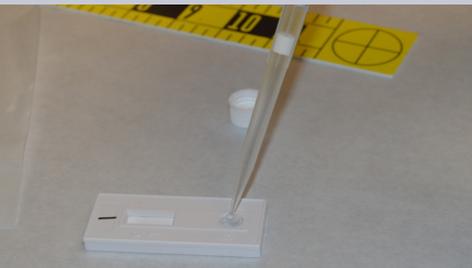


WHAT'S NEWS @ HFSC

HOUSTON FORENSIC SCIENCE CENTER • AUGUST 2020

Consolidating property and evidence management: a step toward reform

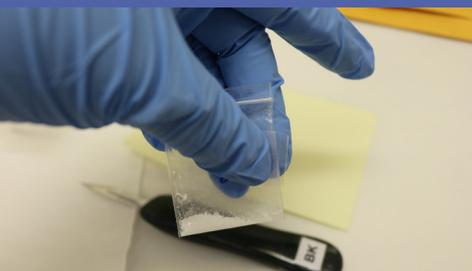
INSIDE THIS EDITION



4 HFSC sends more than 360 rape kits to commercial lab



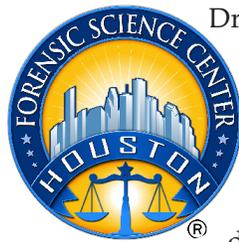
5 HFSC's accrediting body completes annual assessment



6 COVID-19 leads to drop in seized drugs requests



7 HFSC pilots electronic release of records



Dr. Peter Stout, CEO and president of the Houston Forensic Science Center, presented the board of directors on Friday

with an ambitious, multi-year plan to consolidate city and county property and evidence management and handling.

The vision, which is meant to improve the quality, integrity, handling and disposal of evidence, would consolidate property functions under HFSC and includes the formation of a stakeholder task force of prosecutors, crime laboratory officials, law enforcement and others. The group would create policies and procedures to standardize the handling, storage and disposal of evidence, helping to ensure the quality of the items and also improving efficiency system-wide.

"Evidence handling impacts every part of the justice system," Dr. Stout said. "Changing the structure will increase efficiencies for all parties and improve public perception and trust in this aspect of the criminal justice system."

If an agreement to overhaul the system is reached, it will be at least a five-year process and one model of governance could include expanding the HFSC board of directors to include representatives from the county.

Property rooms have historically been managed and overseen by law enforcement. But with greater demand on

police and more emphasis on community policing and engagement, removing this high-risk, low-reward enterprise from their responsibility will allow them to focus on the jobs they were hired and trained to accomplish, namely serving and protecting the community.

"This is not about assigning blame. This is about improving parts of the justice system that have the broadest impact on all stakeholders," Dr. Stout said.

"Evidence handling impacts everyone and everything from law enforcement to crime laboratories to prosecutors, courts, defendants and victims. It is time to ask the hard question of whether this is in fact a law enforcement function or if all parties would be better served placing that logistical responsibility elsewhere in the system."

One of the key elements of managing property rooms is inventory control and ensuring that disposal of items is greater than the receipt. Unfortunately, since disposing evidence requires court orders and other input from the justice system, property rooms, including the Houston Police Department's, often struggle with this aspect, leading them to run out of space. The stakeholder task force would help eliminate some of these hurdles.

"The entire country is focused on criminal justice and law enforcement reform. But for real change to happen, we need to move past finger pointing and assigning blame and instead focus on real solutions that impact broad parts of the system," Dr. Stout said. "Property and evidence falls into that bucket."



A Few Words From Our PRESIDENT

HOUSTON FORENSIC SCIENCE CENTER

Peter Stout, Ph.D.

