will work simultaneously on content creation and video and technology considerations. A top priority is to create videos that can be edited easily as the disciplines evolve without having to create entirely new videos. The subcommittee has discussed using a power point with voice over format for the main content portion of the videos and possibly bookending that content with more sophisticated videos. Phil Kinsey, Lab Director of

NIRCL, offered to allow B-roll footage to be filmed at NIRCL if needed. Ms. Tucker and ED Watroba have started to explore technological options. ED Watroba reached out to the U of I regarding their center for innovation and learning but ascertained that the center only creates content for use in U of I classes. However, they provided a list of vendors. If the project requires technology that is beyond the in-house capabilities of ISP then the U of I vendors may be an option via the existing IGAs without having to go out to bid via the procurement process. Chairperson Kelly indicated that the vendor used for ISP's 100th Anniversary videos was not an available option because those videos were created in conjunction with an ISU professor via a donation through the Heritage Foundation.

Chairperson Kelly indicated that ISP would provide administrative and technological support with the project within ISP's internal capabilities. Personnel at the ISP academy create training videos and videos for One Net so they may be a possible resource. CMS may also be a resource since they produce videos for the State of Illinois. ED Watroba indicated that the subcommittee likely could complete the first two videos with administrative support from within ISP.

ED Watroba is staying in contact with U of I to continue brainstorming ideas for future advanced training programs that could be created in conjunction with the law school. Ms. Tucker noted that other future projects include a module on ethics for forensic scientists that could be used annually for continuing education purposes. The subcommittee is focused on the fundamentals videos first because they do not want to take on too many projects at one time.

3. Public Policy Subcommittee: John Hanlon, subcommittee chairperson, explained that the subcommittee completed its work on the topic of the 2-hour collection window in the per se provision of the DUI-Cannabis statute. The proposed statement drafted by the subcommittee has been distributed to Commission members and will be discussed in more detail during the discussion portion of the agenda.
4. Technology Subcommittee: Jeff Buford, subcommittee chairperson, reported that the subcommittee completed Phase 2, and the Summary Report was posted on the Teams channel. Mr. Buford briefly summarized the report, which provides an update on disciplines that have pursued technologies which will be employed in their operations or enhanced technologies that they are assessing. The report discusses the disciplines of firearms, latent prints, toxicology, and trace.

At its last meeting, the subcommittee discussed two main topics: LIMS applications used by the different laboratory systems and Artificial Intelligence (AI) applications in forensic science. The subcommittee had a baseline discussion about LIMS and based on that discussion the subcommittee recommended that the three lab systems create a working

group to assess LIMS issues and work collaboratively to identify problems and possible solutions. The working group will update the subcommittee as needed and reach out to the subcommittee if any issues are identified that the subcommittee or Commission could address. The subcommittee also began discussing the broad topic of AI applications in forensic science. The subcommittee wants to ensure that it is properly characterizing what is and isn't "AI" in the forensic science space. The subcommittee also discussed that human assessment is a strong asset on the front end of decision making regarding various aspects of data analysis, acquisition, interpretation, report writing, and testimony in court. AI will be the topic of ongoing discussion at future subcommittee meetings. ED Watroba created an AI Resource Library on the Teams channel where she and subcommittee members can upload resources related to AI.

5. Forensic Investigative Genetic Genealogy (FIGG) Subcommittee: Subcommittee chairperson Cris Hughes reported that the subcommittee continues to consult with and invite experts from across the country to provide information about developments related to FIGG and the use of FIGG by different agencies. The subcommittee's last meeting focused on the application of FIGG in cases involving missing persons and unidentified human remains (UHR). Dr. Gwendolyn Knapp from the nonprofit DNA Doe Project (DDP) gave a presentation and answered questions. She serves as a case manager at DDP and provided background information and insight on how they help law enforcement agencies, coroner's offices, and medical examiner's offices use FIGG to generate leads that ideally result in identifications of missing persons and/or UHR. Dr. Knapp also provided reviews of national and state specific statistics on missing persons and UHR cases. When asked about hurdles in using FIGG, she indicated most were on the genealogy side of the process with things like finding historical records to help fill out family trees. Dr. Knapp provided insight about what she thought was most important for agencies to know about FIGG, including the importance of having a baseline education about FIGG if they are considering attempting to use FIGG on a case. ED Watroba and Ms. Richeal are working on scheduling someone from the Indiana State Police Lab to speak at the next subcommittee meeting because they are currently onboarding instrumentation for FIGG.

