



## The Commonwealth of Massachusetts Executive Office of Public Safety and Security

One Ashburton Place, Room 2133  
Boston, Massachusetts 02108

Tel: (617) 727-7775

TTY Tel: (617) 727-6618

Fax: (617) 727-4764

[www.mass.gov/eopss](http://www.mass.gov/eopss)

**MAURA T. HEALEY**  
Governor

**KIMBERLEY DRISCOLL**  
Lieutenant Governor

**TERRENCE M. REIDY**  
Secretary

### **FORENSIC SCIENCE OVERSIGHT BOARD**

Date: March 9, 2023

Time: 10:00AM

Place: Virtual Meeting Microsoft Teams

#### *Members Present:*

Undersecretary Kerry Collins, Chair

Lisa Kavanaugh, Esq.

Cliff Goodband

Ira Gant, Esq.

Gabriel Thornton, Esq.

Sabra Botch-Jones

Adrienne Lynch, Esq.

Gina Papagiorgakis

Rick Lempert, JD, PhD

Ann Marie Mires, PhD

Anne Goldbach, Esq.

#### *Members Absent:*

Lucy Davis BHS, D-ABC

Justice Nancy Gertner

Timothy Palmbach, Esq.

Robin Cotton, PhD

#### **Call to Order**

The meeting was called to order at 10:02AM once a quorum of members had been established. Chair Collins took roll call attendance.

Chairwoman Collins informed Board members that March 31<sup>st</sup> may be last date where remote meetings are still a viable option unless the legislature extends the remote meeting provision.

#### **Meeting Minutes Review/Vote**

The meeting minutes were approved however the draft watermark needs to be taken off and the new letterhead reflecting the change in administration needs to be changed prior to posting.

### **Chain of Custody Document Review**

Atty. Adrienne Lynch amended the document to reflect the suggested changes after the last meeting into the report. Atty. Gabe Thornton, Dr. Rick Lempert, and Sabra Botch-Jones had comments. Atty. Lynch shared the latest chain of custody document and discussed the definitions section. She acknowledged that there is a lexicon (OSAC standards) that is ongoing and should be consulted for this section of the report. Atty. Lynch further stated that the footnote could read something like, “the Board acknowledges that the missed OSAC standards development program began in 2014.”. Atty. Lisa Kavanaugh stated that there is language elsewhere that talks about optimal standards which are not always required and she worries this could be taken as a limit to post-conviction access to DNA testing. Ira Gant, Esq. stated that optimal chain of custody measures are not necessary but are best practices. Dr. Rick Lempert agreed. The language was amended to reflect the proposed changes by the group.

Atty. Lynch, Ms. Botch-Jones, and Atty. Gant recommended some additional language on collection which was adopted.

Atty. Gant suggested adding some language on drying wet evidence prior to packaging.

Chair Collins thanked Atty. Lynch for her work and stated that the final document will be voted on at the next meeting. Any comments should be proposed and addressed in the next week.

### **Boston Police Audit Document Review**

Atty. Lisa Kavanaugh wondered if it would be helpful to generalize the areas that an audit or accreditation process typically samples to inform an area of recommendation. Atty. Lynch asked if when the Board audited all police departments, did the Board receive a percentage of return because it may have under-utilized resources that are available and would have more of an impetus to get a response and assist with outreach in getting responsiveness to the specific information. Atty. Arielle Mullaney is going to circulate what she can find from the archives.

Chair Collins stated that we can look at the FSOB budget to potentially get transcripts. Tim Palmbach, Esq. and Dr. Robin Cotton are to submit any framework they have written. Atty. Kavanaugh offered to draft language on how to approach the Springfield and other PD audits.

### **Legislation/Pending Bills**

Chair Collins stated that legislative updates will always be on the agenda to inform folks of the bills in Massachusetts pertaining to CODIS/forensic science/etc. for Board members' awareness. There were no additional comments.

Dr. Ann Marie Mires will send the link to Chair Collins of the most recent bill filing from Senator Ann Gobi.

### **Meeting Dates**

Chair Collins discussed the upcoming potential expiration of the remote (virtual) meeting law and that she will keep everyone apprised. The next meeting is scheduled for April.

### **Topics Not Reasonably Anticipated Within 48 Hours**

Dr. Mires noted that was present but not listed on the previous meeting minutes. She also flagged the press release about missing and unidentified persons cases going into NAMUS and the Healey-Driscoll administration proposed \$300,000.00 for the 2024 budget for a missing and unidentified person unit within EOPSS which is what the Missing Persons Task Force had recommended.

**Adjourn**

The meeting was adjourned at 12:42PM.