CEO/President

Dr. Peter Stout, HFSC's CEO and president, initially joined the agency in 2015 as its chief operating officer and vice president. He has more than 15 years of experience in forensic science and forensic toxicology. Prior to joining HFSC, Dr. Stout worked as a senior research forensic scientist and director of operations in the Center for Forensic Sciences at RTI International. Dr. Stout also has served as president of the Society of Forensic Toxicologists (SOFT). He represented SOFT in the Consortium of Forensic Science Organizations and has participated in national policy debates on the future of forensic sciences in the United States. Dr. Stout has a doctorate in toxicology from the University of Colorado Health Sciences Center in Denver. Dr. Stout also served as an officer in the U.S. Navy Medical Service Corps.

It makes sense that people reading or hearing about my proposal to consolidate city and county property and evidence management and handling under one umbrella, potentially HFSC's, are asking one or all of the following:

- 1) Just how nuts are you? Property management is a huge headache.
- 2) WHY? Why would you take this on?
- 3) Why property?
- 4) Why now?

Good questions.

First, yes, property management is a high-risk component of the justice system. I see the nationwide struggle with implications of property management issues. In my mind, that means the obligation to pursue making this work for the entire system outweighs the prospect of the painful, hard work it will require.

In terms of why potentially HFSC: Part of it is ease and convenience. HFSC is already independently structured with a board of directors whose bylaws allow for an expansion to include representatives from the county. HFSC has learned from hard experience what it takes to combine services and move oversight. To gain additional efficiencies that will have a significant impact on all lab operations we must tackle the weaknesses in evidence.

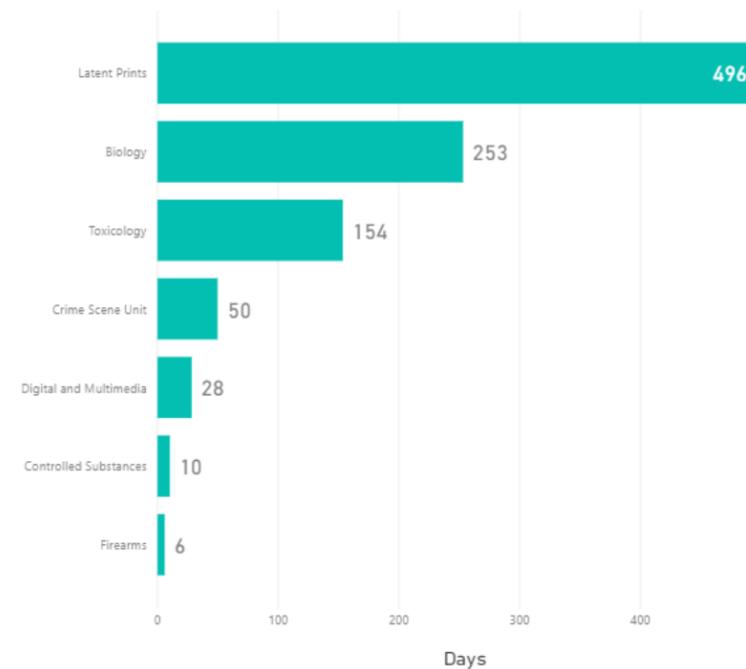
That brings us to why property? HFSC, like every other part of the justice system, is enormously dependent on quality evidence to ensure the integrity of subsequent analysis. The testing we do is only as good as the evidence we receive. Labs, prosecutors and the courts bear the bulk of the "cost" of poor evidence quality. As the reliance on scientific results has grown, the interrelation between laboratory, crime scene investigation and evidence handling has become acutely apparent. Ever increasingly, once officers tag and bag an item it is no longer simply THEIR evidence. It moves to the lab, to the courts, to the prosecutors, to the defense. Historically, property management and evidence handling functions have been placed under the purview of law enforcement. Maybe now is the time to ask the question: is it the right place for this function?

So, then, why now? To begin with, as I said above, we must improve evidence handling to gain further efficiencies within our operation. But second, the entire nation is focused on criminal justice reform yet seems to be stuck at finger-pointing. I can't solve everything. But imagine if the fundamental physical evidence in cases was overseen by an independent, civilian entity specialized to efficiently handle the immense amount of evidence that moves through Houston and Harris County? Tackling property provides an opportunity to address a part of the system that we all know can and should be improved and do something that will impact everyone and everything. I think all would agree, that improves everyone's trust in the justice system just a little bit.

