

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS

MINUTES

June 14, 2019

The undersigned, being the duly appointed secretary of the Houston Forensic Science Center, Inc., (HFSC and/or the "Corporation") hereby certifies the following are true and correct minutes of the June 14, 2019 meeting of the Board of Directors (the "board") of the Corporation.

- A. In a manner permitted by the Corporation's Bylaws, the meeting was called by providing all directors with notice of the date, time, place and purposes of the meeting more than three days before the date of the meeting.
- B. In accordance with Chapter 551, Texas Government Code, made applicable to the Corporation by Section 431.004, Texas Transportation Code, a notice of the meeting was duly posted on June 11, 2019, in the same manner and location as required by law of the City of Houston, Texas (the "City".)
- C. The meeting was called to order by Nicole B. Cásarez, board chairwoman, at approximately 9:00 a.m. on Friday June 14, 2019 in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Ms. Jordan Benton called the roll. The following directors were present: Nicole B. Cásarez, Sandra Guerra Thompson, Anthony Graves, Philip Hilder, Francisco Medina, Janet Blancett, Dr. Robert "Bob" H. McPherson, Dr. Stacey Mitchell, Mary Lentschke and Ms. Tracy Calabrese

No directors were absent

Chairwoman Cásarez declared a quorum was present

- E. Chairwoman Cásarez requested the board vote to reappoint the Corporation's officers. Chairwoman Cásarez moved to reappoint Dr. Peter Stout as HFSC's president. Vice Chair Thompson seconded the motion and it passed unanimously. Chairwoman Cásarez moved to reappoint Dr. Amy Castillo as the Corporation's vice president. Vice Chair Thompson seconded the motion and it passed unanimously. Chairwoman Cásarez moved to reappoint Mr. David Leach as HFSC's treasurer. Vice Chair Thompson seconded the motion and it carried unanimously. Chairwoman Cásarez moved to reappoint Ms. Jordan Benton as the Corporation's secretary. Vice Chair Thompson seconded the motion and it passed unanimously.
- F. Chairwoman Cásarez asked if any changes were needed for the April 12, 2019 board meeting minutes. Dr. Mitchell made a motion to approve the minutes. Mr. Medina seconded the motion. The motion passed unanimously.

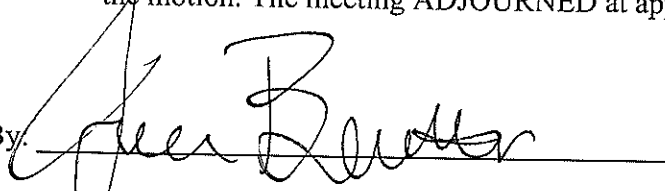
- G. Chairwoman Cásarez asked if members of the public wished to address the board. No one addressed the board.
- H. Chairwoman Cásarez presented a chair's report. Ms. Cásarez said that, as arranged with Mayor Sylvester Turner, she had resigned as chair effective July 1, 2019. Ms. Casarez reminded the board she had agreed to serve an additional year as chair to help HFSC secure a new facility. Houston's City Council voted to approve Mayor Turner's nomination of Dr. Stacey Mitchell to replace Ms. Cásarez as board chair on July 1. Ms. Cásarez thanked the board and HFSC staff for all they have done and gave special thanks to Vice Chair Thompson and Mr. Graves for their support. Ms. Cásarez said Mr. Graves had also resigned his position after nearly four years of service. Ms. Anna Vasquez, also an exoneree, will fill Director Graves' position. The Chair said she and Vice Chair Thompson will travel to Friedberg, Germany in July to present a co-written article about HFSC's blind testing program at the International Conference on Evidence Law and Forensic Science.
- I. Ms. Akilah Mance, general counsel, said Vice Chair Thompson disclosed a possible conflict of interest regarding a pending grant that HFSC had applied for and Ms. Thompson is seeking to join as a subrecipient under her employer, the University of Houston. The grant would provide training to improve forensic testimony in the justice system. Ms. Mance shared that the Vice Chair, as required by the local government code Chapters 171 and 176 and HFSC policy, fulfilled legal obligations to disclose the possible conflict. Ms. Mance said the matter was being brought to the board per HFSC policy to determine whether the grant and Vice Chair Thompson's participation in it are in HFSC's best interests. The Chairwoman made a motion that no further action is needed. Ms. Blancett seconded the motion. The motion passed unanimously, and Dr. McPherson and Vice Chair Thompson abstained from voting.
- J. Chairwoman Cásarez made a motion to extend the deadline to review Dr. Stout's annual evaluation. Vice Chair Thompson seconded the motion. With none opposed, the motion passed.
- K. Dr. Peter Stout, president and CEO, presented the president's report. He thanked Mr. Graves and Ms. Cásarez for their support of the lab. Dr. Stout reviewed HFSC's overall turnaround time and requests for May 2019. Dr. Stout reminded the board that turnaround times will continue to be impacted due to the lab-wide move to 500 Jefferson. Dr. Stout said staffing and funding continue to be significant issues for the toxicology section and further action may be necessary as the year progresses. Dr. Stout also gave a staffing update. He reviewed recent outreach events, including a tour of the lab with Rep. Gina Calanni. Dr. Stout shared that a team of 10 from HFSC made an appearance at CrimeCon 2019, an event held in New Orleans for about 3,500 true crime fans. He said CrimeCon travel and other costs were covered for HFSC to create a mock crime scene for VIP conference goers and two presentations. Dr. Stout gave the board an update summarizing bills passed by the Texas legislature that impacts forensics.

