

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS
MINUTES
March 13, 2020

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 March 13, 2020 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 March 10, 2020, 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 Board Chairwoman Stacey Mitchell at approximately 8 a.m. on Friday March 13, 2020 in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Board Secretary Jordan Benton called the roll. The following directors were present: Stacey Mitchell, Philip Hilder, Anna Vasquez, Francisco Medina, Janet Blancett, Robert “Bob” H. McPherson, Mary Lentschke and Ms. Tracy Calabrese

Anna Vasquez arrived at approximately 8:02 a.m. after the roll was called. Francisco Medina and Lois Moore were absent from the meeting.

Chairwoman Mitchell declared a quorum was present.

- E. The board went into executive session under Texas Government Code Sections 551.076 and 551.089, deliberation regarding security devices or security audits, and Section 551.071(1)(A,) consultation with attorney about pending or contemplated litigation, at approximately 8:01 a.m.
- F. The board reconvened into open session at approximately 9 a.m. Chairwoman Mitchell confirmed a quorum was present, and no action was taken from the executive session.
- G. Chairwoman Mitchell asked if any changes were needed for the February 14, 2020 board meeting minutes. No directors had changes. Director Hilder made a motion to approve the minutes. Director Blancett seconded the motion. The motion passed unanimously.
- H. Chairwoman Mitchell asked if members of the public wished to address the board. No one addressed the board.
- I. Chairwoman Mitchell presented a chair’s report. She welcomed new directors, Vicki Huff and Lois J. Moore, to the board. Chairwoman Mitchell said she attended the American Academy of Forensic Sciences meeting. She congratulated Dr. Dayong Lee, HFSC manager of toxicology, and Ms.

Kaitlin Main, crime scene investigator, for presenting at the conference.

- J. Dr. Peter Stout, president and CEO, gave the president's report. Dr. Stout reviewed HFSC's overall turnaround time and requests for February 2020. He said the toxicology section continues to struggle with the largest backlog and turnaround time. Dr. Stout gave a staffing update. Dr. Stout attended multiple events to help raise awareness about the harmful effects of vaping. He said Houston City Council member David Robinson and his staff toured the lab. Dr. Stout gave the board an update about RapidDNA. He said HFSC and other stakeholders, like the Houston Police Department, met with representatives of ANDE, a manufacturer of a RapidDNA instrument, for the first time in about a year. He said the discussion is about how the technology should be used and what types of evidence are best suited for testing. Dr. Stout said he believes the technology is valuable but is concerned about how it will be used and surrounding aspects, including evidence collection and consumption. Dr. Stout said RapidDNA should be used in an accredited laboratory by licensed personnel. Dr. Stout said HFSC is testing ThermoFisher's RapidHIT machine and other instruments that bypass quantification and extraction and could speed up DNA analysis. HFSC anticipates completing testing, including cost comparisons, turnaround time, performance and data quality, by May 1. The Harris County Institute of Forensic Sciences (HCIFS) will test the ANDE instrument. Both HFSC and HCIFS will evaluate DNA chemistry kits that go straight to amplification, speeding up process times. Part of the research is focused on complications with DNA mixtures that could interfere with the samples. Dr. Stout said HFSC and HCIFS labs will investigate which samples are most appropriate to use and already have a variety of samples manufactured. Dr. Stout said four latent print trainees graduated from a training academy in Mississippi and will perform observed casework when they return to HFSC.
- K. Ms. Aimee Grimaldi, project engineer, presented the operations report for Dr. Amy Castillo, vice president and COO, who was out of the office. Ms. Grimaldi gave an overview of turnaround times and backlogs for the sections. She said the seized drugs section had fully recovered from the lab move and was again operating on an average turnaround time of nine days. Ms. Grimaldi said the forensic biology/DNA section's backlog had increased as a result of the move and the ongoing training to implement probabilistic genotyping. She said 60 percent of the forensic biology analysts are in the final stages of training or have already been authorized to use the probabilistic genotyping software, STRmix. Ms. Grimaldi said the toxicology section needs additional staffing to keep up with increasing requests and a growing backlog. She gave an update on two process improvements projects that focus on quality. The first project aims to improve the technical and administrative review process and the second project focuses on developing an overall quality score for the company. The technical and administrative review project is designed to decrease errors in reviews and increase efficiency. The reviews are performed as a final quality check before reports are issued to stakeholders. She said the sections will implement improvements, such as a grammar software and auto-generated reports, since many errors were grammatical and typographical. Some sections already use auto-generated reports with prepopulated language. The goal will be to expand this practice to other sections for better standardization. Ms. Grimaldi said the quality score project has created a first-of-its-kind actionable quality metric, providing greater insight into how staff and sections are performing against standards and procedures. She said a dashboard is being built to provide visible metrics to help the lab improve quality across the board.
- L. Mr. David Leach, CFO and treasurer, provided an overview of the proposed \$28.7 million fiscal year 2021 budget. Mr. Leach said 74 percent of the budget is personnel costs. Mr. Leach said as expenses and requests for service increase HFSC needs more funding to meet demand. Mr. Leach said the proposed fiscal year 2021 budget includes a \$1.6 million dollar increase, which will cover current staffing expenses, as well as the cost of five more toxicology analysts. Mr. Leach said

after two years of flat budgets, HFSC would have had to make significant cuts, including in staffing, without the additional \$1.6 million. Mr. Leach reviewed the cost increases seen from FY17 to-date, highlighting that personnel costs rose overall by \$1.1 million and supplies increased by \$600,000 overall. He said that as the biology/DNA section cuts back on outsourcing casework with grant funding, the section will work more cases in-house, which will increase supply costs by about \$250,000. Mr. Leach said the \$1.6 million increase will also pay for a \$150,000/year software needed by the digital and multimedia lab. Mr. Leach said the \$1.6 million will also allow HFSC to make additional capital purchases in FY21, such as for a third LCQQQ machine, which like the other two will be procured through a five-year lease. Mr. Leach said HFSC must also return nine vehicles used by CSU back to HPD by the end of FY21 and purchase seven new vehicles. The new CSU vehicles will cost about \$210k and are included in the FY21 budget for capital spending. Mr. Leach said the \$1.6 million increase is not enough money to allow HFSC to address additional staffing needs in CSU and latent prints or other capital expenses, such as a 3D system for the firearms section, a new instrument for seized drugs and an instrument used in toxicology for blood alcohol analysis.

