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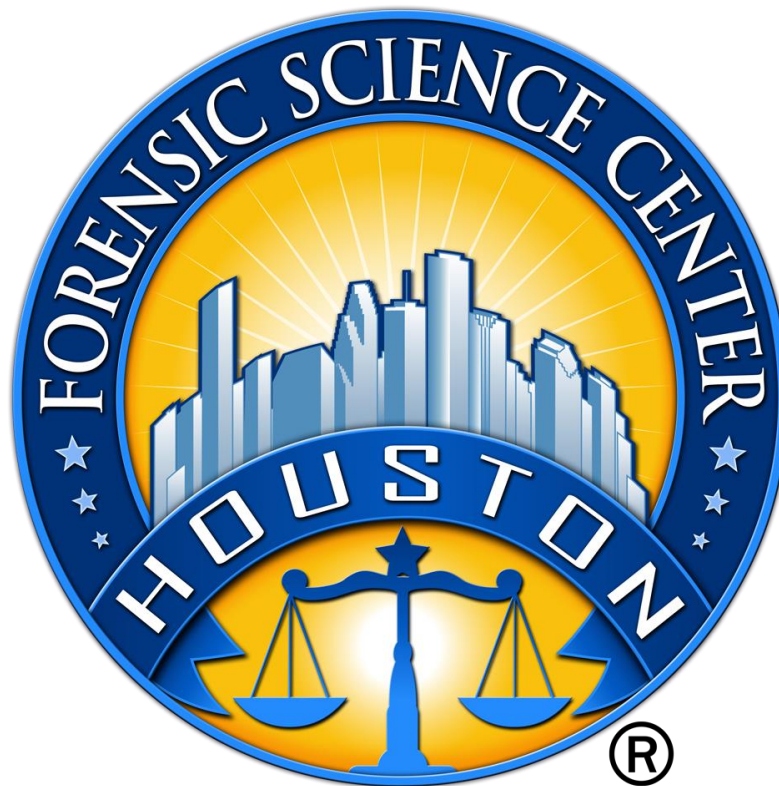
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Houston Forensic Science Center, Inc.

Board of Directors Virtual Meeting

July 9, 2021



Position 1 - Dr. Stacey Mitchell, Board Chair

Position 2 - Anna Vasquez

Position 3 - Philip Hilder

Position 4 - Francisco Medina

Position 5 - Vanessa Goodwin

Position 6 - Ellen Cohen

Position 7 - Lois J. Moore

Position 8 - Mary Lentschke, Vice Chair

Position 9 - Vicki Huff

Ex-Officio - Tracy Calabrese

HOUSTON FORENSIC SCIENCE CENTER, INC.

NOTICE OF PUBLIC MEETING
PUBLIC ACCESS WILL BE VIA TELECONFERENCE ONLY
July 9, 2021

In accordance with Texas Governor Greg Abbott's temporary suspension of certain provisions of the Texas Open Meetings Act, issued March 16, 2020, notice is hereby given that beginning at 9 a.m. on the date set out above, the Board of Directors (the "Board") of the Houston Forensic Science Center, Inc. (the "Corporation," or "HFSC") will meet via videoconference (Microsoft Teams.) HFSC is conducting this virtual meeting to advance the public health goal of limiting face-to-face interactions and to slow the spread of the coronavirus (COVID-19.)

Gov. Abbott's [temporary suspension of certain open meetings laws](#) was issued in response to the COVID-19 pandemic and in accordance with section 418.016 of the Texas Government Code. Gov. Abbott specifically suspended certain provisions of the law, which required government officials and members of the public to be physically present at a specified meeting location. The relevant suspensions are in effect until terminated by the Office of the Governor or until the Governor's disaster declaration is lifted or expires. Accordingly, this meeting will not take place in a specified physical location for the public to attend in person, however, the virtual meeting will be available to the public and allow for two-way communication between the Board and members of the public.

As required and in accordance with the Governor's temporary suspension, notice of this meeting, the agenda and the meeting packet are posted online at <https://houstonforensicscience.org/meeting-archives.php>. The items listed in the agenda may be taken out of order at the discretion of the Chair. After the conclusion of the meeting, a recording thereof will be posted to www.houstonforensicscience.org.

