

Illinois Forensic Science Commission- Public Policy Subcommittee

Meeting Minutes

May 9, 2025, 12:30 p.m. meeting

I. Call to order

Ms. Watroba called the meeting to order due to Mr. Hanlon's absence at approximately 12:30 p.m. The meeting was held via Web Ex.

II. Roll-call

The following subcommittee members and staff were present:

1. Dr. Ponni Arunkumar, FS Commission Member, subcommittee member
2. Jillian Baker, FS Commission Member, subcommittee member
3. Claire Dragovich, FS Commission Member, subcommittee member
4. Katherine Drummond, FS Commission Member, subcommittee member
5. Cris Hughes, FS Commission Member, subcommittee member
6. Carrie Ward, FS Commission Member, subcommittee member*
7. Amy Watroba, Executive Director-Forensic Science Commission

III. Review/Adoption of Minutes

1. The Meeting Minutes of 4/11/25 were adopted by unanimous vote.

IV. Discussion:

1. Statement summarizing Commission work and recommendation related to the use of victim DNA
 - i. Ms. Watroba explained that the impetus for drafting the document was an inquiry from someone in the DNA community about the Commission's recommendation related to the use of victim DNA. At the time that recommendation was put forth, the Commission did not yet have the infrastructure to memorialize and publish recommendations on the Commission's webpage. Rather, the Commission's 2022 recommendation was communicated via letters to congressional leadership. The proposed statement summarizes the Commission's work and appends the letters that were sent to congressional leadership. If approved, the statement and appended documents could be posted on the website as a resource and for historical purposes.

- ii. Ms. Watroba shared a draft statement summarizing the Commission's previous work on the issue of the use of victim DNA. The subcommittee discussed the draft statement. The subcommittee then agreed by consensus to present the proposed statement to the Commission at the next Commission meeting and to recommend that the Commission approve the statement and post the statement on the Commission's webpage.

2. Identification of emerging drugs in Illinois

- i. The subcommittee discussed the presentation from Jennifer Watson at the last subcommittee meeting. Ms. Drummond commented that she found the information very informative and noted that the type of information is not generally accessible to members of the defense bar. Ms. Baker commented that she likes Ohio's model, which includes a group comprised of different stakeholders with a subgroup (Emerging Drugs Scientific Working Group (EDSWG)) which is comprised of lab representatives that review novel substances encountered in casework to see if they meet the requirements for being controlled under Ohio law. Benefits of this group include the ability to have laboratories talk to each other and have a consensus as to whether emerging drugs meet the statutory requirements to be controlled under Ohio law and to foster relationships between laboratories. Ms. Baker opined that a similar group would constitute an improvement to forensic science in Illinois. Ms. Dragovich noted that Ohio has many labs operating within their state, whereas Illinois currently has 3 lab systems and one lab that may open soon. The group in Ohio mitigates the risk of labs reaching inconsistent conclusions regarding whether an emerging drug is controlled. Even though Illinois has fewer lab systems, a similar approach in Illinois would mitigate the risk of different lab systems reaching different conclusions regarding whether an emerging drug is controlled under Illinois statutes. Collaboration between laboratories could also facilitate the sharing of information regarding emerging drugs in Illinois observed by seized drugs laboratories with medical examiner/coroner's offices which could inform their decisions regarding toxicological panels.
- ii. Dr. Hughes raised the issue of how participating labs would decide on process and whether unanimity would be required regarding classifying a particular drug. Ms. Dragovich responded that the labs could determine the best process and stressed that each lab would still make its own decisions based on their lab protocols. Discussion ensued regarding Ohio's approach to documentation of their chosen process

and the possible value of a central repository of information reached by consensus regarding particular drugs that could be accessible to other laboratories or stakeholders.

- iii. Ms. Watroba raised the topic of where Ohio's group is housed, which is within the Ohio Department of Public Safety in their Narcotics Intelligence Center. She commented that since Illinois does not have many lab systems, in the short term perhaps a recommendation could be that Illinois's three lab systems start a voluntary group/communication process to share information about emerging drugs. This could be a short-term way to get ahead of the issue of different labs possibly reaching different conclusions regarding whether an emerging drug is controlled under Illinois law. If such a group was formed, they could decide whether their existence was sufficient to address the issue. If it's not sufficient, the subcommittee could then consider whether to recommend creation of a more formalized group. Ms. Watroba opined that a formal group could not be housed within the Commission for several reasons, including the Commission's statutory scope and the nature of the work that the group would do (i.e. discussion of active criminal cases or investigations). Ms. Watroba also raised downstream concerns of any decisions regarding whether a particular drug is controlled being attributed to the Commission in criminal cases.
- iv. Ms. Baker opined that there should be a formal location for such a group and inquired as to possible entities to house such a group in Illinois. Ms. Watroba suggested that the subcommittee could look at possible options in light of Illinois law and governmental structure. She noted that the Illinois State Police has a unit that is comprised of metropolitan groups and task forces which on paper seems similar to Ohio's Narcotics Intelligence Center, but that she is not sure how it functions. Discussion ensued about whether a group would need to be housed within a state-level agency or whether it could be housed in a regional law enforcement entity or public health entity. Something that would not require legislation would be preferable since legislation takes a long time. Governor task forces are usually created for a finite period of time to address specific issues and make recommendations, so that is probably not an option. The subcommittee could make the initial recommendation for a collaboration between labs and then continue to study the issue of where a more formalized group could be housed.

- v. Dr. Arunkumar inquired whether it would be sufficient for the Commission to make a general statement or recommendation for labs to communicate regarding the reporting of emerging drugs and then leave it for the labs to decide the best mechanism for following the Commission's recommendation. Dr. Hughes suggested that the subcommittee could provide additional recommendations to support needs identified by the labs.
- vi. Ms. Baker shared that she reached out to Ms. Watson to follow up on the question of how Ohio's working group was formed. Ms. Baker spoke to the contact provided by Ms. Watson who shared a white paper regarding Ohio's EDSWG. The white paper was shared with the subcommittee and discussed. The value of disseminating information regarding both controlled and non-controlled emerging drugs of concern to different stakeholders also was discussed.
- vii. The subcommittee decided by consensus to put the issue on the agenda as a discussion item for the next Commission meeting for general discussion with the full Commission.

V. Old Business

Dr. Hughes and Dr. Arunkumar have been working on the issue of funding for the identification of unidentified human remains with various agencies to identify needs and next steps. They will share their final product with the Commission and identify anything that the Commission may want to explore and/or ways the Commission could support their endeavors.

VI. New Business

None.

VII. Public Comment

No public comment offered.

VIII. Next Meeting/Adjournment

The next meeting will be scheduled via Doodle Poll. The meeting was adjourned at approximately 1:25 p.m.