



Supplemental Report to the Illinois Forensic Science Commission
Regarding Significant Non-Conformities for 2024
Provided by the Quality Systems Subcommittee- September 9, 2026

This Supplemental Report relates solely to the two significant non-conformities reported to the Illinois Forensic Science Commission by the University of Illinois Chicago Analytical Forensic Testing Laboratory (“AFTL”) for 2024.

This document is intended to supplement the Annual Report to the Illinois Forensic Science Commission regarding Significant Non-Conformities for 2024 (“2024 SNC Report”).ⁱ

After issuing the 2024 SNC Report on June 11, 2025, the Commission reviewed two documents published by the University of Illinois Chicago (“UIC”). The first document titled “Investigative Report Regarding the University of Illinois Chicago Analytical Forensic Testing Laboratory” (“UIC Report”) was issued on May 28, 2025. The second document titled “Addendum to Investigative Report Regarding the University of Illinois Chicago Analytical Forensic Testing Laboratory” (“UIC Addendum”) was issued on June 24, 2026. Both documents are publicly available on the UIC’s website.ⁱⁱ

The UIC Report and the UIC Addendum contain additional information and assertions about the reported significant non-conformities and the corrective actions implemented by AFTL. This Supplemental Report addresses additional information provided in the UIC Report and the UIC Addendum.ⁱⁱⁱ

The Illinois Forensic Science Commission approved this Supplemental Report on September 9, 2026.

Background

The 2024 SNC Report was drafted based on information provided directly to the Commission by AFTL pursuant to 20 ILCS 2605/2605-615(f). AFTL reported two significant non-conformities for 2024 to the Commission as follows:

1. “Use/Discovery an invalid method for the analysis of evidence - Toxicology
 - a. The AFTL ended human testing in February 2024. Nevertheless, in March 2024, the AFTL completed 1 corrective action for the analysis of THC in blood and urine. It was discovered that the laboratory did not use instrument methods that fully separated the d8 and d9 isomers of THC, which was necessary for identification and quantification of the specific isomer after d8-THC emergence into the consumer marketplace for products such as edibles and vaping.”
2. “Issues of an analyst’s technical competence- Toxicology



- a. The AFTL ended human testing in February 2024. Nevertheless, in March 2024 the AFTL completed 1 corrective action for an analyst's testimony regarding the interpretation of results in a case with respect to the analyst's reference to the language "scientifically under the influence." The corrective action was started after the AFTL's accrediting body transmitted an anonymous complaint that the subject language was inaccurate and misleading. The AFTL's accrediting body found that the communications and testimony of the analyst in that case regarding "scientifically under the influence" can reasonably be misunderstood as meaning "impairment"; and that the timeframe during which THC can be found in blood or urine after consumption can vary from person to person based upon frequency of use."^{iv}

Based on the limited information provided by AFTL regarding the corrective actions implemented for these identified significant non-conformities, the Commission stated as follows in the 2024 SNC Report, which was approved by the Commission on June 11, 2025:

"A laboratory complying with the forensic science community's best practices for quality assurance will evaluate and address the impact of any non-conforming work. Where necessary, the customer is notified. Therefore, based on the information provided at this time by the five reporting laboratories, the Quality Systems Subcommittee makes the following observations:

- 1) When a laboratory determines that non-conforming work impacts the accuracy of the reported test results/conclusions/opinions from laboratory analysis, a supplemental or amended testing report should be issued for every impacted report.
- 2) When a laboratory determines that a forensic scientist communicated inaccurate information during court testimony about test results/conclusions/opinions from laboratory analysis, the laboratory should identify the impacted case(s) and notify the involved prosecutorial authority(s). This would be facilitated by laboratory testimony monitoring and record keeping of court appearances."^v

Additionally, on March 11, 2026, the Commission issued a statement which included the following recommendation:

"The Illinois Forensic Science Commission recommends that the University of Illinois Chicago ("UIC") initiate a comprehensive audit of the AFTL's forensic toxicology lab operations to be conducted posthaste and that a report of the findings be made publicly available upon completion of the audit. The audit should be conducted by an independent agency or vendor, and the audit team should be comprised of members with subject matter expertise in relevant aspects of forensic science services including, but not limited to, applicable forensic toxicology testing, ISO/IEC forensic laboratory accreditation, and forensic laboratory management."^{vi}



As of today's date, neither UIC nor AFTL has responded or in any way communicated with the Commission regarding the Commission's 2024 SNC Report or the Commission's March 11, 2026 statement and recommendation.

