



DFS Evidence Submission Advisory Committee Meeting

Video Conference- Microsoft Teams

MEETING: 4/16/2025

ATTENDEES

Aaron Matson	N/A	Jeremy Perri	N/A
Amber Rasmussen	N/A	Karly Hujet	X
Angela Richards	X	Kathy Mahnke	X
Bridget Krause	N/A	Keith Alexander	N/A
Brooke Brodzeller	N/A	Meghann McMahon	X
Chris Botsch	X	Monica Hall	X
Corey Stephan	N/A	Nicole Roehm *Facilitator	X
Cullen Eberhardy	N/A	Rachel Berg	X
Dan Flaherty	X	Rachel Souther	N/A
Debra Kaurala	X	Ruth Henk	X
Jennifer Naugle	X		

Notice is hereby given that a virtual meeting of the Division of Forensic Sciences Advisory Committee on Wednesday, April 16, 10:00am-11:30am will conduct the following business:

1. **Welcome and Introductions (Nikki Roehm)**

This is the new two-year cycle, so welcome new members. This is our fourth year, and we have found this committee to be extremely valuable. It's a great way to make sure we are involving our stakeholders and understand/get to know your perspectives and understand your needs when identifying challenges.

We meet twice a year (every 6 months). If you have a question between meetings, please reach out to Kathy Mahnke. She is a great resource. The intention of this committee and building these relationships is to make things easier for everyone.

Nikki asked everyone on the call to introduce themselves for the new faces on the call for this term.

2. **Meeting Announcement and agenda published on DOA Public Meeting website:**

As a reminder, this meeting is open to the public and subject to open meetings laws. The meeting minutes will be posted to the website following the meeting.

3. **Controlled Substances Evidence Submission Guidelines (Kathy Mahnke)**

Kathy shared that we didn't have too much of a change for Controlled Substances. She asked everyone to go to the bottom of page 1: *"Submit only items necessary for analysis. Do not include separated packing material, extra paraphernalia or items for which there will not be charges"*.

This was added to make sure items are limited.

On page 2: we changed the flow to make more sense and the title of our transmittal (Transmittal of Criminal Evidence Form).

We bolded text to highlight a 2-month turnaround time. This is going to be consistent with all guidelines going forward.

Kathy noted that she does have a new email address and will update that on all guidelines. The old email does still work. Kathy opened it up for questions for Ruth about this.

Nikki shared that at one time a few years ago, we had almost 50% of our controlled substance staff retire at the same time. It took a lot of hard work to get through our work while short staffed. We are back to being staffed appropriately in this unit and our turnaround times are getting back to what they once were five years ago. You should see results coming to you in a faster fashion.

4. Latent Print Evidence Submission Guidelines (Kathy Mahnke and Karly Hujet)

Kathy walked through the LP ESG.

They added *“Known standards from multiple individuals should be packaged separately so that each person’s standard is its own item”*. Under packaging requirements.

The two-month turnaround time has been bolded on this document as well for consistency.

On page 2: They moved items around so that it flowed better. A note about scaled images was added to the first paragraph. The second paragraph added clarity. The third paragraph is new. Karly shared the VDM is a technology that can be used on items where we didn’t always have clear results. (cartridge casings and evidence from cold cases) Madison has this technology and Milwaukee and Wausau will be getting it in the future. We limit to 30 casings per submission. Fourth paragraph they added exceptions to this guideline.

5. Footwear Evidence Submission Guidelines (Kathy Manke)

Minor updates to FW ESG including an update to highlight the turnaround time for consistency.

6. Felon in possession of firearms cases (Nikki Roehm and Jen Naugle)

Regarding possession-based cases, if we obtain a profile from a gun that is searchable in CODIS (CODIS eligible), we are not allowed to search it because it’s from a possession-based case. There are limitations on what we can do with that DNA. As far as FBI is concerned, it cannot be uploaded and searched against other profiles in the system.

Three levels to CODIS; local level, state level and national level.

We have seen an increase in felon in possession of firearms cases. These cases are almost always mixtures: touch DNA, low levels of DNA and they usually go to court (even if items are not tested) which means we have staff testifying to explain why something might not have had DNA on it. When it comes to resource management at the crime lab, there are limitations on what we can do scientifically. This large increase in these cases is having a dramatic impact on our workload and workflow.

Many are speedy trials demand cases for DNA which means they leapfrog everything else in the queue. When you add expedites into the mix, it slows everything else down, so we are looking for ways to manage this. We are getting feedback from other states on how they navigate. We have 90 days total (not just Crime lab work) while other states have 6 months. We do have a request for more DNA Analyst in the state budget, but if we don’t get more staff, we need to figure out how to navigate. The more time we have, the better. Resources are limited.

Monica Hall shared that in most cases, jurors are the ones looking for this evidence. The example she shared was: You have three people in a car with a gun under the seat and everyone in the car is claiming they didn’t know it was there. Fingerprints are not always great/textured surface. How do we use our tools to show whose gun it was?

Monica shared that it’s just as valuable for us as prosecutors to state that DNA couldn’t be found because it was a complex mixture and to educate jurors on the whys –and point them to the other evidence provided to prove a case.

Jefferson County (and other counties) are trying to work on convincing judges to accept remote testimony from professional witnesses. Credibility doesn't matter when it comes to the guy that tests the DNA. The defense is who decides if the analyst needs to show up.

DA Hall shared that because of the low results we have gotten from prints over the years, we are asking typically asking for DNA. If there have been advancements in prints, then that could be another option to pursue to help with the limited resources in DNA?

