



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF FORENSIC SCIENCE

OFFICE OF THE DIRECTOR  
A Nationally Accredited Laboratory

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August 28, 2019

Danielle Payne, Executive Director  
Virginia Association of Criminal Defense Lawyers  
3126 W. Cary St., #615  
Richmond, VA 23221

**RE: REQUEST FOR ASSISTANCE IDENTIFYING CASES FOR SEROLOGY  
CASE REVIEW**

Dear Ms. Payne:

As you may be aware, the Department of Forensic Science (DFS or the Department) initiated a Serology Case Review in 2016 in response to allegations made in a petition for a writ of actual innocence filed with the Supreme Court of Virginia. The Department has identified and been reviewing a random sample of serology cases (including at least 100 reports each from the Eastern and Northern Laboratories between the years 1982 and 1992) to determine whether a more in depth review is needed. All cases where individuals have been exonerated as a result of DNA testing are also included in the review. However, the Department is seeking assistance in identifying additional cases eligible for this Case Review. Accordingly, I am writing to request that you disseminate information about the DFS Serology Case Review to the members of the Virginia Association of Criminal Defense Lawyers (VACDL).

The Department's policy board, the Forensic Science Board, has developed a review process that involves each case being reviewed separately by two scientists. DFS had four scientists who previously served as serologists conducting reviews when the process began in 2016; however, two have retired so there are now two DFS scientists conducting the serology reviews. A member of the Department's Scientific Advisory Committee who has experience as a serologist, is serving as an independent, external reviewer and is conducting the second review for twenty percent of the cases.

Specifically, DFS is seeking cases meeting the following criteria:

1. a DFS examiner conducted serological testing (i.e., ABO blood typing or secretion typing) in the case;


2. the DFS examiner testified to the results of the serological testing at trial; *and*
3. the defendant was convicted.

For any case(s) meeting the above criteria, please send the following information, if known, should be sent to DFS at [casereview@dfs.virginia.gov](mailto:casereview@dfs.virginia.gov):

- Defendant's name
- Victim's name (if applicable or known)
- Jurisdiction
- Date of offense (at a minimum, year of offense)
- FS Lab number (if known)

For questions regarding the Serology Case Review, please contact Amy Curtis, Department Counsel, via email at [amy.curtis@dfs.virginia.gov](mailto:amy.curtis@dfs.virginia.gov) or by phone at (804) 786-2281.

Sincerely,



David R. Lett  
Chair, Forensic Science Board