

# Illinois Forensic Science Commission

## Quality Systems Subcommittee

### Meeting Minutes

August 6, 2025, 12 p.m. meeting

- I. Call to order  
Subcommittee Chairperson Claire Dragovich, called the meeting to order at approximately 12:00 p.m. The meeting was held via Web Ex.
- II. Roll-call  
The following people were present:
  1. Claire Dragovich, FS Commission Member, Subcommittee Chairperson
  2. Jillian Baker, FS Commission Member, Subcommittee Member
  3. Jeffrey Buford, FS Commission Member, Subcommittee Member
  4. Judge Art Hill (ret.), Commission Member, Subcommittee Member
  5. Frances Kammueler, NIRCL, Subcommittee Member
  6. Joanne Liu, Illinois State Police, Subcommittee Member
  7. Amy Watroba, Executive Director-Forensic Science Commission
  8. Maya Dukmasova
  9. Jennifer Maples
  10. Kevin McMahon
  11. Amy Miles
  12. Lindsay Simpson
- III. Review of Minutes:
  1. The corrected minutes from the May 29, 2025, subcommittee meeting were approved.
  2. The minutes from the June 5, 2025, subcommittee meeting were approved.
- IV. Discussion: Investigative Report Regarding the University of Illinois Chicago Analytical Forensic Testing Laboratory issued May 28, 2025.

Ms. Dragovich explained that the UIC Report is of interest to the Commission because AFTL was providing forensic toxicology testing in Illinois for a number of stakeholders and the UIC Report contains information regarding concerns about the testing performed at the lab and information communicated by the lab to its stakeholders. Ms. Watroba shared the portion of the Commission's statute outlining the duties and purpose of the Commission to help frame the subcommittee's discussion. Ms. Watroba noted 6 main duties that are relevant and highlighted the use of action verbs in certain sections (providing guidance,

offering recommendations, etc.) and the sections that use words such as discussing, monitoring, and reviewing. Ms. Watroba noted that the subcommittee is well-within its scope to review the UIC Report but suggested that the subcommittee and full Commission revisit the statute if and when they think about taking action to ensure any action aligns with the Commission's statute. Judge Hill inquired about whether the subcommittee had already discussed possible actions that might result from reviewing the UIC Report. Ms. Dragovich and Ms. Watroba explained that the Commission and subcommittee have discussed the fact that the UIC Report may contain information of interest to the Commission and that the subcommittee would begin by reviewing the UIC Report and then decide whether there was something actionable in the UIC Report. Ms. Dragovich also noted that AFTL participated in reporting 2024 Significant Non-Conformities to the Commission and there is some overlap in what was submitted and what is covered in the UIC Report. The subcommittee discussed how to unpack the information in the report to issue spot and identify topics that the subcommittee may want to invite subject matter experts to discuss.

The subcommittee decided to review the UIC Report page by page to identify issues and questions.

Table of Contents (pages i to ii):

- It was noted that AFTL's Significant Non-Conformity Report to the Commission discussed 2 SNCs that resulted in corrective actions. The UIC Report outlines more "allegations" than were reported in the AFTL 2024 SNC Report to the Commission.

Introduction (page 1):

- Provides overall timeline and explains that focus of report is the testing of human blood and urine samples for THC and mentions the Illinois DUI statute. Subcommittee noted that the DUI statute for per se cannabis prosecutions (625 ILCS 5/11-501(a)(7)) does not, in fact, include urine as stated in the UIC Report. The statute states "whole blood or other bodily substance."
- The UIC Report states that the University became aware of questions raised regarding AFTL's testing methodologies in or around May and June of 2024 and that the UIC presented the allegations to University Counsel and then retained a law firm to investigate in November of 2024.
- The University also became aware of allegations in court pleadings alleging that AFTL's methodologies were flawed because they failed to distinguish between Delta-9 and its closely related isomer Delta-8 THC and that after AFTL was aware of its flawed methodologies AFTL reported inaccurate Delta-9 amounts and provided testimony in criminal cases based on the inaccurate results.

- The summary does not indicate when AFTL knew its methodologies were flawed.
- The subcommittee raised the question of what responsibility the University has when it becomes aware that one of its departments has been accused of providing false reports. The lab was housed within the College of Pharmacy which was then housed in the University. An end result of this subcommittee's review of the UIC Report might be identifying or making recommendations related to questions such as these that could guide policy going forward for other institutions who may open forensic labs in the future.
- ISO 17025 requires that a lab have a policy on how to handle complaints, but it is unclear what the parent University's policies were.

Executive Summary (page 2): The UIC Report's Key Findings and Conclusions summarize the key findings discussed in more detail later in the UIC Report. The subcommittee decided to move on to the body of the document because the bullet points are not detailed and there may be some conflict between the key findings and conclusions and the explanations later in the report.

