

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS  
MINUTES  
August 9, 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 August 9, 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 August 6, 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 Dr. Stacey Mitchell, board chairwoman, at approximately 9 a.m. on Friday August 9, 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: Dr. Stacey Mitchell, Sandra Guerra Thompson, Philip Hilder, Francisco Medina, Janet Blancett, Dr. Robert “Bob” H. McPherson, Mary Lentschke and Ms. Tracy Calabrese

Anna Vasquez was absent. Ms. Lentschke left the meeting at approximately 9:42 a.m. Dr. McPherson left the meeting at approximately 9:58 a.m.

Chairwoman Mitchell declared a quorum was present

- E. Chairwoman Mitchell asked if any changes were needed for the July 12, 2019 board meeting minutes. Mr. Medina made a motion to approve the minutes. Mr. Hilder seconded the motion. The motion passed unanimously.
- F. Chairwoman Mitchell asked if members of the public wished to address the board. No one addressed the board.
- G. Chairwoman Mitchell presented a chair’s report. Dr. Mitchell welcomed Mr. Darrell Davis, a member of HFSC’s technical advisory group, to the meeting. The Chairwoman invited board members to register for HFSC’s annual symposium. She said this year’s symposium will address evidence handling and management and will be held on September 27 at Rice University. Dr. Mitchell also told the board that Dr. Stout will present at the National Institute of Standards and Technology evidence management symposium being held from October 2 to October 4 in Gaithersburg, Md. The chairwoman thanked Mr. John Quinlan, president of

Jefferson Smith, LLC, for helping to sponsor HFSC's annual holiday party on Saturday December 14 and asked board members to again make their donations for the event. Vice Chair Thompson gave an update about a presentation on HFSC's blind testing program that she and Nicole Casarez, HFSC's former board chairwoman, gave at the International Conference on Evidence Law and Forensic Science in Friedberg, Germany. Ms. Thompson said the presentation was well-received. Chairwoman Mitchell thanked her and Ms. Casarez for speaking about HFSC's work.

- H. Dr. Peter Stout, president and CEO, gave the president's report. Dr. Stout reviewed HFSC's overall turnaround time and requests for July 2019. He said, as expected, turnaround times have increased due to planning and preparation for HFSC's upcoming facility move and the elimination of the firearms backlog. Dr. Stout gave a staffing update and shared certifications earned by staff. He highlighted recent outreach events, including a visit with policy and grant staff from the Charles Koch Foundation and the Charles Koch Institute, a tour with Mike Ware of the Innocence Project of Texas and his participation in a half-day conference on opioid overdose reporting with the Harris County Institute of Forensic Sciences.
- I. Dr. Stout said the worldwide helium shortage is impacting HFSC's seized drugs and toxicology sections. Instruments in both sections require helium to operate effectively, He said HFSC, among other laboratories, are having difficulty obtaining quality helium and prices have increased nearly 10 percent since January. Dr. Stout said the instruments could operate on hydrogen, however, past experience has shown it creates operational issues and increases maintenance needs, so it is not a viable alternative. With no ideal substitute for the gas, Dr. Stout said the lab may need to investigate alternatives in the future, such as possibly purchasing new instrumentation that can better manage hydrogen, but that would be a significant cost. In response to a question from Director Blancett, Dr. Stout said the helium shortage could potentially create backlogs or other operational issues if the lab could not procure the gas.
- J. Dr. Stout updated the board about House Bill 1325, which legalized the production and sale of hemp in Texas and changed the definition of marijuana. He said HFSC, the Texas Forensic Science Commission, the Department of Public Safety and Sam Houston State University (SHSU) are working together to validate a method so Texas crime laboratories can identify marijuana plant material according to the new definition. Dr. Stout said SHSU is about four months away from validating a method to determine whether an item is above or below 1 percent tetrahydrocannabinol, or THC. Meanwhile, HFSC is validating a chemical color test that will detect whether a substance has more or less THC versus cannabidiol, or CBD. Dr. Stout said the methods being validated at this time will only address testing for plant materials. There is no solution yet for products such as vape pens, oils and food items. He said after SHSU completes its method validation, Texas labs will run internal verifications before using the method \_ a process which will take about two months.
- K. Dr. Amy Castillo, vice president and chief operations officer, presented an operations report. Dr. Castillo provided an overview of turnaround times and backlogs. She shared that the biology/DNA section had about 30 backlogged cases at the end of July. She explained lab managers are holding more than half of the backlogged cases to use to train staff on new mixture interpretation software called STRMix. Some are being reevaluated for upload into the Combined DNA Index System as part of a separate project. Dr. Castillo said the toxicology

section is struggling with backlogs in both blood alcohol testing and drug confirmations due to an increased number of requests. She said the section had a backlog of 660 blood alcohol requests at the end of July. Dr. Castillo said the toxicology section's backlog is largely the result of a sharp increase in requests. The section has a backlog elimination plan that will also address the increase in requests. Currently, the section has the capacity to complete about 240 requests per month but is receiving about 450 requests on average. Dr. Castillo said the section will halt drug confirmation training from mid-August to October and begin outsourcing incoming casework once the section's fume hoods move to the new building. This will allow analysts to focus on blood alcohol requests and eliminate the backlog. By March 2020, the section anticipates having an additional three analysts dedicated to blood alcohol testing, increasing capacity to about 700 requests per month. Dr. Castillo said the toxicology section's goal is to clear the backlog by July 2020 and maintain a 30-day turnaround time thereafter. Dr. Castillo said the firearms section cleared the historical gun backlog on July 24 and is maintaining a seven-day turnaround time on incoming guns. She said the five-day hold on firearms will be lifted on August 15. The five-day hold was created by the Houston Police Department (HPD) to allow officers more time to submit requests for testing, such as DNA and fingerprints. The lift on the hold will allow HFSC to more quickly provide information from the National Integrated Ballistics Information Network to the HPD. Dr. Castillo said this will improve public safety because crucial investigative information related to gun-related violence will reach officers more quickly. .