Attending the virtual meeting

The public is not required to create an account to attend the meeting online and the videoconference can be accessed, free of charge.

To attend the videoconference meeting via computer, please use the following link:

[Click here to join the meeting](#)

or go to <https://houstonforensicscience.org/meeting-archives.php>

In addition to the required free videoconference link, members of the public may call into the meeting by dialing the following toll-free teleconference number and entering the subsequent conference ID number: 833-231-4459 **Conference ID: 830364790#**

Callers must mute themselves upon dialing into the meeting to limit interruptions.

To attend the meeting using a mobile device and through the free videoconference link, the Microsoft Teams mobile application (“app”) must be downloaded (free of charge) to the device. After downloading the app, proceed to the link above and you will be directed to the videoconference, through the app. However, members of the public must be muted to minimize disruption of the meeting.

NOTICE OF PUBLIC COMMENT

The public is permitted to speak during the public comment agenda item and as permitted by the Chair. However, requests to speak during the public comment period must be submitted via email to the HFSC Secretary of the Board at:

info@houstonforensicscience.org no later than 9 a.m. Thursday July 8, 2021.

The request must include the speaker's name, contact number, address and topic of the comment. Speakers should limit their comments to three minutes. The Board Chair may limit both the number of speakers and the time allotted for each speaker. The Chair will call on each speaker by name, during the designated public comment period.

If you have questions regarding attending this virtual meeting please contact Amanda DeBerry, secretary of the Board of Directors, at 713-204-8179.

AGENDA

1. Call to order.
2. Roll call; confirmation of presence of quorum.
3. Public Comment.
4. Reading of draft minutes from June 11, 2021 board meeting. Consideration of proposed corrections, if any. Approval of minutes.
5. Report from Dr. Stacey Mitchell, board chair, including, a monthly update of activities, remarks regarding reappointed and newly appointed directors and other announcements.
6. Discussion regarding resuming in-person regular meetings of the board, and possible related action.

CLOSED MEETING

7. Executive session in accordance with Sections 551.071, et seq. of the Texas, Government Code, consultation with attorney, and 551.074(a), personnel matters, to deliberate or discuss the president and CEO’s annual

performance evaluation, performance objectives and priorities, as well as the appointment or employment of Dr. Peter Stout beyond his initial 5-year contract term.

OPEN MEETING RECONVENES

8. Reconvene into open meeting and consider any action deemed necessary as a result of the closed meeting, relating to personnel matters.
9. Adjournment.

Certification of Electronic Posting of Notice of the Board of Directors (“the Board”) of the Houston Forensic Science Center, Inc. (the “Corporation”)

I, Amanda DeBerry, secretary, do hereby certify that a notice of this meeting was posted online at <https://houstonforensicscience.org/meeting-archives.php> on Tuesday, the 6th day of July, 2021, as required by Section 551.043 et seq., Texas Government Code and in accordance with Governor Abbott’s March 16, 2020 temporary suspension of certain provisions of the Texas Open Meetings Act.

Given under my hand this the 6th day of July 2021.

Amanda DeBerry

Amanda DeBerry

Open Meeting Laws Subject to Temporary Suspension

Effective March 16, 2020, and subject to the following conditions, the following statutory provisions are temporarily suspended to the extent necessary to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations:

- those that require a quorum or a presiding officer to be physically present at the specified location of the meeting; provided, however, that a quorum still must participate in the telephonic or videoconference meeting
 - TEX. GOV’T CODE § 551.122(b)
 - TEX. GOV’T CODE § 551.127(a-3), (b)–(c), (e), (h)–(i)
 - TEX. GOV’T CODE § 551.130(c)–(d), (i)
 - TEX. GOV’T CODE § 322.003(d), (e)(2)
 - TEX. GOV’T CODE § 845.007(f)(2)
 - TEX. GOV’T CODE § 855.007(f)(2)
 - TEX. CIV. PRAC. & REM. CODE § 74.102(f)
 - TEX. INS. CODE § 2151.057(d)(1)
 - TEX. LOCAL GOV’T CODE § 379B.0085(a)