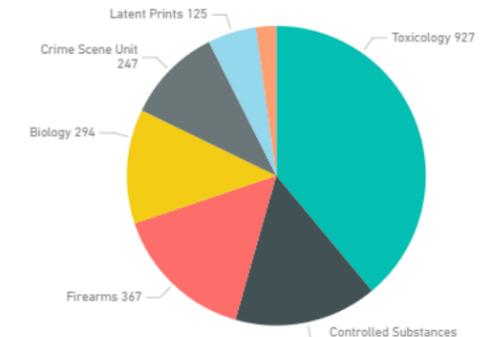
Peter Stout, Ph.D.
CEO/President

HFSC At A Glance

Average Turnaround Time for - July 2020



Requests Completed by Section



Turnaround Time - Days	125
Completed Requests	2380

Month Completed	Year Completed
01-January	2014
02-February	2015
03-March	2016
04-April	2017
05-May	2018
06-June	2019
07-July	2020
08-August	

This data is current as of 8/14/2020.

Surprisingly, despite the COVID-19 pandemic and the need to minimize onsite staff, HFSC has made progress against some of its largest backlogs, though there is still a long way to go. However, it is the completion of some of these oldest cases that makes it artificially appear that turnaround time is significantly increasing.

As a reminder, this is because HFSC calculates turnaround time from the moment a request is made to the moment it is completed and closed. So as sections, such as latent prints and toxicology, close out the oldest cases in their backlogs the turnaround time increases. Looking closely, however, the data shows that seized drugs continues to operate with a relatively short average turnaround time of just 10 days and most other areas are below 60 days.

Also, note the toxicology section completed more than one-third of the cases closed out in July. With more analysts fully trained and a disruptive move behind them, this section has managed to simultaneously make a dent in its backlog and move to rotating schedules to encourage physical distancing.

For more information, please visit www.houstonforensicscience.org.

RAPE KIT BACKLOG

HFSC SENDS KITS TO PRIVATE LAB

The forensic biology/DNA section has sent more than 360 rape kits to two commercial vendors as it works to eliminate a backlog of more than 900 sexual assault kits.

As the group continues to work toward eliminating that backlog they will use \$1.7 million in federal grant dollars to continue sending kits to commercial labs and also to hire two additional analysts, expanding the group to a total of 43, including the management team, when fully staffed.

The backlog has grown over the past two years as the section cross-trained staff and introduced probabilistic genotyping software, STRMix, into the workflow. The software allows analysts to use more data when interpreting samples that have more than one individual's DNA, but also increases the amount of time it takes to complete a case.

The complexity of STRMix as well as an incorrect estimation of how long it would take to fully cross-train staff led to the training program

taking longer than expected.

The lengthier training along with a lack of capacity at vendor laboratories that prevented HFSC from outsourcing rape kits during the November move increased the backlog.

"Federal grant dollars allows us to use commercial laboratories as a tool in our attempt to eliminate the rape kit backlog," said Dr. Amy Castillo, HFSC's COO and vice president.

