

## MEMORANDUM

TO: All Elected District Attorneys and Staff

FROM: Joseph John Sr., Director of the North Carolina State Crime Laboratory

DATE: January 13, 2012

RE: Forensic Scientist Certification

As I previously reported to you, Session Laws 2011-307 and 2011-19 require forensic science professionals at the North Carolina State Crime Laboratory to obtain individual certification in their specific scientific discipline unless no certification is available.

To meet its statutory obligations, the State Crime Lab scheduled dates for the majority of the forensic scientists from the Raleigh, Triad and Western labs to take the required certification examination in December of 2011. I have been notified that the results for those who took the examination have been provided to the individual employee. Unfortunately, some of the scientists were unsuccessful on the examination. Each of those individuals will have an opportunity to retake the examination later this year.

I am informing you of this information so that you can determine whether this information would have to be provided as possible Brady material, or otherwise subject to discovery, in any ongoing criminal cases that your office is prosecuting. The results of the examination are protected under the Personnel Privacy Act in accordance with N.C.G.S. § 126-24, therefore I cannot provide you with a list of scientists who were unsuccessful without appropriate authority. If you would please provide the Laboratory with a court order authorizing the release of this information we will be pleased to comply. In the alternative you may also contact the individual scientist to inquire as to their results.

If you have specific questions about this issue, feel free to contact Joy Strickland, the Laboratory's legal counsel at 919-662-4509 ext. 4400.