- L. Mr. David Leach, chief financial officer and treasurer, requested approval to reallocate funds in the FY18 budget to better reflect actual spending, including the use of grant dollars. Vice Chair Thompson made a motion to approve the budget reallocations. Dr. McPherson seconded the motion. The motion passed unanimously.
- M. Mr. Leach gave a financial update. Mr. Leach thanked the Chairwoman for serving on the board. He said the budget is on track and that the FY20 budget was pending approval by the City of Houston and HFSC's funding should be received in July. Mr. Leach said the City of Houston's finance department agreed that HFSC will be reimbursed for space in the 1200 Travis building that has already been handed over to the Houston Police Department (HPD.)
- N. Dr. Amy Castillo, vice president and chief operations officer, presented an operations report. Dr. Castillo thanked the Chairwoman for her service to HFSC. Dr. Castillo walked the board through changes she had made to the operations report, which now includes images from HFSC's new management dashboard to present production data. Dr. Castillo reviewed May data, including open quality reports, backlog data and turnaround times. Dr. Castillo updated the board on the DNA outsourcing project. HFSC expected to stop outsourcing by the end of July, however, additional training and a transition to probabilistic genotyping means the section will need another three months of training. Outsourcing will continue during that time.
- O. Mr. Jerry Pena, director of the crime scene (CSU) and digital multimedia units, began his report by thanking the Chairwoman for her support. He said Lori Wilson, quality director, will work directly with the crime scene unit until she retires in August and had moved her office to sit in the same area as CSU. Mr. Pena said her CSU and quality experience will help the unit improve further.
- P. Mr. Charles Evans, director of business development, updated the board about the lab's ongoing move to 500 Jefferson. Mr. Evans said the May moves were successful, including a timely move of the unit that oversees the DNA database. Mr. Evans said the firearms shooting tank had been successfully lowered into the basement. HFSC has ordered lab furniture for the 18th floor and the lab's ceiling panels will arrive in August. Mr. Evans said construction is on schedule. He said HFSC had handed over 50 percent of the space it had previously occupied in HPD headquarters at 1200 Travis. Mr. Evans said HFSC is now focused on the October and November lab moves
- Q. Mr. Evans requested the board authorize Dr. Stout to enter into a service agreement with Full Spectrum Analytics Inc., a company that will move lab instruments for a total contract amount not to exceed \$250,000. Dr. McPherson made a motion to delegate the authority to Dr. Stout. Mr. Hilder seconded the motion. The motion passed unanimously.
- R. Mr. James Miller, manager of seized drugs, presented to the board about the implication of a new Texas law that legalizes hemp production in the state and changes the definition of marijuana. Mr. Miller said the change in law has broad implications for HFSC and other crime labs in the state. Mr. Miller said HB 1325 brings Texas in line with the federal Hemp Farming Act approved in December 2018 by stating that a cannabis sativa L plant that has no more than 0.3 percent tetrahydrocannabinol (THC) is hemp. Anything with a higher concentration of THC will now be considered marijuana. However, until now, Mr. Miller told the board, crime labs in Texas, HFSC included, have not had to determine the concentration of THC in

suspected marijuana plants. To meet the new requirement, HFSC will have to purchase additional instrumentation, validate methods and possibly hire additional staff at a cost of several million dollars. Crime labs statewide are facing a similar issue, he said. HFSC halted testing immediately after the law went into effect on June 10 and will resume analysis once it finalizes verbiage on its reports that explain the limitations of current testing and the inability to differentiate between hemp and marijuana. Dr. Stout promised to update the board further as the situation unfolds.

- S. Ms. Paula Evans, project engineer, updated the board on a project focused on HFSC returning to the HPD Property Room evidence created during analysis. Ms. Evans said HFSC has already returned over 23,000 test fires to the property room and recycled over 16,800 non-evidence test fires. Ms. Evans said the project team learned that returned evidence created by the DNA process was not possible and had instead created an organized inventory of extracts so staff can more easily find and access the evidence when needed. Ms. Evans said quality has not been compromised, and the projects outcomes will prevent similar issues in the future.
- T. Ms. Aimee Grimaldi, project engineer, updated the board on a project that sought to improve the process for accepting and analyzing evidence that moves through more than one forensic discipline. She said the improvements increase efficiency in the overall process while maintaining the integrity of evidence. Ms. Grimaldi said sections now meet daily to prioritize multidisciplinary requests and discuss the evidence handling. She said the team also implemented a policy to prevent destruction of potential latent print and DNA evidence on firearms. As part of the improvements, CSU is bypassing the property room and delivering firearms collected at scenes directly to HFSC. Turnaround times on latent print multidisciplinary requests has dropped 20 to five days. Requests that also go to the DNA sections are being completed in an average of 10 days, down from 18.
- U. Ms. Erika Ziemak, assistant quality division director, updated the board on blind quality controls (BQC,) audits, disclosures, corrective actions, proficiency tests, transcript reviews and testimony data. She said the latent print section is working to see if an FBI software, Universal Latent Workstation (ULW,) can help the quality division determine whether the blind quality controls it creates are reflective of the section's routine casework.
- V. Chairwoman Casarez made a motion to adjourn the meeting. Vice Chair Thompson seconded the motion. The meeting ADJOURNED at approximately 11:56 a.m.

By



Jordan Benton Secretary