- M. Mr. Leach requested board approval for the \$28.7 million fiscal year 2021 budget, which includes a \$1.6 million increase. Director McPherson made a motion to approve the proposed budget. Director Hilder seconded the motion. The motion passed unanimously.
- N. Mr. Charles Evans, director of business development, updated the board on the renovation of the vehicle examination building, which is used by the crime scene unit to collect evidence from seized vehicles. HFSC received \$114,000 federal grant dollars and is required to match 25 percent of the total project cost, or \$38,000. He said HFSC will need to enter into an interlocal agreement with the City of Houston to work with the general services department's design and construction division. Mr. Evans said this agreement will allow HFSC to use the city's job order contracting process in the renovation project, significantly cutting the timeline. Mr. Evans said the city will provide a work scope and itemized cost evaluation to the lab. He said the project must be completed by the end of the calendar year to adhere to grant guidelines. The project scope includes renovations to the building that will minimize potential risks of contamination, including changes to the air conditioning system, and enclosing four open vehicle bays, leaving the unit with eight environmentally controlled bays. By enclosing the vehicle bays and adding air conditioning HFSC will be able to better protect evidence and improve working conditions for staff. Mr. Evans said other renovations will be made based on priority and affordability, such as updates to the building's flooring, electrical, plumbing and bathroom.
- O. Mr. Evans requested board approval to delegate authority to Dr. Stout to enter into an interlocal agreement between the City of Houston and the Houston Forensic Science Center to renovate the vehicle examination bay. The agreement will cover construction, engineering and architectural services. Director Hilder made a motion to approve. Director McPherson seconded the motion. The motion passed unanimously.
- P. Mr. Evans gave the board an update on HFSC's new facility at 500 Jefferson St. He said minor improvements that focus on safety and security are being made to the new facility. Mr. Evans said the phone lines are impacted when the HFSC network goes down. As a result, a landline phone was installed in each lab and in the basement, in addition to an intercom system on the 18th floor so lab staff to improve communication and safety. Mr. Evans said three purge buttons, which will clear air in the lab in an emergency, are also being installed. Mr. Evans said the 500 Jefferson building management is still resolving a ventilation issue in the basement that is preventing the firearms

section from using the firing range.

- Q. Mr. Jerry Pena, director of the crime scene unit (CSU) and digital multimedia division, said homicide calls for January through February 2020 increased 15 percent compared to the same months in 2019. January 2020 alone saw a 60 percent increase in homicide calls compared to 2019. Mr. Pena said CSU responded to 33 aggravated assaults in January through February this year compared to 16 in the same months in 2019, which is miniscule compared to the need but a lot for a staff-strapped unit. He said in Houston, about 1.4 aggravated assaults occur per hour. Mr. Pena reviewed data that highlights the number of scenes CSU responded to, comparing 2018 to 2019. In 2018, the unit responded to 269 homicides, 129 aggravated assaults and 120 death investigations. In 2019, CSU responded to 277 homicides, 142 aggravated assaults and 115 death investigations. Mr. Pena said the unit does not respond to more scenes because it is understaffed with only 27 crime scene investigators providing service to Houston. In comparison, Dallas has 100 crime scene investigators. Mr. Pena said that although CSU is receiving calls to respond to homicides consistently so far this year, they are also receiving additional calls for service, particularly aggravated assaults and robberies. He said HPD averages about 12,000 aggravated assaults a year, and CSU responds to less than one percent of those cases. Mr. Pena said additional personnel must be considered so CSU can increase the number of scenes it can respond to for HPD, including sexual assaults.
- R. Ms. Erika Ziemak, quality division director, reviewed the March quality report. Ms. Ziemak gave the board an overview of the February blind quality controls (BQC.) Ms. Ziemak reviewed audits, disclosures, corrective actions, proficiency tests, transcript reviews and testimony data for March. Ms. Ziemak said she will give a presentation about HFSC's blind program to the Council of Federal Forensic Laboratory Directors in March. She said quality division staff will host a blind quality workshop in May. Ms. Ziemak said latent print examiners discovered four blind comparisons. One blind comparison was discovered when the examiner recognized a fabricated suspect name that had previously been used in a blind case. Two other blind cases were discovered based on the examiner's experience when they noticed the ages of the suspects in the case did not align with the criminal history and crimes that allegedly took place. The examiner said the suspects were older than the "traditional" home burglar who does not have a previous history of that specific criminal activity. The last blind was discovered after the examiner said the latent print appeared "too deliberate" to occur in regular casework.
- S. Chairwoman Mitchell requested a motion to adjourn the meeting. Director McPherson made a motion to adjourn. Vice Chairwoman Lentschke second the motion. The meeting ADJOURNED at approximately 10:48 a.m.

By: _____

Jordan Denton Secretary