

Virginia State Crime Commission
MARY JANE BURTON (MJB) CASE FILE REVIEW STATUS
September 10, 2026

Case File Review Status:

Staff completed reviewing and cross-validating all 7,545 known MJB case files at DFS, including:

- 3,853 cases with a named suspect; and,
- 3,692 cases with no named suspect.

Staff identified an additional 929 named suspects during the review. Of note, over half of these additional named suspects were found in cases initially classified as having no named suspect.

Staff also identified at least 199 cases with an indication that MJB testified.

Scope of Case File Review:

A total of 5,120 named suspects were identified across the 7,545 known MJB case files.

- To date, 43% (2,217 of 5,120) of the named suspects have been linked to the earlier *Virginia Post-Conviction DNA Testing Program and Notification Project*.
- Additional cases and named suspects may be identified as DFS continues digitizing its laboratory records as part of its *Historic Case File Project*.

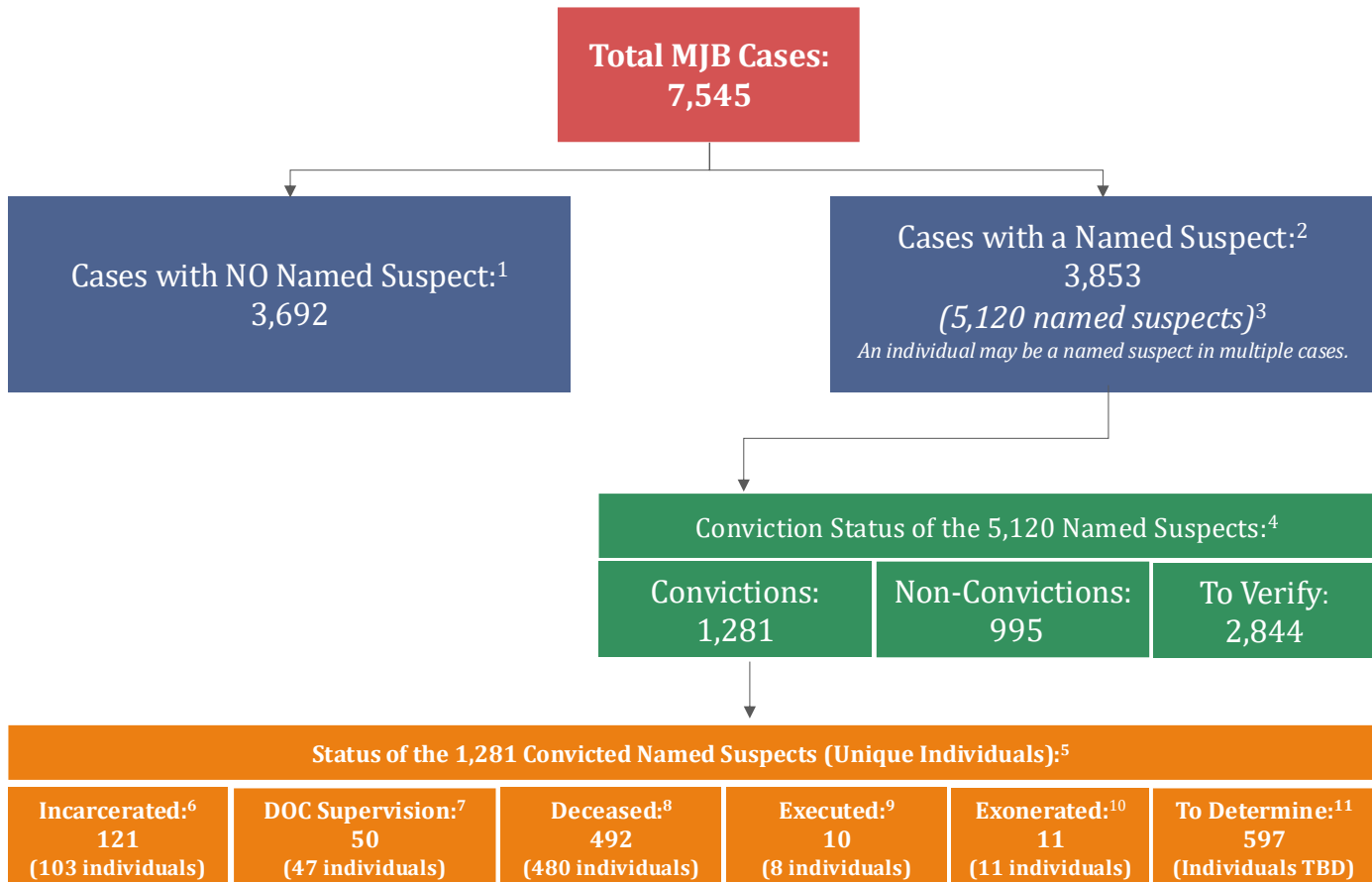
Work Plan:

1. Determine the total number of additional named suspects who were convicted.
2. Classify the status of these convicted named suspects as follows:
 - a. Incarcerated;
 - b. Under DOC Supervision (probation or parole);
 - c. Deceased;
 - d. Executed;
 - e. Exonerated;
 - f. Served Sentence (incarceration and/or probation/parole); or,
 - g. Unable to Determine.

Budget Language Directive:

“The Virginia State Crime Commission shall review cases at the Virginia Department of Forensic Science (Department), in consultation with the Department's Scientific Advisory Committee, where testing or analysis was performed by Mary Jane Burton and report on the total number of the following: (i) case files that contain at least one named suspect; (ii) cases where scientific testimony was provided; and (iii) named suspects who were convicted of an offense related to such testing, categorized by persons: (a) currently incarcerated, on probation, or on parole; (b) executed; or, (c) deceased...The Virginia State Crime Commission shall have the authority to review additional case files to address related matters as deemed appropriate, in consultation with the House Appropriations and Senate Finance and Appropriations Committees.” [Item 23\(A\)](#).

MJB Case File Review Status (September 2026)



Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Staff identified at least 199 cases with an indication that Ms. Burton testified.

¹ 45% (1,657 of 3,692) of cases with no named suspect originated from the Office of the Chief Medical Examiner, which includes deaths that may not have been criminal in nature, such as traffic fatalities and suicides. The remainder of these cases (2,035 of 3,692) originated from law enforcement agencies where no named suspect was identified.

² To date, 43% (1,667 of 3,853) of these cases overlap with the earlier *Virginia Post-Conviction DNA Testing Program and Notification Project*.

³ This figure does not mean that there are 5,120 unique individuals, as a single person could be a named suspect in multiple cases. For example, "John Smith" might be a named suspect in five cases, so "John Smith" is counted as a named suspect five times.

⁴ These figures are based on 5,120 named suspects and not individuals, so a single person may be counted multiple times. For example, if "John Smith" was convicted on three cases and found not guilty on two cases, then "John Smith" is counted as three convictions and two non-convictions.

⁵ These figures are based on the 1,281 convicted named suspects. Staff has thus far classified 53% (684 of 1,281) of convicted named suspects. The remaining 597 convicted named suspects are yet to be classified. Whenever possible, staff also identified the number of unique individuals represented across each category of named suspects.

⁶ These 121 named suspects (representing 103 unique individuals in 117 cases) are either (i) serving a sentence in DOC or are civilly committed on a case where Ms. Burton was the forensic examiner, or (ii) have completed their term of incarceration for the Ms. Burton case but are serving a sentence on an unrelated case.

⁷ These 50 named suspects (representing 47 unique individuals in 50 cases) are either (i) under DOC supervision (probation or parole) on a case where Ms. Burton was the forensic examiner or (ii) have completed DOC supervision for the Ms. Burton case but are under DOC supervision for an unrelated case.

⁸ These 492 named suspects (representing 480 unique individuals in 459 cases) were convicted on a case where Ms. Burton was the forensic examiner but have since passed away.

⁹ These 10 named suspects (representing 8 unique individuals in 10 cases) were convicted and executed on a case where Ms. Burton was the forensic examiner.

¹⁰ These 11 named suspects (representing 11 unique individuals in 11 cases) were convicted and later exonerated on a case where Ms. Burton was the forensic examiner.

¹¹ These 597 named suspects are yet to be classified. Additional research is needed to determine whether each can be reliably classified. If a named suspect cannot be classified into one of the categories above, then they will likely be classified within two categories not yet listed above – "Sentence Served" or "Unable to Determine". Data is not yet available on either of these two additional categories.