Materials Reviewed (pages 4-6):

- The subcommittee discussed footnote 2 on page 4 which mentions email communications and University email retention schedules and whether those may differ from lab retention requirements for accreditation. Accreditation requires retention of emails related to testing requests.
- The subcommittee reviewed the list of people who were interviewed for the UIC Report. It is unclear when the former lab director left in relation to when the investigation was conducted. The UIC Report states that they were unable to contact an analyst who is no longer employed by the lab and the report names her attorney and her husband who is an attorney. It is unclear why the report contains this information. It appears that the analyst was not terminated but rather was issued a notice of non-reappointment by the University because the position was no longer funded. The report indicates she subsequently resigned.
- The UIC Report indicates there was another former lab employee that they were unable to contact.
- The UIC Report takes the position that the human toxicology program was terminated for financial reasons. On page 15 the report expounds further on the reason and timeframe for the closing of the lab. It indicates that human testing ended on February 5, 2024. The subcommittee noted that the ISP and the DuPage Forensic Science Center do not charge for forensic testing. NIRCL charges agencies for the services provided. AFTL was similar in that they charged agencies for services, but it is unclear whether they charged agencies

via contracts or by case. Thus, the fees charged of agencies would be part of AFTL's revenue needed to run operations.

- The UIC Report indicates they consulted with Dr. Michael Coyer, Ph.D., a forensic toxicologist from out of state. His credentials are unclear from the report. The report lists the materials Dr. Coyer reviewed.

Overview of laboratory methodologies and key terminology (pages 7-10):

- The subcommittee noted that this section is written by lawyers, not scientists, and that people reading the stand-alone document who do not have a science background may take the UIC Report's language verbatim as being correct.
- The UIC Report indicates that AFTL had 2 LC/MS/MS machines they referred to as #1 and #2.
- The simplified diagram on page 8 is not a great graph and the report does not address how separated the peaks need to be to be considered sufficient resolution. Peak shoulder means you have incomplete separation of at least 2 compounds. The peak shoulder image on page 9 is not good chromatography.
- The UIC Report indicates on page 9 that in addition to qualitative identification of compounds, LC/MS/MS analysis can be used to quantitate the amount of a particular compound that is present in a sample. It states that compounds which are completely separated are more easily and reliably quantitated than compounds which are not completely separated. The subcommittee raised the question of how quantitation is done when there is not separation of analytes. The subcommittee also raised the question of how a toxicologist would determine sufficient separation in comparison, for example, to how a drug chemist would interpret data. This is question that should be posed to a subject matter expert. This is important because the assertions in the UIC Report about the general underlying science in this section of the report might be interpreted by a reader as being acceptable. One thing the subcommittee may consider doing in response to the UIC Report is clarifying or providing further explanation about the assertions in this general section after the subcommittee hears from toxicologists.
- On page 9, the UIC Report discusses AFTL's THC methodologies for testing for THC in human blood and urine. The Commission has previously issued statements noting that THC is not typically found in urine. Rather, a THC metabolite is found in urine. Subcommittee members commented that this section of the UIC Report discussing urine appears to be inaccurate.
- At AFTL, one instrument was used for screening and one was used for confirmation and quantitation. The numbers are backwards, which likely just indicates the order in which they purchased the instruments. It was noted that a later reference to an instrument as "triple quad" or "LCQQQ" (used in an email quoted on page 14 of report) is the same as these instruments.

- After a blood or urine sample was received at AFTL and prepared for testing, they used the #2 instrument to screen looking for any drug or metabolite of interest. The screening test identified whether Delta-9 and/or its metabolites were present in the sample. If Delta-9 was present the analysts would then run the sample on the #1 instrument as a confirmation and determine the quantity of Delta-9 in the sample.
- The UIC Report states on page 10 that a review of the instrument parameters indicates that the #2 instrument had a longer and different gradient program than the LC/MS #1. This longer gradient potentially allowed for better separation of compounds thereby giving more qualitative information about the compounds present in a particular sample.
- The subcommittee would like to understand how AFTL was able to identify the Delta-9 and if they actually could distinguish between a metabolite of Delta-9 and Delta-9 if they were analyzing urine, because they should not have been seeing Delta-9 if they were analyzing urine. The subcommittee would like an explanation of how this is possible because it is confusing from a scientific perspective.
- Page 10 of the UIC Report discusses the quality controls used by AFTL. The subcommittee would like to hear from subject matter experts in toxicology as to whether these are the appropriate quality controls that should be used for qualitative and quantitative analysis. Quality controls differ between disciplines. For example, it is unclear why a calibration curve would be used for both qualitative and quantitative analysis (versus just for quantitative analysis).
- The subcommittee is unclear on the source or origin of the description provided in this section of the report. Specifically, was this section written by lawyers or by the retained scientist? Was this information a result of discussions with personnel from AFTL? The subcommittee noted that the UIC Report is concerning and the lack of information about the source of the content raises the question of how accurate the content is.
- The UIC Report indicates that the described Quality Control measures were regularly implemented in the analysis of urine and blood for Delta-9. It again was noted that the report states that urine was tested for Delta-9 when one would not expect to find Delta-9 in urine.