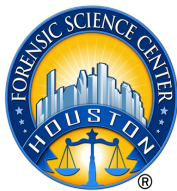
- those that require physical posting of a notice; provided, however, that the online notice must include a toll-free dial-in number or a free-of-charge videoconference link, along with an electronic copy of any agenda packet
 - TEX. GOV'T CODE § 551.043(b)(2)–(3)
 - TEX. GOV'T CODE §§ 551.049–551.051

- those that require the telephonic or videoconference meeting to be audible to members of the public who are physically present at the specified location of the meeting; provided, however, that the dial-in number or videoconference link provided in the notice must make the meeting audible to members of the public and allow for their two-way communication; and further provided that a recording of the meeting must be made available to the public
 - TEX. GOV'T CODE § 551.121(f)(1)

- TEX. GOV'T CODE § 551.122(d)
- TEX. GOV'T CODE § 551.125(e)–(f)
- TEX. GOV'T CODE § 551.126(d)(1)
- TEX. GOV'T CODE § 551.127(f), (j)
- TEX. GOV'T CODE § 551.130(e)–(f)
- TEX. GOV'T CODE § 551.131(e)(1)
- TEX. GOV'T CODE § 322.003(e)(3)
- TEX. GOV'T CODE § 436.054(e)
- TEX. GOV'T CODE § 845.007(f)(3)
- TEX. GOV'T CODE § 855.007(f)(3)
- TEX. AGRIC. CODE § 41.061(c)–(d)
- TEX. AGRIC. CODE § 41.1565(c)–(d)
- TEX. AGRIC. CODE § 41.205(d)–(e)
- TEX. AGRIC. CODE § 62.0021(c)–(d)
- TEX. EDUC. CODE § 66.08(h)(2)(B)
- TEX. FAM. CODE § 264.504(e)
- TEX. FIN. CODE § 11.106(c)(4)–(5)
- TEX. FIN. CODE § 154.355(d)(2)–(3)
- TEX. INS. CODE § 462.059(a)(1), (c)
- TEX. INS. CODE § 463.059(d)
- TEX. INS. CODE § 2151.057(e)
- TEX. INS. CODE § 2210.1051(b)(2)–(3)
- TEX. INS. CODE § 2211.0521(b)(2)–(3)
- TEX. LOCAL GOV'T CODE § 379B.0085(b)(2)–(3)
- TEX. SPEC. LOC. DIST. CODE § 9601.056(c)
- TEX. TRANSP. CODE § 173.106(e)–(f)
- TEX. TRANSP. CODE § 366.262(c)–(d)
- TEX. TRANSP. CODE § 370.262(c)–(d)

- those that may be interpreted to require face-to-face interaction between members of the public and public officials; provided, however, that governmental bodies must offer alternative methods of communicating with their public officials.
 - TEX. GOV'T CODE § 551.007(b)
 - TEX. GOV'T CODE § 551.125(b)(1), (d)

These suspensions are in effect until terminated by the Office of the Governor, or until the March 13, 2020 disaster declaration is lifted or expires.



Houston Forensic Science Center, Inc.

Board of Directors

Virtual Meeting

~ Minutes ~

Friday, June 11, 2021

www.houstonforensicscience.org

1. CALL TO ORDER:

At 8 a.m., Board Chairwoman Stacey Mitchell called the meeting to order.

The Houston Forensic Science Center, Inc. (“HFSC” and/or the “corporation”) board of directors (the “board”) convened this meeting on Friday, June 11, 2021. In a manner permitted by the corporation’s Bylaws, the meeting was called by providing all directors with notice of the date, time (instructions for Microsoft Teams access and call-in options) and purposes of the meeting more than three days before the date of the meeting.

Due to health and safety concerns related to the COVID-19 pandemic, the meeting was conducted virtually via Microsoft Teams, a web-conferencing platform. The board members participated by videoconference in accordance with Chapter 551, Texas Government Code and Governor Greg Abbott’s March 16, 2020 temporary suspension of certain provisions of the Texas Open Meetings Act. Notice of this meeting was posted online to the [website](#) on June 8 along with a free-of-charge videoconference link, dial-in phone number and an electronic copy of the agenda packet, as required.

