

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS
MINUTES
February 14, 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 February 14, 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 February 11, 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 Dr. Stacey Mitchell, board chairwoman, at approximately 9 a.m. on Friday February 14, 2020 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, Philip Hilder, Anna Vasquez, Francisco Medina, Janet Blancett, Dr. Robert “Bob” H. McPherson, Mary Lentschke and Ms. Tracy Calabrese

Dr. McPherson arrived at approximately 9:03 a.m. after the roll was called.

Chairwoman Mitchell declared a quorum was present.
- E. Chairwoman Mitchell asked if any changes were needed for the January 10, 2020 board meeting minutes. No directors had changes. Mr. Hilder made a motion to approve the minutes. Ms. Blancett 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. She said she and Dr. Amy Castillo, chief operations officer and vice president, attended the first sexual assault survivor’s task force meeting hosted at the governor’s office in Austin. The Chairwoman commended Dr. Dayong Lee, HFSC’s toxicology manager, and Dr. Peter Stout, president and CEO, for their publication in the Journal of Forensic Science. She also congratulated Firearms Examiner Melissa Nally for co-authoring an article published in Forensic Science International. Dr. Mitchell told board members that HFSC’s budget for fiscal year 2021 will be discussed and recommended for approval at the March board meeting. She congratulated Dr. Stout on his five-year work

anniversary. She and Vice Chair Lentschke thanked Dr. Stout on the board's behalf for his dedicated work and accomplishments as the head of HFSC.

- H. Dr. Stout gave the president's report. Dr. Stout reviewed HFSC's January turnaround times and requests and provided an update on staffing and certifications earned. Dr. Stout told the board he visited Fort Worth and presented with Texas Rep. Nicole Collier at two anti-vaping events for parents and students. He said Councilman Robert Gallegos toured the lab with his staff. Dr. Stout noted recent news articles about PCP (phencyclidine) use in Houston. He told the board that he and Dr. Lee wrote a paper about the PCP issue in Houston. PCP, also known as angel dust, is the second most prevalent drug in DUIs in Houston, after marijuana. In 2018, 16 percent of all impaired drivers arrested by HPD tested positive for PCP. Dr. Stout said PCP is a dangerous hallucinogen originally manufactured as an anesthetic. Dr. Stout then reviewed the impacts of a manufacturing explosion in Houston that killed three people. He said nine crime scene investigators responded to the scene. Later that day, CSU also responded to an officer-involved shooting. Dr. Stout highlighted that HFSC has only 27 CSIs to respond to 685-square miles. He said ideally HFSC needs more personnel to expand CSU and truly respond to Houston's needs. Dr. Stout said although CSU is small, it is collecting more evidence, especially latent prints, making it difficult for that section to keep up. CSIs are submitting more and better latent prints, which helps investigators. But the latent print section needs more resources to keep up with the increased number of prints per case. Director Hilder asked Dr. Stout if HFSC has agreements with other municipalities to respond jointly to large-scale disasters in the region. Mr. Pena addressed the board, saying the Houston Fire Department, the Houston Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) also responded to the recent explosion. HFSC's CSU secured the scene and documented findings as they would in a criminal case. The ATF later took over and HFSC provided the agency with its documentation.
- I. Dr. Castillo presented an operations report. She gave an overview of turnaround times and backlogs for the sections. Dr. Castillo said the toxicology section continues to struggle with incoming casework and backlogs and needs more resources to keep up. Dr. Castillo said the biology section's goal is to have staff fully trained by March 2020. She said analysts will focus on completing casework that has not been sent to a commercial laboratory and reviewing work returned from the private lab so eligible DNA profiles can be uploaded into the national database. Dr. Castillo then turned to the latent print section and its backlog of 2,310 comparison requests. The latent print processing lab has more than 200 backlogged requests. Dr. Castillo said the latent prints backlog has grown due to CSU submitting more items per case, meaning the size of the cases are growing and take longer to complete. She said four latent print trainees are expected to be authorized to do casework in December and that should assist with the section's backlog. She said that if CSU expands latent prints will also have to grow. Dr. Castillo said a process improvement project will look into the latent print section to identify what resources the group needs to keep up with demand.
- J. Mr. Timothy Schmahl, latent print section manager, gave the board a timeline of events that showed how the group got to a point where the backlog is growing. Mr. Schmahl said HFSC's latent print section was part of HPD's identification division until April 2014. Mr. Schmahl came onboard in May 2014 and oversaw contract staff until June 2014 when the city's contract with a private latent print company ended. HFSC then hired its own latent print staff and purchased new equipment and better furniture. Mr. Schmahl said he made workflow changes,