- L. Mr. David Leach, CFO and treasurer, requested the board's approval for reallocations to the FY19 budget. Mr. Leach said line item changes included \$935,000 in grant funds and \$500,000 to increase employee salaries. He said total budget expenditures did not change. Ms. Blancett made a motion to approve the budget reallocations. Dr. McPherson seconded the motion. The motion passed unanimously.
- M. Mr. Leach gave an overview of HFSC's year-end financials for fiscal year 2019. He reviewed the breakdown of overall budget costs, stating 75 percent of the budget goes toward staffing. Mr. Leach compared fiscal year 2018 to fiscal year 2019, highlighting the biggest change was that nearly all City of Houston personnel have moved to HFSC's payroll and that classified officers have transferred back to HPD. HFSC has also filled nearly all the open positions. Mr. Leach also broke down costs associated by department, supplies, services, fixed assets and grant spending.
- N. Mr. Jerry Pena, director of the crime scene unit (CSU) and digital multimedia division, said incoming multimedia requests had drastically increased. The multimedia section saw requests increase from 364 between January 2018 to August 1, 2018 to 438 requests during the same time this year. Mr. Pena added the time to complete a request is lengthy, and for computers, processing one request with one item can take anywhere from a half day to three days. Mr. Pena said CSU will expand leadership roles to assist with technical reviews and work associated with field calls. He added the request for proposal for grant-funded renovations to the vehicle examination bay has been finalized. Mr. Pena showed the board images of what the new, cost-efficient pickup trucks for CSU will look like and how they will be utilized for crime scene response.
- O. Ms. Aimee Grimaldi, project engineer, updated the board about two new process improvement projects that focus on quality. Ms. Grimaldi said the two projects, one aimed to improve

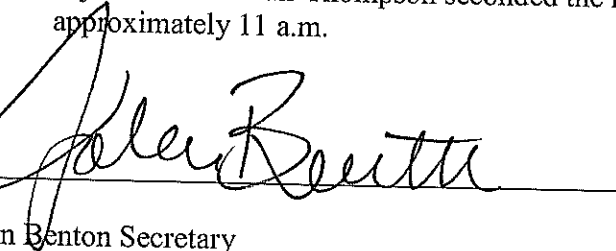
internal reviews and the other to develop a quality score, are designed to build a proactive system that identifies areas for improvement while continuing to encourage self-reporting of errors. She said the review project, being led by Project Engineer Paula Evans, is meant to be a more efficient, systematic process for administrative and technical reviews. Ms. Evans' team will review current processes and seek to design a more reliable, efficient review method across disciplines. Ms. Grimaldi, overseeing the quality score project, said her team will research and examine quality scores from other industries since this is a new concept in forensics. The research will help HFSC determine what the lab's quality score can reflect. Both projects are expected to be complete in February 2020.

P. Mr. Charles Evans, director of business development, updated the board about the ongoing lab construction and upcoming facility move to 500 Jefferson. Mr. Evans said construction was seven weeks from being complete. Installation of flooring, ceiling panels, fume hoods, venting and more are on schedule. Mr. Evans said HFSC had signed an agreement with Full Spectrum to move lab instruments and microscopes. He said the delivery of the lab furniture had been delayed for one week and will now arrive September 9. Mr. Evans said the next large project would be lifting the lab's generator by crane to the roof of 500 Jefferson. This is scheduled for mid-August, weather permitting. He said the remainder of the space occupied by the lab in the 1200 Travis will be vacated and returned to HPD in late November. Mr. Evans summarized ongoing communications and logistics regarding the lab-wide move, highlighting that the facility budget is on track.

Q. Ms. Erika Ziemak, assistant quality division director, updated the board on the June blind quality controls, audits, disclosures, corrective actions, proficiency tests, transcript reviews and testimony data. Ms. Ziemak introduced Martha xxx, the newest member of the quality division. She said the Bureau of Alcohol, Tobacco, Firearms and Explosives is allowing HFSC to submit blind tests through the National Integrated Ballistics Information Network (NIBIN,) further enhancing HFSC's blind testing program and allowing blinds to flow through the firearm's section the same way as routine casework. Ms. Ziemak said HFSC's accrediting body ANAB had found no nonconformances during HFSC's annual off-site assessment. ANAB will issue the final determination letter in the coming weeks. She said the quality division had identified the following nonconformances in a second round of internal audits held July 15 through 19: zero in toxicology, two in seized drugs, three in firearms and six in forensic biology. Ms. Ziemak said most of the nonconformances in the forensic biology section were administrative.

R. Chairwoman Mitchell asked for a motion to adjourn the meeting. Mr. Hilder made a motion to adjourn. Vice Chair Thompson seconded the motion. The meeting ADJOURNED at approximately 11 a.m.

By:



Jordan Benton Secretary