2. ROLL CALL:

The following board members were present via teleconference:

Chairwoman Stacey Mitchell
Vice Chairwoman Mary Lentschke
Anna Vasquez
Philip Hilder
Janet Blancett
Ellen Cohen
Lois Moore
Vicki Huff
Tracy Calabrese

The following board member was absent:

Francisco Medina

*Director Anna Vasquez arrived at the meeting at 8:05 a.m.

*Chairwoman Mitchell announced a quorum was present.

3. PUBLIC COMMENT:

Chairwoman Mitchell acknowledged the members of the public and gave them an opportunity to address the board. She opened the floor for public comment to those individuals wishing to be heard and at that time no comments were made.

4. CLOSED MEETING/EXECUTIVE SESSION:

The board convened in a closed meeting, also referred to as executive session. The executive session was held in accordance with Texas Government Code Sections 551.071 and 551.074(a), et seq., for the purpose of consulting with the corporation’s attorney and deliberating or hearing a personnel matter regarding the employment, evaluation or duties of Dr. Peter Stout, president and CEO.

Chairwoman Mitchell closed the open meeting at 8:05 a.m. and convened the executive session, by videoconference, at 8:09 a.m.

5. **RECONVENE INTO OPEN MEETING:**

At 9:00 a.m., Chairwoman Mitchell reconvened the open meeting. At that time, she announced a quorum was present. Vice Chairwoman Lentschke was delayed in rejoining the open meeting after the closed meeting.

The board took no action related to the closed meeting.

6. **REVIEW AND APPROVAL OF MINUTES FROM PRIOR MEETING:**

Following a motion by Director Ellen Cohen and seconded by Director Janet Blancett, the meeting minutes of May 14, 2021 were unanimously approved as presented.

7. **ANNUAL APPOINTMENT OF CORPORATE OFFICERS:**

Pursuant to the corporation’s bylaws, the board appoints HFSC’s corporate officers annually. Chairwoman Mitchell read the slate of nominees prior to the roll call vote for each position.

President – Dr. Peter Stout
Vice President – Dr. Amy Castillo
Treasurer – David Leach
Board Secretary – Amanda DeBerry

The officer nominees were all in attendance by videoconference. Director Philip Hilder made a motion to approve the slate as presented. Director Lois Moore seconded the motion, and the board unanimously approved the slate of corporate officers.

*Vice Chairwoman Lentschke rejoined the meeting at 9:11 a.m. after the roll call vote.

8. **VICE CHAIR SELECTION:** (Item taken out of turn)

Pursuant to the corporation’s bylaws and board resolution 2020-001, each year the directors select a vice chair of the board. Chairwoman Mitchell reminded the board that for the past year, Vice Chair Lentschke has served in the role and has been a great resource and leader for HFSC as its tackled unique issues. She recommended the board consider and select Director Lentschke to serve another term as vice chair. The Chairwoman made a motion to approve and it was seconded by Director Moore. The motion passed unanimously in a roll call vote.

9. **CHAIRWOMAN MITCHELL'S REPORT:** (Item taken out of turn)

The chairwoman discussed an upcoming board transition. On June 30, 2021 Director Blancett completes her term and will not seek re-appointment. Director Blancett is a product manager at Aspen Technology by day and has served on HFSC's board for the past six years, working closely with the Technical Advisory Group. The chairwoman thanked Director Blancett for her support, service and contributions to the board and to the City of Houston. Several board members thanked Director Blancett for her dedication and Dr. Stout presented a hand-made wooden box as a token of appreciation.

The chairwoman announced the Houston City Council approved HFSC's FY2022 budget, which includes a \$1.3 million increase to expand the crime scene unit and purchase additional instruments for toxicology and firearms.