including putting a stop to the practice of having HPD officers submit evidence directly to the section and bypass the property room. Beginning in September 2014, all latent print evidence had to go through the property room. Latent prints earned accreditation in October 2015, and in March 2016 the section went paperless. By April 2016, the section was actively eliminating its backlog and was down to 1,225 pending requests. But a month later, after media reported that HPD had latent print evidence sitting untested in the property room, the section's backlog grew to more than 3,600 requests. Mr. Schmahl hired six more examiners and was on target to eliminate the backlog by the end of 2018. But then CSU became more proficient at collecting latent print evidence and the size of each case grew significantly causing the section's turnaround time to increase. At the same time, three staff members resigned and two were promoted to supervisor positions, leaving him with fewer examiners. By December, four trainees will be authorized to do independent casework which will increase capacity. Director Blancett asked how many examiners HFSC needs to adequately meet demand. Dr. Stout said six or seven.

- K. Mr. David Leach, CFO and treasurer, asked the board to approve budget reallocations for fiscal year 2020. He said the total budget did not change. Dr. McPherson made a motion to approve the budget reallocations. Ms. Blancett seconded the motion. The motion passed unanimously.
- L. Mr. Leach gave a treasurer's report. He said HFSC is spending as expected. Mr. Leach told the board that HFSC is designed to run out of money, and this year HFSC could experience a two-week gap between when the funds run out and the city pays for the upcoming year. During that time, if the city does not pay HFSC in a timely manner, there will not be enough money to make payroll. He said the city is aware of the issue and is working with HFSC to ensure funding arrives in a timely manner. Mr. Leach said he will continue to update the board. He reviewed the financial detail data, including grants.
- M. Ms. Erika Ziemak, quality division director, reviewed the January and February quality reports. Ms. Ziemak re-reviewed the January quality report because a quorum had been lost during her presentation in January, barring members from asking questions. Ms. Ziemak said one item had changed since her presentation in January. After receiving all the information for 2019, it became clear that 57 analysts had testified in 2019. 53 of them for HFSC and four for prior employers. Ms. Ziemak said HFSC reviewed 12 court transcripts in 2019. Ms. Ziemak gave the board an overview of the February blind quality controls (BQC.) She reviewed audits, disclosures, corrective actions, proficiency tests, transcript reviews and testimony data for February. Ms. Ziemak said she, Dr. Stout and a quality specialist met with the latent print section to allow staff to ask questions since the blind program adds strain when they are struggling with a large backlog. Ms. Ziemak said a biology analyst incorrectly identified a real case as a blind proficiency test. She said one of the chemical tests that gives a color change reaction was so intense the analyst said it reminded her of training kits and so she thought it was a blind. However, Ms. Ziemak noted the evidence was a sexual assault kit (SAK,) and the quality division has not yet submitted a blind SAK. Ms. Ziemak said HFSC's accrediting body found no non-conformances during an on-site assessment in January. She said HFSC's annual internal audit will take place in March, April and May. The accrediting body will do another on-site assessment in the summer. Ms. Ziemak said a new quality specialist, hired from CSU, begins her new job in February.

N. Mr. Jerry Pena, director of the crime scene unit (CSU) and digital multimedia division, referred back to the earlier conversation about the manufacturing plant explosion. He said HFSC would have difficulty having agreements with other agencies to work scenes because HFSC is accredited and has more stringent policies. Mr. Pena said two new CSU supervisors will begin in February. He said the explosion served as further evidence of the value of having a drone to add to the unit's ability to document scenes and capture aerial footage. Therefore, CSU is actively working to deploy a drone. Mr. Pena said a CSU supervisor is licensed by the Federal Aviation Administration to operate the drone and others in the section can be trained and fly the drone under the same license and the supervisor's supervision. The section is reviewing and writing standard operating procedures to ensure lawful compliance. Mr. Pena said the multimedia section is offering a new service to retrieve data from vehicle "infotainment" systems, which includes odometer reads, location data, previous destinations and connected devices. He said the information will help with investigative efforts.

O. Chairwoman Mitchell requested a motion to adjourn the meeting. Dr. McPherson made a motion to adjourn. Vice Chair Lentschke second the motion. The meeting ADJOURNED at approximately 10:48 a.m.

By: _____

Jordan Benton Secretary