Chronology and Summary of Relevant Events (pages 11-16):

- The UIC Report starts with when AFTL began blood and urine testing. It is something they added to the laboratory after they hired an analyst formerly from ISP to initiate and develop AFTL's human biological testing services. The other section for equine testing remains today.
- The UIC Report does not state when in 2016 AFTL started human testing for THC. The DUI statute changed effective July 29, 2016, including the changes

adding the 5 and 10 nanogram threshold amounts for per se DUI-Cannabis. This change took place when Illinois decriminalized cannabis.

- AFTL contracted with law enforcement agencies to do testing and were paid directly for that work.
- The subcommittee recounted previous discussions about how Delta-9 is metabolized in the body when someone uses cannabis. If a person ingests or inhales cannabis, there will be Delta-9 at some point in their blood, but then when the body metabolizes the Delta-9 for excretion in urine it becomes an inactive conjugated form of THC. It can take up to approximately a month to excrete from the body, so if someone is a legal cannabis user and their urine is tested there could be metabolites in their urine that do not correlate with impairment or indicate recent use. That is partly why blood is an appropriate substrate for testing for Delta-9 impairment and urine is not.
- The UIC Report discusses the human testing services that AFTL provided and it discusses that they provided quantitative levels of THC and its two main metabolites, Hydroxy-THC and Carboxy-THC. It then lists the analysts who performed human testing.
- The UIC Report then talks about the introduction of the Farm Bill in 2018. The focus seems to be on Delta-9 and introducing the idea that there could be products from hemp that could be a loophole to the controlling of cannabis and Delta-9.
- The UIC Report then discusses the fact that someone from ISP contacted Dr. Larsen in 2021 explaining that ISP discovered that its methodologies were not separating Delta-8 and Delta-9 and inquiring if AFTL could separate the two isomers and, if so, what methodology AFTL was using. The paragraph does not state AFTL's response. The UIC Report also mentions the letter ISP sent to State's Attorney's Offices on May 11, 2021 about the Delta-8 and Delta-9 separation issue at ISP in its blood testing (because ISP only tested blood, not urine). This was of concern because the DUI statute specifies Delta-9 and if you do not have complete separation of the Delta-8 and Delta-9 you do not really know how much Delta-9 you have in a sample and if you issued a report for the identification and amount of Delta-9 it could be inaccurate.
- It was noted that the UIC Report provided only a short and partial description of the corrective actions taken by ISP after ISP discovered that their testing methodology was not completely separating Delta-8 and Delta-9 in blood. ISP issued a more detailed letter thoroughly describing the issue and described the corrective actions taken including the issuance of amended and/or supplemental reports and the availability of webinars for agencies to attend related to the testing issue.
- The subcommittee noted the importance of the fact that AFTL was aware of the testing issue at ISP via communication to the lab director of AFTL. Therefore, AFTL was acutely aware that the separation of Delta-8 and Delta-9 was a concern.
- The UIC Report suggests that after receiving that communication from ISP, AFTL conducted in-house tests to see if their methodology was separating

Delta-8 from Delta-9. The test was performed on March 31, 2021, and the test indicated that AFTL could not separate the isomers in a sample that contained both Delta-8 and Delta-9. The UIC Report notes that the test was performed only on the LC #1 and suggests that the LC #2 would have been the more appropriate instrument for the test because it had longer parameters with the existing gradient.