Chairwoman Mitchell then noted virtual board meetings may soon no longer be possible since Gov. Greg Abbott may not renew the disaster declaration that allowed for such meetings. She stated that General Counsel Akilah Mance will inform the board of directors when they need to meet in person. Director Cohen questioned the process and noted City Council is conducting in-person meetings. Ms. Mance explained the disaster declaration allowed the governor to suspend certain provisions of the Texas Open Meeting Act, enabling fully virtual meetings. Once the disaster declaration expires this fully virtual option will no longer be available. Ms. Mance noted a hybrid option is available in the current statute. This allows for a quorum, including the presiding officer, to be physically present in a publicly accessible location while some board members are remote. Ms. Mance said the board can decide to resume in person meetings immediately and is not required to wait for Gov. Abbott decision regarding the disaster declaration.

10. **PRESIDENT AND CEO DR. PETER STOUT'S REPORT:**

Dr. Stout noted the 82-day overall average turnaround time, pointing out the latent print section still has the largest backlog. He said that may start to decrease as the section implements changes through a lean six sigma project.

He then explained HFSC's staffing portfolio, noting there are now 210 employees. Offers for two forensic analyst openings have been accepted, leaving two vacancies.

He shared recent outreach efforts noting his presentation to prosecutors and defense attorneys about drug issues and Ms. Mance's election to vice president of the National Association of Forensic Laboratory Counsel, a new professional organization for forensic laboratory attorneys.

Next, Dr. Stout discussed 2021 legislative bills that could impact forensics. One to note is HB 3774 – a bill that allows the Texas Forensic Science Commission to spend allocated funds on training, but also changes some procurement rules relating to outsourcing of forensic services, potentially impacting HFSC.

He then touched on challenges with evidence management and said HFSC is talking to the Houston Police Department and the city about a plan that would address drug evidence storage. He said the parties are discussing storing drugs at a downtown 24,000-square foot area previously used as a bank

vault with an incorporated onsite incinerator. Responsibility for this evidence would transfer to HFSC and would, among other things, eliminate the need to transport drugs, reducing risk. There is no timeline for the project.

Lastly, Dr. Stout said a Russian hacker attempted 400,000 unsuccessful login attempts into HFSC's e-Discovery website. This attack lasted for several days and drained resources, however HFSC's information technology department was able to prevent a data breach. HFSC is considering ways to prevent future attacks and to better protect the public website.

11. **VICE PRESIDENT AND COO DR. AMY CASTILLO'S REPORT:**

Dr. Castillo stated HFSC has struggled with significant backlogs in many sections, impacting turnaround times. But this isn't the case for toxicology as Dr. Castillo noted it has only 92 backlog requests, down from more than 1,000. Their goal is to clear the backlog and for part of the staff to focus on maintaining a 30-day turnaround time on incoming blood alcohol requests while the rest of the team trains to do drug analysis.

In the past month, seized drugs also made significant progress toward eliminating its backlog.

The forensic biology/DNA section also hit its target for clearing its backlog. Dr. Castillo then shared the recent departure of one DNA analyst, which will impact the section's plan. Securing a replacement, however, comes with its own challenges due to the longevity of training. As of now, this position is on hold. In late summer, four new DNA analysts will complete training and begin working independently.

Dr. Castillo discussed toxicology outsourcing, noting the corporation's significant investment in this project. HFSC used \$323,000 in federal dollars to outsource over 1,000 drug testing requests. Those COVID relief dollars have been exhausted and HFSC will outsource priority and sexual assault drug requests under an 18-month contract with National Medical Services, Inc. The contract will cover about 20 cases a month.

12. **QUALITY DIRECTOR ERIKA ZIEMAK'S REPORT:**

Ms. Ziemak said the quality division met its May submission targets for blind quality control samples.

Most recently, Maddisen Neuman, member of the quality division, published a journal article titled, "*The Latent Print Quality in Blind Proficiency Testing: Using Quality Metrics to Examine Laboratory Performance.*" The Center for Statistic and Applications in Forensic Evidence (CSAFE) funds Ms. Neuman's position at HFSC and she collaborates with CSAFE on research relating to the blind quality program.

Ms. Ziemak then noted a virtual training held in April that focused on internal auditing. Thirty HFSC employees participated in the weeklong training which included 24 hours of classroom instruction and a final exam.

