



State of New Hampshire

DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner of Safety

Division of State Police

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Colonel Robert L. Quinn
Director

Timothy J. Pifer
Laboratory Director

December 23, 2014

Dr. Christian Westring
NMS Labs
3701 Welsh Rd
Willow Grove, PA 19090

Re: Ownership of DNA data generated by NMS Labs

Dear Dr. Westring:

The New Hampshire State Police Forensic Laboratory (NHSPFL) is the provider of forensic DNA analysis services for the State of New Hampshire. The NHSPFL also operates and administers the Combined DNA Index System (CODIS) for the State with both casework and convicted offender responsibilities.

NMS Labs has entered into a contract to provide DNA analysis services for the Cold Case Unit of the New Hampshire State Police. As a result, the NHSPFL has been asked to take ownership of any DNA profiles which may be suitable for CODIS entry. Subsequently, the NHSPFL has taken steps necessary to satisfy Standard 17.2.1 of the FBI Quality Assurance Standards for Forensic DNA Testing Laboratories, effective September 1, 2011.

I have received and reviewed copies of the most recent external audit of NMS Labs, as well as the current ASCLD/LAB-International accreditation certificate and scope. I have been provided with documentation of an on-site visit performed on October 16, 2014, by Kenneth Jones of the Baltimore Police Dept. Crime Laboratory. The letter memorializes his assessment of key areas of the laboratory's operations.

I have been provided with and have reviewed certain data and the validation summary for the Fusion PCR System, and Standard Operating Procedures for the amplification and analysis of samples with the Fusion PCR System. I have also reviewed an example of case documentation which is maintained for forensic casework.

Following review of the materials, and in accordance with the Quality Assurance Standards for Forensic DNA Testing Laboratories Standard 17.2.1 (effective September 1, 2011), the NHSPFL DNA Unit will accept ownership of DNA data generated by NMS Labs for cases worked under the Cold Case Unit contract, subject to the following conditions:




An ASCLD/LAB accredited laboratory
Speech/Hearing Impaired, TDD Access: Relay NH 1-800-735-2964

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- The NHSPFL will pre-screen case submissions for CODIS suitability. Cases will either be submitted by the State Police Cold Case Unit or by the Forensic Laboratory. If any cases are submitted by other NH law enforcement agencies, the NHSPFL must be contacted for CODIS approval prior to nuclear STR analysis.
- Cases for potential CODIS entry must be tested using the Fusion PCR System.
- All analysts who work on cases under this contract must remain current with external proficiency testing for casework using the Fusion PCR System.
- Upon completion, all bench notes, chain of custody, and data generated will be submitted to the NHSPFL for technical review prior to CODIS upload.
- The NHSPFL must be notified of any new validations or major changes to the Fusion protocols prior to use on casework performed under the contract. Validation data must be provided upon request.
- At this time, no post-PCR processing of amplified samples is approved for use on NHSPFL samples. Should NMS Labs wish to use such processing for Fusion samples, appropriate validation study materials shall be provided to the NHSPFL for review and approval.
- The current ASCLD/LAB-International certificate expires in April of 2015. The NHSPFL must be provided with information regarding re-accreditation in a timely manner. The NHSPFL must also be provided with any external audit documentation and the laboratory's responses to any findings which are generated for the length of the contract.

This letter serves as approval for NMS Labs to begin analysis of cases submitted for analysis under the Cold Case Unit contract. Any STR profiles which are developed for CODIS entry will undergo a technical review by a qualified NHSPFL DNA Unit analyst prior to entry into CODIS.

Sincerely,



Melisa W. Staples
Assistant Laboratory Director
DNA Technical Leader/CODIS State Administrator