



MARY JANE BURTON CASE FILE REVIEW UPDATE

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BACKGROUND

Mary Jane Burton was a forensic examiner at the Virginia Department of Forensic Science (DFS) from 1973 to 1988. The majority of her work involved forensic serology. Many of her cases involved violent crimes, such as murder and sexual assault, but she also examined evidence on a broad range of other offenses.

In 2023, a podcast raised allegations that Ms. Burton engaged in misconduct during her time at DFS, including discrepancies, errors, and alterations of test results, as well as misleading court testimony.¹⁴⁸ As a result of these allegations, language was enacted in the FY2024-2026 budget that directs the Virginia State Crime Commission (“Crime Commission”) to review cases at DFS where testing or analysis was performed by Ms. Burton and identify the total number of:

- Case files that contain at least one named suspect;
- Named suspects convicted of an offense, categorized by persons:
 - Currently incarcerated;
 - Currently on probation or parole with the Virginia Department of Corrections (DOC);
 - Executed; or,
 - Deceased; and,
- Cases where scientific testimony was provided by Ms. Burton.¹⁴⁹

STATUS OF MARY JANE BURTON CASE FILE REVIEW¹⁵⁰

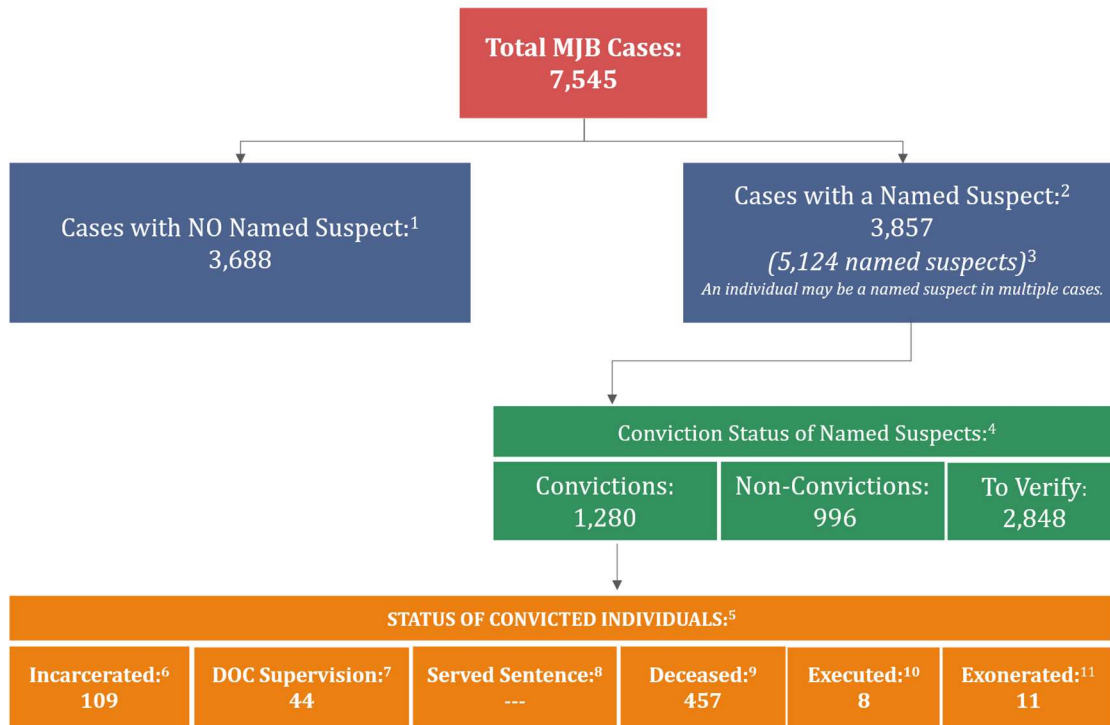
Crime Commission staff reviewed and cross-validated 100% (7,545 of 7,545) of all known DFS case files where Ms. Burton was the forensic examiner and is currently in the process of verifying the conviction status of identified named suspects. To date, a total of 5,124 named suspects have been identified, as well as 199 cases with an indication that Ms. Burton testified. The following chart illustrates the status of the Crime Commission’s work on the 2024 budget language as of June 2026:

¹⁴⁸ NPR (n.d.). Podcast Directory. *Admissible: Shreds of evidence*. <https://www.npr.org/podcasts/1164809981/admissible-shreds-of-evidence>. [Accessed 12 June 2026]. See also VPM. (n.d.). *Admissible: Shreds of evidence*. <https://admissible.vpm.org/>. [Accessed 12 June 2026].

¹⁴⁹ 2024 Va. Acts, Sp. Sess. I, ch. 2. House Bill 6001, Item 23(A). Available at <https://budget.lis.virginia.gov/item/2024/2/HB6001/Chapter/1/23/>.

¹⁵⁰ For detailed background information on this case file review, see Jenkins, A. C. (2026, January 7). *MJB cases*. Presentation at the January 7, 2026, Forensic Science Board Meeting (Richmond, VA), at <https://dfs.virginia.gov/wp-content/uploads/Updated-FSB-Presentation.pdf>. See also Virginia State Crime Commission. (2025). *2024 annual report: Mary Jane Burton case review*, at <https://vscc.virginia.gov/Annual%20Reports/2024%20VSCC%20Annual%20Report%20-Mary%20Jane%20Burton%20Case%20Review.pdf>.

MJB Case File Review



Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Separate and apart from the information in the chart, 199 cases have been identified where Ms. Burton provided scientific testimony. Status as of June 15, 2026.

¹ 45% (1,657 of 3,688) of the 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 (2,031 of 3,688) originated from law enforcement agencies where no named suspect was identified.

² To date, 43% (1,667 of 3,857) 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 5,124 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 5,124 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 Unlike the "named suspects", these figures represent unique individuals who were convicted, along with their current status. For example, if "John Smith" was convicted on three cases and is incarcerated, then "John Smith" is counted as one unique individual in the incarcerated category. As named suspects who were convicted are identified, the individual who was convicted will be classified within these six categories based on their present status. The remainder of convicted named suspects are yet to be identified and classified across these six categories.

⁶ These 109 individuals (representing 128 named suspects in 124 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 44 individuals (representing 46 named suspects in 46 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 offense.

⁸ This category includes all individuals convicted on a case where Ms. Burton was the forensic examiner who have served their sentence and are not currently incarcerated or on DOC supervision. While the data for this category is very preliminary, the total number of individuals in this category is expected to grow significantly moving forward.

⁹ These 457 individuals (representing 473 named suspects in 441 cases) were convicted on a case where Ms. Burton was the forensic examiner but have since passed away.

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

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

NEXT STEPS

To finalize the Mary Jane Burton Case File Review, Crime Commission staff will:

- Research the 2,848 named suspects whose conviction status is currently unknown (see green boxes on prior chart) to determine whether they were convicted of an offense where Ms. Burton was the forensic examiner; and,
- If a named suspect was convicted, identify their current status (incarcerated, under DOC supervision, deceased, or served sentence).

Staff will also continue providing updates to the Crime Commission and stakeholders on the progress of the work on the 2024 budget language.