Observations

1. The 2026 UIC Addendum states: "the Investigative Team previously concluded that the methodologies used by AFTL to test for and quantitate Delta-9 THC in human blood and urine samples were appropriate through approximately March 2021."vii
2. The 2025 UIC Report states: "the legalization of hemp under both federal and Illinois law in 2018 facilitated the rise of legal and commercially available products containing significant concentrations of Delta-8. Once these hemp-derived Delta-8 products became commercially available to the general public, it was incumbent upon AFTL to account for the potential presence of Delta-8 in the human samples it was asked to test because the presence or absence of Delta-8 became a potentially relevant data point."viii The UIC Report also states: "[p]rior to the commercial availability of consumable hemp-derived Delta-8 products, which came to market in or after 2019, AFTL's methodologies for Delta-9 quantitation were appropriate and met accepted scientific standards."ix
3. A May 29, 2025 press release posted on UIC's website states: "Prior to 2019, AFTL's THC testing methodologies used by the AFTL to quantitate or measure the concentration of THC in human samples were appropriate and met scientific standards. Following the legalization of consumable products derived from hemp plants and their retail sale, AFTL's methodologies should have been modified to sufficiently differentiate between two closely related forms of THC, Delta-8-THC and Delta-9-THC."x
4. AFTL began reporting quantitative levels of THC in 2016.xi AFTL began reporting the Delta-9 THC isomer concentration in May of 2018.xii
5. AFTL's THC testing methodologies for the detection and quantitation of THC were flawed because the laboratory did not use instrument methods that fully separated the Delta-8 and Delta-9 isomers of THC in blood and urine samples.xiii
6. The UIC Report asserts that the "reliability of AFTL's quantitations of Delta-9 may be confirmed on a case-by-case basis with reference to various forensic data points[.]"xiv Neither the UIC Report nor the UIC Addendum indicate that UIC or AFTL has conducted or currently is conducting case-by-case reviews of the "forensic data points" to assess the "reliability of AFTL's quantitations of Delta-9" in any cases.



7. AFTL reported to the Commission that it completed a corrective action in 2024 related to AFTL's use of instrument methods that did not fully separate the Delta-8 and Delta-9 isomers of THC in blood and urine samples.^{xv} Specifically, AFTL issued a non-case-specific notification letter regarding the reported significant non-conformity in May of 2024.^{xvi}
8. AFTL did not issue amended or supplementary reports in 2024 as part of its corrective action related to AFTL's inability to fully separate the Delta-8 and Delta-9 isomers of THC in blood and urine samples.^{xvii} Neither the UIC Report nor the UIC Addendum indicate that AFTL issued amended or supplementary reports in affected cases in 2025 or 2026 or that UIC or AFTL intends to issue amended or supplementary reports in any affected cases.
9. As previously noted by the Commission, a supplemental or amended testing report should be issued for every impacted report when a laboratory's non-conforming work impacts the accuracy of reported test results/conclusions/opinions from laboratory analysis. In addition to correcting the case file in each affected case, the supplemental or amended report notifies the customer of the non-conforming work and the impact on the test results/conclusions/opinions in a specific case.
10. After the Illinois State Police Division of Forensic Services (ISP-DFS) determined in 2021 that its instrumental method for the quantitation of THC in blood may not have been consistently separating the Delta-8 THC isomer from the Delta-9 THC isomer, ISP-DFS conducted a corrective action which included notification to all potentially impacted State's Attorney's Offices and law enforcement agencies and the issuance of amended reports for all affected cases dating back to the date on which ISP-DFS began reporting quantitative levels of THC in blood.^{xviii}
11. In its May 11, 2021 notification letter to State's Attorney's Offices and law enforcement agencies, ISP-DFS stated its intent to issue amended reports in all affected cases.^{xix}
12. The UIC Report acknowledges that AFTL was contacted in 2021 regarding both ISP-DFS's methodology issue with separating the Delta-8 and Delta-9 THC isomers in blood samples and ISP-DFS's 2021 notification letter.^{xx}
13. Portions of ISP-DFS's 2021 notification letter are repeated verbatim in AFTL's May 2024 notification letter.^{xxi}
14. The UIC Report quotes from ISP-DFS's 2021 notification letter.^{xxii} The UIC Report does not acknowledge or discuss the fact that ISP-DFS's 2021 notification letter included a