- The subcommittee noted that the LC#2 was the instrument used for screening and qualitative analysis and the LC #1 was used for confirmation and quantification. The subcommittee took issue with the UIC's Report suggestion that the LC #2 would have been the more appropriate instrument for the test, since the LC #1 is the instrument AFTL used for quantification. The subcommittee has questions about what data AFTL looked at. AFTL did not run the test on both instruments for unknown reasons.
- The UIC Report discusses an email from an employee of the Cook County State's Attorney's Office in May of 2021 to AFTL employee Ms. Bash following the CCSAO's receipt of ISP's letter. The CCSAO employee inquired whether AFTL's testing allows the separation of Delta-8 and Delta-9. Ms. Bash responded in an email that "we do have a difference in [retention time] for these compounds and we're always willing to do testing for agencies if it's needed." (page 13) The subcommittee noted that the email response from Ms. Bash differs from the information in the prior paragraph of the UIC Report where it states that AFTL was unable to resolve these two isomers. It is unclear from the UIC Report if there was additional work done or if there was documentation that AFTL did, in fact, run the samples on the LC #2. The UIC Report indicates that Ms. Bash did not participate in the investigation and since no additional run is mentioned the assumption is that the investigation did not reveal any records to answer that question.
- The UIC Report indicates that three days after the emails exchanged between AFTL and the CCSAO there is an internal AFTL email referencing an article validating a method for complete separation of the Delta-8 and Delta-9 isomers on these instruments. One way to read of this portion of the report is that per this article, it would be possible to separate the isomers on AFTL's instruments. Another way to read this portion of the report could be that just like it says in this article, AFTL could see two separate peaks when they run a sample. The email exchange was between Ms. Bash and an AFTL employee who was not contacted by the UIC investigative team. The subcommittee noted the article referenced in the email related to oral fluid testing, not urine or blood testing, so its relevance to AFTL's testing is also ambiguous because urine involves different metabolites.
- The UIC Report then jumps to March of 2023 when emails were exchanged between Dr. Larsen and Ms. Bash related to a police department's inquiry about whether AFTL had the ability to test products to see if they contained Delta-8. An email from Ms. Bash stated that based on previous testing done "on the LC" AFTL was unable to see a difference when Delta-8 was mixed with Delta-9 and that if AFTL wanted to pursue the type of testing requested by the police

department then AFTL “should get new standards and test out if it’s possible to see them when it’s in a mixture.” (page 14) The subcommittee noted that this email is in conflict with the previous statement in an email from the same analyst to CCSAO that there was a difference in retention time. The subcommittee reads this section of the UIC Report to indicate inconsistent messaging with external agencies. The subcommittee would like to hear from toxicology subject matter experts on how they tell the difference between Delta-8 and Delta-9 if it is run on the LC Triple Quad, which might answer lingering questions. For example, is the question of whether you can qualitatively identify Delta-8 the same as whether you can separate out Delta-8 and Delta-9 for quantification?

- The UIC Report also discusses a 2023 email exchange between an individual from NHTSA and AFTL. An email response from AFTL indicated that “We have the ability to distinguish between Delta-9 and Delta-8 on the LCQQQ.” (page 14) Again the subcommittee noted the inconsistency of this statement with information in previous paragraphs of the UIC Report. Open questions include whether something happened between March of 2023 and September of 2023 where AFTL was able to tweak its methodology. The email also does not specify which matrix. It does not reference blood or urine.
- The subcommittee noted again the UIC Report was written by lawyers. Some emails are described in summary, and some contain partial quotations. Thus, it is possible that some things that might be important from a scientific perspective were lost in translation in the writing of the UIC Report.

The subcommittee ended discussion for this meeting at the bottom of page 14 of the UIC Report. At the next meeting discussion will resume at the top of page 15.

V. Old Business  
None.

VI. New Business  
None.

VII. Public Comment  
Kevin McMahon offered public comment. Mr. McMahon confirmed that the subcommittee would be discussing the document at future meetings and indicated that he will have comments about page 17 of the UIC Report. Mr. McMahon then discussed the chromatograms from the test run on March 31, 2021 and noted that his office has them. He noted that the law firm does not describe how that happened in the UIC Report. His office sent a subpoena for the sequence files, which basically is a log of everything that had been injected into both machines for about a 9-month period in 2021 (approximately February through August of 2021). The University requested and Mr. McMahon agreed to the redaction of identifying information within the logs of a person from those injections. The University then proceeded to redact more information, specifically



the words Delta-8 THC and Delta-9 THC from the March 31, 2021 chromatograms. Mr. McMahon suggested that the redactions were deliberate and intended to conceal those chromatograms and the fact that the lab already knew it could not distinguish Delta-8 from Delta-9. Mr. McMahon's office's consultant figured out that those two chromatograms, based on what had been injected immediately before and after, could not have come from casework. Since they could not have come from casework, his office subpoenaed them. They received a response which showed a run in March of 2021 showing that AFTL could not distinguish Delta-8 from Delta-9. Mr. McMahon stated that they made University Counsel and the law firm who wrote the UIC Report aware of this, but it was not mentioned in the UIC Report. Ms. Dragovich asked when the lab tendered the subpoena response. Mr. McMahon indicated it was in early 2024, approximately May of 2024, shortly before the AFTL notification letter came out. Mr. McMahon made clear that they made the University and the lab aware of this information before the UIC Report was published.

VIII. Next Meeting/Adjournment

The next meeting will be scheduled via Doodle Poll. Meeting adjourned at approximately 1:17 p.m.