The quality division will conduct annual internal audits from April 12 through June 25. She noted internal audits for firearms, latent prints, seized drugs, crime scene unit and the forensic biology/DNA sections have been completed. Those audits found two nonconformances in firearms, five in forensic biology, two in crime scene and none in latent prints and seized drugs. The multimedia and toxicology audits will be completed in June.

She then announced HFSC recently complied to two forensic biology/DNA and two digital multimedia standards in the Organization of Scientific Area Committees' registry. It expects to meet July deadline to comply with one toxicology standard and another in digital multimedia.

Immediately following, Ms. Ziemak discussed expectations to fulfill accreditation requirements for 2021. So far, 10 analysts have testified this year. Three transcripts are in the review process.

13. **CRIME SCENE UNIT DIRECTOR CARINA HAYNES' REPORT:**

Homicide rates in Houston this year, continue to outpace 2020. Ms. Haynes noted the city is only nine homicides shy of 200 – a 23 percent increase from the same time during 2020. The group responded to 138 scenes in May, 69 of them calls for service and 69 vehicle examinations.

She then explained the process for preparing for summer work in the heat and hurricane season. Crime scene investigators have created a hurricane season preparedness PowerPoint for the unit and tested Everbridge, a mass texting tool, to ensure all CSIs are receiving notifications.

One of the downsides of this summer's work will be the heat and the challenges it poses to the staff. To protect them from the heat, CSIs are equipped with cooling towels and quick dry shirts to wear underneath their ballistic vests. Also, Ms. Haynes is looking into adding two other cooling technologies, the Maxx-Dri body armor ventilation vest and the Coolcop armor A/C. The Maxx-Dri adds a layer underneath the ballistic vests that allows for airflow while the Coolcop device hooks into the vehicle's A/C vent and into a CSI's vest, providing immediate relief.

14. **ADJOURNMENT:**

Chairwoman Mitchell requested a motion to adjourn the meeting. Director Blancett made a motion to adjourn. Director Hilder seconded the motion. The meeting ADJOURNED at approximately 10:54 am.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the June 11, 2021 virtual meeting of the "board.

By: _____

Amanda DeBerry, Secretary

HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

July 9, 2021 at 9:00 a.m.

Agenda Action Item No.:	8. Reconvene into open meeting and consider any action deemed necessary as a result of the closed meeting, relating to personnel matters.
Subject:	Consider any action deemed necessary as a result of the executive session, including: <ul style="list-style-type: none">i. Action relating to the president and CEO’s annual performance evaluation, performance evaluation, performance objectives and priorities, as well as the appointment or employment of Dr. Peter Stout beyond his initial 5-year contract term; andii. Action relating to the appointment or employment of Dr. Stout beyond the initial 5-year contract term.
Background:	On January 13, 2017, the Board offered, and Dr. Peter Stout accepted, an agreement of employment as both president and CEO of HFSC. Pursuant to Dr. Stout’s agreement of employment, the president and CEO shall submit an annual list of priorities and performance objectives to the Board, on or before June 1 st of each year. On June 14, 2019, the Board voted to extend the June 1st deadline to the July board meeting, each year. Additionally, the employment agreement provides for an initial 5-year contract term, to expire on January 12, 2022, unless the Board takes action to renew or extend the term.
Executive Summary:	Pursuant to the agreement, Dr. Stout, in consultation with the Board Chair, shall develop and submit for the Board’s consideration and approval a list of annual priorities and performance objectives for HFSC. The proposed list must fit within the Board’s goals for the corporation. If approved by the Board, the priorities and performance objectives shall be part of the Board’s annual performance evaluation of Dr. Stout. Additionally, Dr. Stout’s employment agreement with the corporation will expire on January 12, 2022 if no action is taken by the Board. Pursuant to the terms of the agreement, if the board intends to retain Dr. Stout beyond the initial term, the board must provide written notice of its intent to renew or extend the agreement at least 6 months before the contract expires.
Fiscal Impact:	No anticipated additional fiscal impact.
Staff Recommendation:	No recommendation.
By:	Dr. Stacey Mitchell, Board Chair Legal review by General Counsel