statement of ISP-DFS's intent to issue amended reports in all affected cases dating back to the date on which ISP-DFS began reporting quantitative levels of THC in blood.^{xxiii}

15. AFTL reported to the Commission that it initiated a corrective action in 2024 related to the use of the phrase "scientifically under the influence" during courtroom testimony.^{xxiv}
16. The UIC Report recounts an ANSI National Accreditation Board ("ANAB") determination that "allegations related to inaccurate and unqualified testimony have merit[,]"" reportedly related to a named analyst's use of the term "scientifically under the influence" in communications and testimony.^{xxv}
17. Neither the UIC Report nor the UIC Addendum indicate what, if any, corrective action AFTL took related to the analyst's use of the phrase "scientifically under the influence."
18. AFTL reported to the Commission that it was unable to identify which case(s) may have been impacted by the use of the phrase "scientifically under the influence" and that AFTL did not send notifications to State's Attorneys' Offices regarding testimony or communications using the phrase.^{xxvi}
19. During the Quality Systems Subcommittee's Meeting on April 23, 2026, a member of the public informed the subcommittee that they obtained an excel spreadsheet logging the court cases of the analyst named in the UIC Report in response to a Freedom of Information Act (FOIA) request submitted to AFTL.^{xxvii}
20. As previously noted by the Commission, when a laboratory determines that a forensic scientist communicated inaccurate information during court testimony about test results/conclusions/opinions from laboratory analysis, the laboratory should identify the impacted case(s) and notify the involved prosecutorial authority(s).



Recommendations

AFTL is organized within the Department of Pharmaceutical Sciences in the University of Illinois Chicago's Retzky College of Pharmacy.^{xxviii} Regardless of the current or future status of AFTL laboratory operations or AFTL's ISO 17025 accreditation status,^{xxix} the Illinois Forensic Science Commission recommends that the University of Illinois Chicago ("UIC") take the following actions for the correction of AFTL's two reported significant non-conformities.

1. The Illinois Forensic Science Commission recommends additional action for the correction of the significant non-conformity related to AFTL's inability to separate the Delta-8 THC and Delta-9 THC isomers in human blood and urine samples. The additional action should include identification of every case in which AFTL utilized the admittedly deficient methodology and reported the presence of THC or Delta-9 THC in human blood or urine samples.

Based on information available at this time, the Commission recommends that the additional action include a notification to the law enforcement agencies and prosecutor's offices for every case in which AFTL utilized the admittedly deficient methodology and reported the presence of THC or Delta-9 THC in human blood or urine samples via:

- (1) Issuance of amended or supplemental lab reports in all cases where AFTL reported the presence of THC (from 2016 to 2018) and Delta-9 THC (from May 2018 to 2024) in human blood or urine samples; and/or
 - (2) Issuance of comprehensive lists of all cases (including all AFTL and agency case identifiers) in which AFTL reported the presence of THC (from 2016 to 2018) and Delta-9 THC (from May 2018 to 2024) in human blood or urine samples.
2. The Illinois Forensic Science Commission recommends additional action for the correction of the significant non-conformity related to an AFTL analyst's testimony utilizing the term "scientifically under the influence." The additional action should include review of transcripts from all cases in which the analyst testified and notifications to the prosecutor's office(s) in any case(s) where "scientifically under the influence" language was used during court testimony.

Supplemental Report reviewed and accepted by Illinois Forensic Science Commission on September 9, 2026.