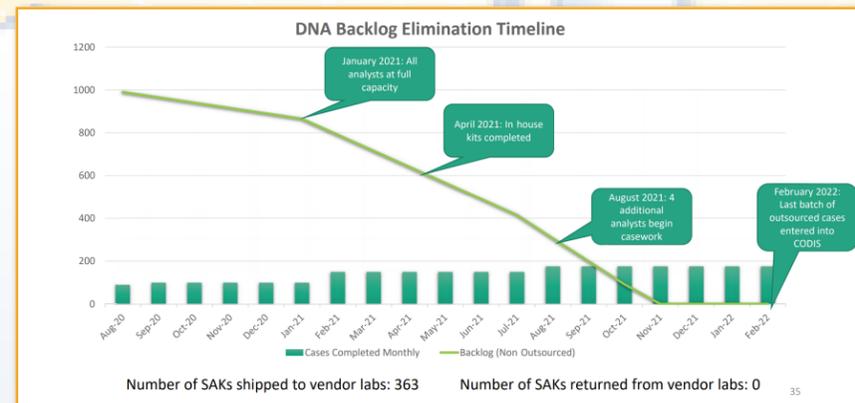
"We currently anticipate we will eliminate the backlog in February 2022. That is a long time line, but we want to ensure we are increasing capacity at the same time we are eliminating the backlog," Dr. Castillo said.

The team is also currently reviewing the previous training plan to ensure all lessons are learned

and applied to upcoming training programs.

To increase capacity the section must continue training analysts to complete the final portion of the multi-step DNA process, the interpretation of the data. This is the most complex and time-consuming part of the process and where the lab typically has a bottleneck. The training for this is also lengthy and arduous and more so now with the introduction of probabilistic genotyping.

"New technologies and knowledge are great for the system, but to ensure the quality of the product we must have a robust training program. That takes time," said Dr. Peter Stout, HFSC's CEO and president.



By Martha Zamora-Pineda

ACCREDITATION

ANAB, the Houston Forensic Science Center's accrediting body, found no non-conformances in its recent virtual assessment of the crime laboratory, meaning they found no issues in the items and areas they reviewed.

During the closing meeting the assessor also complimented HFSC's eDiscovery website, thorough corrective action process and transparency.

Part of the HFSC accreditation process involves ANAB conducting re-accreditation assessments every four years. But maintaining accreditation also involves yearly surveillance activities. In a non-pandemic world, these surveillance activities can either occur as a desk audit or as an in-person assessment. Initially, ANAB planned to conduct an in-person assessment this year, but due to the pandemic opted to do this remotely.

Surveillance activities usually do not involve assessing to all requirements, but rather a sampling. This year HFSC was assessed on 46 out of the 203 ISO/IEC 17025:2017 and ANAB requirements to which it is accredited. ANAB found HFSC conformed to all 46 requirements.

The assessment had initially been scheduled for the third week of July, but the lead assessor and the quality division agreed to a revised start date of July 1. The assessment lasted the entire month of July, giving the assessor greater flexibility and providing HFSC more time to answer questions and provide requested documents.



By Jordan Benton

COVID-19 IMPACTS SEIZED DRUGS

Requests for seized drugs analysis have nearly halved since the start of the pandemic, likely the result of the pandemic disrupting everything from arrests to prosecutions and drug trafficking.

The decreased number of cases received has allowed the section to reduce onsite staffing while maintaining an average 10-day turnaround time.

Mr. James Miller, seized drugs section manager at HFSC, said it is difficult to know whether the drop in cases is because of less enforcement of non-felony drug cases, fewer prosecutions or both.

"There's a risk to narcotics officers being out in public so not pursuing as many opportunities because of health risks to them is another possibility," Mr. Miller said.

In some parts of the



country there have been reports of less availability of drugs, but Mr. Miller said Houston does not seem to be impacted by that because its supply largely comes directly from Mexico.

Although the total number of cases has dropped, the size and complexity of cases has grown, increasing the time it takes to complete a request. The section is receiving larger cases

"CASES COMING IN ARE LARGER AND MORE COMPLEX. THIS IS A STRESSOR ON THE ANALYSTS."

because law enforcement has shifted its focus to violent and felony crimes.

"We're not seeing smaller cases like we used to before the pandemic," said Angelica Noyola, a seized drugs analyst at HFSC. "Most of the cases we're receiving are large felony cases that take significantly longer to work."

The section has implemented a rotating schedule with two teams swapping between one 50-hour onsite work week and a 30-hour week offsite.

This schedule gives analysts time to complete their work, while limiting potential exposure. But there is stress to complete cases during the onsite week.