VI. **Issues for Discussion**

1. Discussion and possible action on revised Commission Bylaws:

ED Watroba noted that areas where the Bylaws should be expanded continue to be identified as the Commission evolves. Two amendments are proposed currently. The first is to update the website address for OMA training because the AG's office changed the web address. The second is to add a provision under the Executive Director section specifying that the ED is the spokesperson for the commission, which is consistent with the written job description for the ED. Since the Commission is putting forth legislative recommendations and could be asked in the foreseeable future to provide

statements to the legislature or the media, it may be prudent to make clear in the Bylaws that statements should be coordinated through the ED's Office.

The motion to approve the proposed Bylaws with the noted amendments was unanimously passed via a roll call vote of Commission members present at the meeting (one Commission member absent).

2. Discussion and possible action on Statement Regarding the 2-hour sample collection time in 625 ILCS 5/11-501(a)(7):

ED Watroba summarized the Public Policy Subcommittee's work related to the 2-hour sample collection time in 625 ILCS 5/11-501(a)(7), which was one of the original tasks the Commission took on and which was a continuation of work done by the DUI Cannabis Task Force. Over approximately 18 months the subcommittee heard evidence and conducted research related to the 2-hour collection window. The subcommittee then drafted a proposed statement which is now before the Commission for discussion. The subcommittee ultimately recommends that the Commission approve the statement and publish the statement on the Commission's webpage.

ED Watroba went through the sections of the proposed statement. ED Watroba also noted that the statement includes 23 endnotes where the subcommittee, to the extent possible, provided publicly accessible documents and references and the websites where the sources can be accessed. The subcommittee also included citations to secondary sources such as an ABA Journal article written by toxicologists. ED Watroba thanked the subcommittee members and subject matter experts who provided presentations and resources to the subcommittee for their time and hard work. Chairperson Kelly also noted the subcommittee's hard work in studying the issue and drafting the proposed statement. Judge Hill commended the subcommittee and observed that the end product is a powerful document that will be available to the public and that contains accessible resources that were used to support the finding articulated in the statement.

The motion to approve the statement was unanimously passed via a roll call vote of Commission members present at the meeting (one Commission member absent). By consensus vote, the Commission also unanimously authorized the Public Policy Subcommittee to make non-substantive changes to the statement as needed, including adding or modifying citations, correcting typos, and updating references in the document.

3. Discussion and possible action on selection of Commission Vice Chairperson and recommendation for Commission Chairperson:

Chairperson Kelly provided background regarding the fact that he has served as Chairperson of the Commission since its inception and summarized discussions from past meetings regarding making a recommendation to the Governor to designate a new Chairperson to succeed him. ED Watroba

summarized the general process for selecting a Vice Chairperson and making a recommendation to the Governor that was decided upon at the last Commission meeting. Based on what was discussed at the last meeting, there are two Commission Members willing to be considered for the position of Vice Chairperson: Jeffrey Buford and Claire Dragovich.

Mr. Buford and Ms. Dragovich each addressed the Commission. A roll call vote of Commission members present at the meeting (one Commission member absent) was then held. Mr. Buford received four votes and Ms. Dragovich received nine votes. Ms. Dragovich was therefore selected to serve as Vice Chairperson of the Commission. ED Watroba will work with Chairperson Kelly to push forth the Commission's recommendation to the Governor that Ms. Dragovich be designated as the next Chairperson of the Commission.

VII. Housekeeping Items

ED Watroba will update Commission members if the completion of additional One Net training modules is required for 2024.

VIII. Public Comment

No public comment offered.

IX. Meeting Schedule

The next meeting is scheduled at 10:00 a.m., on Wednesday, March 12, 2025, at the University of Illinois Urbana-Champaign Carl R. Woese Institute for Genomic Biology, located at 1206 W. Gregory.

X. Adjournment

Chairperson Kelly adjourned the meeting at approximately 11:26 a.m. on December 16, 2024.