Jen shared that from a crime lab resource situation, there are statutes on how quickly we need to turn items around. The challenge that some of the felon in possessions case pose is that they jump over other cases which jeopardizes those turn arounds. DA Hall said that if they get someone to plead, then they are sensitive to not submitting evidence for testing. But when a speedy trial gets entered, they need to get it over to the labs as soon as possible so that it enters the workflow. DA Hall said she will work with WDAA on messaging this.

On the topic of video testimony, Nikki shared that a couple years ago, state courts were looking at video testimony option. This could benefit the defense to get experts from around the country and it would be a cost savings. For jury trials, there seems to be an appetite out there for this, but is there a middle ground that works for everyone?

Nikki asked Rachel Berg for her perspective.

Rachel Berg asked if there is a person from SPD on this committee? Yes, Bridgett and Jeremy could not join us today; they have a standing leadership meeting on Wednesdays, so we will avoid Wednesday mornings for this meeting going forward.

Rachel is a prior defense attorney, she does have thoughts, but it's not in her capacity now, so she doesn't feel comfortable speaking on behalf or commenting on the defense side.

DA Hall offered to bring this topic back to WDAA for feedback. What can they do to make things easier/faster?

Chief Botsch: He doesn't see a significant way to reduce submissions. If you're finding a firearm on a person, you're likely not submitting it, but if you find it in a car with multiple occupants, you'll need to submit it if no one claims ownership. From the Wisconsin Chief's perspective, if you need support, we support you. We have a vested interest ensuring that evidence is proceeded quickly for cases. When these initiatives come up and you need support (example; staffing or video testimony), please let us know. We want to support the crime labs.

Nikki shared that we are working hard on adding staff. We did legislator crime lab tours in March that received very good feedback and Q&A. There isn't a lot of action happened yet as we wait to hear what is happening with the budget. We had a needs assessment in 2018 that suggested we needed 16 positions. Since 2018, we've gotten 10 positions added. We are the only forensic science service provider in Wisconsin. Other states with similar populations have numerous labs.

Jen asked what Karly's thoughts are on sending items to Latent Prints if the evidence is palatable.

Karly: As DA Hall said, they don't generally have a great result/sometimes there is an oily residue. Their case load is lower though right now, so they are willing to try.

Takeaways on this topic: FIP's are still necessary. We need to consider utilizing of other expertise in other disciplines. We should continue to discuss video testimony with the courts.

Nikki shared that we should work on gathering data on usable results from DNA vs Latent Prints.

Debbie asked: If a firearm is sent to LP and they don't get results, do we send for DNA as well? Law enforcement and analyst would be collecting swabs/doubling the work. Both analysts would need to be aware of it and be able to testify.

Kathy shared what might be a helpful solution -to have law enforcement swab areas (that would not be suitable for LP such as a textured area or too small to be visualize) of the firearm that could be suited for DNA. (not the whole firearm a then it wouldn't be suitable for LP).

Nikki asked about magazines. Karly shared that they generally have better luck because they are stored within the gun, they are protected more from environmental conditions, and they are not textured.

Chief Bosch asked: if you submit a firearm for prints and it came back negative, what is that timeline for those results? (when thinking about not delaying a case) Nikki shared the turnaround median was 43 days for LP vs 115 days for DNA from Jan and February 2025. Nikki shared that the target is 60 days or lower.

Jen asked Kathy; if law enforcement can swab areas that are better suited for DNA, do you envision them sending the firearm and swabs at the same time? ...so, if something doesn't result from LP, then can send for DNA right away? Kathy said yes and that she would be involved in the process.

Chief Bosch shared that messaging is important to Law Enforcement. If we want to move to the solution of try prints first, then DNA, we need to layout the process and then state that although this might seem counterintuitive, it will speed things up and here's how and explain the whys.

Nikki shared that this conversation has been extremely helpful.

7. Bail Jumping (Jen Naugle)

There was a news article that came out recently that said the use of bail jumping charges is higher in Wisconsin than in other parts of the country. We are seeing a huge uptick in tox. We focus on felony items relate to tox.

DA Hall asked what kind of tox? People violating bail by drinking/going into a bar? Yes

Jen shared that there has been an uptick in these cases, sometimes it's an added charge, sometimes it's a standalone. Some of the bail jumping (because it's tied to a court) is going to leapfrog other cases.

DA Hall knows where this is coming from (tied to no bonds/out on bond while cases are pending) but is confused on how it is affecting the lab. If you're in a bar and drinking a PBT is enough. As far as drug use, without the drugs themselves, are they doing blood draws to prove alcohol or drug use? Jen said yes.

Chief Bosch shared that tox for bail jumping seems odd. He doesn't see a scenario where a blood draw would be done to prove alcohol or drug to prove a bail jump. Vast majority of bail jumps are associated with a new charge. PBT should be enough for a bail jump.

DA Hall shared that Waukesha and Dane Counties do not charge stand alone bail jumps.

Nikki suggested pulling data. Is this isolated –are there areas of the state that are doing this? The Crime Lab will pull data. **DA Hall said she would ask around for trends that she might not be aware of.**

8. Reminders

The Crime Lab Symposium will be virtual this year on Oct 1 and 2. It will be free. If you have any areas that you (or your colleagues) want to know more about, please let us know. We are currently working on building out our agenda.

9. Closing remarks

Thank you to everyone for this valuable discussion and for the recommendations on messaging. Our fall meeting will be scheduled soon. We are looking at October 2025.