



# HFSC Makes Three Disclosures to Texas Forensic Oversight Commission

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FOR IMMEDIATE RELEASE

The Houston Forensic Science Center has disclosed to the state's forensic oversight commission three incidents in which analysts made errors when reporting results from preliminary analysis conducted on evidence.

These disclosures are in accordance with procedures recommended by the Texas Forensic Science Commission (TFSC).

HFSC believes the incidents do not involve negligence or professional misconduct on the part of the analysts. HFSC's disclosures are meant to proactively address draft language issued by TFSC that requires crime laboratories to disclose instances in which a case report has been amended due to an error in the analysis and reporting process.

"HFSC has conducted a root-cause analysis into the three incidents and believes that any issues that may have existed have been corrected and action has been taken to avoid similar errors in the future," said Dr. Peter Stout, HFSC's interim CEO and president.

Each incident occurred in a different forensic discipline. The first occurred when a latent print examiner confused two piles of folders and incorrectly reported two cases as having no preliminary association recorded in the Automated Fingerprint Identification System (AFIS) when the report should have stated preliminary associations had been made. The analyst immediately caught the error, verified the initial finding and issued corrected reports. To prevent similar incidents going forward,

all latent print examiners will reread HFSC's written protocols. Additionally, a latent print supervisor reviewed all cases completed by the examiner over a five-month period to ensure no similar mistakes had been made. The supervisor did not find any errors.

In the Toxicology Section, an analyst reported that a screening chemistry indicated the presence of one or more drugs in blood evidence when in fact the result was negative. HFSC's Quality Division reviewed more than 480 reports issued by the analyst and about 270 cases approved by the technical reviewer to ensure no similar mistakes had occurred. No additional errors were found, but written instructions have been amended to require the administrative reviewer to document that screening data is consistent with results reported in the final laboratory report.

In the final incident, in a presumptive serology test done in the Forensic Biology Section an analyst reported positive semen results. However, when confirmatory testing was done, no DNA could be obtained from the evidence. When the analyst redid the initial screening test, the positive result could not be replicated. As a result, the final report stated the presumptive identification of semen was inconclusive. To avoid similar problems going forward, the analyst has been temporarily removed from casework and is being retrained while the HFSC investigates the incident.

"Although we believe these errors were not the result of any misconduct on the part of our staff, HFSC is committed to fully investigating any incidents that could impact the quality and credibility of our science," Dr. Stout said. "We will continue to take similar steps going forward when questions arise and look forward to working with TFSC to further explore any issues."

HFSC is a local government corporation that provides forensic services to the City of Houston and other local agencies. HFSC is overseen by a Board of Directors appointed by the Mayor of Houston and confirmed by the Houston City Council. Its management structure is designed to be responsive to a 2009 recommendation by the National Academy of Sciences that called for crime laboratories to be independent of law enforcement and prosecutorial branches of government.

HFSC operates in eight forensic disciplines.

CONTACT INFORMATION:

Ramit Plushnick-Masti

Director of Communications/PIO

[media@houstonforensicscience.org](mailto:media@houstonforensicscience.org)

<http://www.houstonforensicscience.org/>

713-929-6768 (office)

713-703-4898 (cell)

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