"The cases coming in are not only larger, but also more complex. This is a stressor on the analysts," Mr. Miller said.

Still, with fewer people in the lab at one time, instruments used in analysis are now more accessible.

"Not everyone is in the lab at once now, so those of us reporting to work onsite can load samples onto the instruments faster, allowing us to write our reports sooner," Ms. Noyola said. "That's been one of the more notable positives to come out of splitting shifts."

BY ASHLEY HENRY

HFSC launches electronic record release

The client services and case management division (CS/CM) launched on June 22 a pilot program to electronically release records, such as those responsive to discovery orders.

This new process eliminates the need to burn records to a disc, document the release of paper records and for the requester to travel to HFSC and receive the documents in person.

"HFSC had been working on implementing an electronic record release for several months, but when the pandemic erupted it became clear we had to push forward with the pilot," said Dr. Peter Stout, HFSC's CEO and president.

"This is one example of a new process that will have short-term benefits during the pandemic by decreasing in-person interactions while also creating greater efficiencies for all parties," he added.

The requested records are uploaded to a Microsoft Sharepoint site. HFSC emails a hyperlink to the requester so they can access the documents. The link is accessible only to the requester. CS/CM, the division responsible for the receipt, logging, compiling and release of records, among other duties, has always released some documents via email. However, larger document

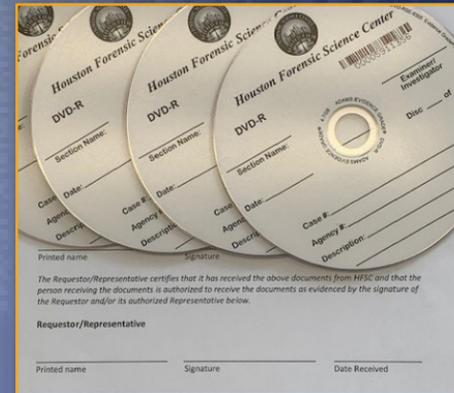
compilations had been burned to discs and picked up by the requester at HFSC's downtown facility. Each such release required a records receipt to be completed and uploaded to the case record.

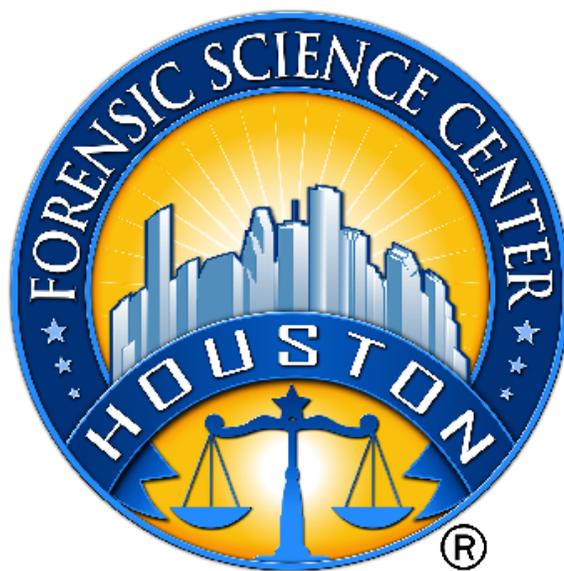
Requesters should be aware of the following regarding the new electronic process:

- When at all possible, records will be attached to an email.
- If the records are too large, a hyperlink will be shared via email.
 - o The hyperlink is active for 30 days.
 - o The hyperlink will be accessible ONLY to the requester. Please download the documents to a hard drive to ensure retention.

- Requests for notarized documents (Certificate of Analysis, Business Records Affidavit, etc.) will still require in-person pick up
- If after 30 days you are unable to access the documents via the original hyperlink provided, please email triage@houstonforensicscience.org

Although HFSC has not completely eliminated the need for in-person release, the electronic release of records is an overall improvement that decreases turnaround time, man hours, cost in supplies and stakeholder time.





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