-
- ⁱ 2024 SNC Report available at: <https://isp.illinois.gov/StaticFiles/docs/ForensicServices/2025%20IFSC%20Report%20Sig%20NC%20for%202024.pdf>
- ⁱⁱ See <https://aftl.lab.uic.edu/>; UIC Report available at: <https://uofi.app.box.com/s/yne9l5g2frd4sgvlu97aq7c1id0dm6zf>; UIC Addendum available at: <https://uofi.app.box.com/s/ep4iuhfmoncv6g6fcuawm84dbm94411jc> (visited 8/27/26).
- ⁱⁱⁱ The Commission’s enabling statute provides that “[t]he Commission shall: * * * [r]eview significant non-conformities with the sound practice of forensic science documented by each publicly funded ISO 17025 accredited laboratory and offer recommendations for the correction thereof.” 20 ILCS 2605/2605-615(b)(4).
- ^{iv} See 2024 SNC Report at 13.
- ^v See 2024 SNC Report at 15.
- ^{vi} Illinois Forensic Science Commission Statement and Recommendation in Response to “Investigative Report Regarding the University of Illinois Chicago Analytical Forensic Testing Laboratory” (March 11, 2026) at 4; available at: https://isp.illinois.gov/StaticFiles/docs/ForensicServices/FSC%20Response%20UIC%20AFTL%20Report_and_UIC%20AFTL%20Report%20FINAL.pdf
- ^{vii} UIC Addendum para. 1 (emphasis added).
- ^{viii} UIC Report at 19 (emphasis added).
- ^{ix} UIC Report at 2 (emphasis added).
- ^x UIC Office of the Vice Chancellor for Strategic Marketing and Communications “Analytical Forensic Testing Laboratory” (posted on 5/29/25, modified on 7/25/25) (emphasis added). Available at: <https://smc.uic.edu/news-stories/issue-analytical-forensic-testing-laboratory/> (visited 8/27/26).
- ^{xi} UIC Report at 11.
- ^{xii} UIC Report at 16.
- ^{xiii} UIC Report at 16, 18, 20, 22.
- ^{xiv} UIC Report at 19.
- ^{xv} 2024 SNC Report at 13.
- ^{xvi} 2024 SNC Report at 14; UIC Report at 16.
- ^{xvii} 2024 SNC Report at 14.
- ^{xviii} May 11, 2021 Letter from Illinois State Police Division of Forensic Services to State’s Attorneys and Law Enforcement Agencies; see also UIC Report at 12-13.
- ^{xix} *Id.*
- ^{xx} UIC Report at 12-14.
- ^{xxi} May 11, 2021 Letter from Illinois State Police Division of Forensic Services to State’s Attorneys and Law Enforcement Agencies; see also UIC Report at 12-13, 16.
- ^{xxii} UIC Report at 12-13.
- ^{xxiii} *Id.*



^{xxiv} 2024 SNC Report at 13.

^{xxv} UIC Report at 29.

^{xxvi} 2024 SNC Report at 14-15.

^{xxvii} UIC Report at 29; Minutes from April 23, 2026 Quality Systems Subcommittee Meeting available at: <https://isp.illinois.gov/Forensics/MeetingDetails/162>

^{xxviii} UIC Report at 11 n. 5; see also UIC Report at 11 (AFTL contracted with law enforcement agencies for testing of human samples); UIC Report at 15 (College of Pharmacy responsible for analyzing financial viability of AFTL, implementing cost-cutting measures, non-renewal of human testing contracts, and non-reappointment of human testing staff); UIC Report at 1 (allegations related to AFTL testing methodology presented to University counsel); UIC Report at 1-2 (University retained Taft Stettinius & Hollister LLP to advise the University whether allegations about AFTL had merit).

^{xxix} UIC's website indicates that "[a]s of May 15, 2026, AFTL is closed for business." The website acknowledges that AFTL nonetheless maintains an ISO 17025 accreditation. See <https://aftl.lab.uic.edu> (visited 8/27/26). AFTL's ANAB accreditation certificate expires on April 16, 2027. See https://efaidnbmnnnibpcajpcgclefindmkaj/https://search.anab.org/public/organization_files/University-of-Illinois-at-Chicago-Analytical-Forensic-Testing-Laboratory-Cert-and-Scope-File-12-17-2025_1765990035.pdf (visited 8/27/26).