MARY JANE BURTON CASE REVIEW UPDATE

The Crime Commission endorsed legislation for the 2025 Session to conduct a review of certain cases where Ms. Burton was the forensic examiner and to determine, if possible, whether she engaged in a pattern of misconduct (SB 1465 and HB 2730).

Three instances of forensic misconduct in other states can serve as a model for how to address these allegations. Each of these instances involved an individualized case review:

- Fred Zain (West Virginia)
- Joyce Gilchrist (Oklahoma)
- Yvonne Woods (Colorado)

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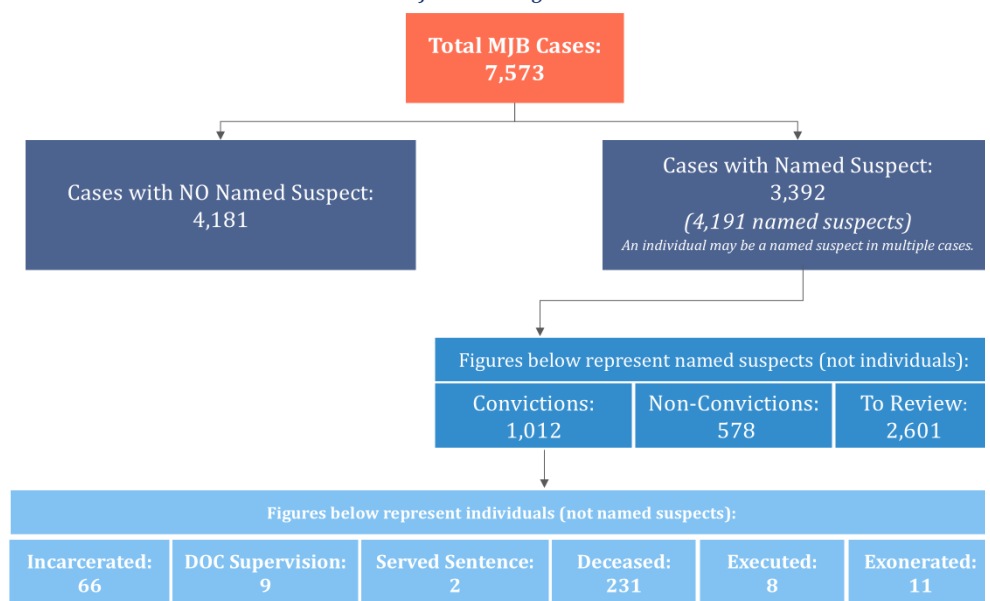vsccinfo@vscc.virginia.gov

Who was Mary Jane Burton?

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 were for violent crimes such as murder and sexual assault, but she also examined a wide array of other types of offenses. A podcast was released in 2023 that alleged Ms. Burton engaged in a pattern of misconduct, including discrepancies, errors, and alterations of test results, and misleading testimony in court.

2024 Crime Commission Study

Budget language was enacted in 2024 that directed the Crime Commission to determine the total number of cases where Ms. Burton served as the forensic examiner, including (i) the number of case files that contain at least one named suspect, (ii) the number of named suspects convicted of a crime, and whether those individuals are incarcerated, under Department of Corrections (DOC) supervision, executed, or deceased, and (iii) the number of cases where Ms. Burton provided scientific testimony in court. The Crime Commission, in coordination with DFS, began work on this directive and has identified the following number of cases thus far.

MJB Budget Language Status
Numbers subject to change as work continues

Total MJB Cases: 7,573

Cases with NO Named Suspect: 4,181

Cases with Named Suspect: 3,392
(4,191 named suspects)
An individual may be a named suspect in multiple cases.

Figures below represent named suspects (not individuals):

Convictions:	Non-Convictions:	To Review:
1,012	578	2,601

Figures below represent individuals (not named suspects):

Incarcerated:	DOC Supervision:	Served Sentence:	Deceased:	Executed:	Exonerated:
66	9	2	231	8	11

Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Status as of December 31, 2024.