Houston Forensic Science Center, Inc.

Resolutions 2012

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012- 001

RESOLUTION ESTABLISHING GIFT POLICY

WHEREAS, the Board of Directors of Houston Forensic Science LGC, Inc. (the "Corporation") desires to establish a policy governing the conduct of the Corporation's employees in the event an employee receives or has an opportunity to receive certain benefits; **NOW, THEREFORE**;

BE IT RESOLVED BY THE DIRECTORS OF THE CORPORATION:

Section 1. That the Policy established by this Resolution applies to all employees of the Corporation.

Section 2. That for the purposes of this Resolution:

(a) "Benefit" includes (i) any gift of food, goods, services, money, lodging, transportation, or any other thing of value; and (ii) the extension of any discount, rebate, or other privilege or thing that reasonably could be regarded as economic gain or advantage, whether given directly or indirectly; and

(b) "Person" includes natural persons and for-profit and non-profit organizations and business entities.

Section 3. That no employee of the Corporation shall accept, directly or indirectly, any benefit under any circumstance that reasonably could create an appearance of an intent to influence the operations of the Corporation or any other appearance of impropriety.

Section 4. That, except as provided in Section 5 below, no employee of the Corporation shall accept any benefit from any of the following persons:

(a) A person who is the subject of a pending criminal investigation or a pending criminal prosecution;

(b) A person who regularly provides goods or services used, or reasonably anticipated to be used, in the operations of the Corporation;

(c) A person who is a party to, or is seeking to be a party to, a contract, purchase order, or other business transaction of the Corporation; or

(d) A person who reasonably may be anticipated to benefit professionally or personally from the operations of the Corporation.

Section 5. That, by resolution the Board of Directors may grant exceptions to Section 4 above, but only in advance of the receipt of the benefit and only in the following circumstances:

(a) A special event for which the person offering the benefit is reimbursed for the fair market value of the benefit by the person receiving the benefit; or

(b) An offer to provide food, lodging, transportation, or educational services, the receipt of which would be of direct and substantial benefit to the operations of the Corporation.

Section 6. That any actual or reasonably suspected violation of the Policy established by this Resolution must be reported to the Board of Directors for action commensurate with the violation, which action may include termination of employment.

Section 7. That this Resolution shall take effect immediately upon its adoption by the Board of Directors.

ADOPTED this 9 day of July, 2012.

CERTIFICATE

The undersigned hereby certifies that this Resolution 2012-001 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 9 day of July, 2012.

Executed this 10th day of July, 2012.

Carolyn Lacye
(Signature)

CAROLYN LACYE
(Printed Name of Secretary or Acting Secretary)

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012-002

RESOLUTION LIMITING COMPENSATION RECEIVED BY PRESIDENT OF CORPORATION

WHEREAS, the Board of Directors (the "Board") of Houston Forensic Science LGC, Inc. (the "Corporation") desires to establish a policy limiting compensation received by the President of the Corporation (the "President"); **NOW, THEREFORE**;

BE IT RESOLVED BY THE DIRECTORS OF THE CORPORATION:

Section 1. That for the purposes of this Resolution:

(a) "Compensation" means value given in consideration for a service performed; reimbursement for a reasonable expense actually incurred is not compensation.

(b) "Person" means any natural person and any for-profit or non-profit organization or business entity.

Section 2. That the President (who, as prescribed by Section 5.03 of the Corporation's Bylaws, also serves as the Executive Director of the Houston Forensic Science Center) shall not receive compensation from any person who conducts business with, or solicits business from, the Corporation.

Section 3. That, by resolution the Board of Directors may allow the President to receive compensation for services from persons other than those described in Section 2, but only before the President performs any part of the service for which compensation is given or is to be given.

Section 4. That any actual or reasonably suspected violation of the Policy established by this Resolution must be reported to the Board of Directors for action

commensurate with the violation, which action may include termination of employment.

Section 5. That this Resolution shall take effect immediately upon its adoption by the Board of Directors.

ADOPTED this 22nd **day of** August **, 2012.**

CERTIFICATE

The undersigned hereby certifies that this Resolution 2012-002 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 22nd day of August, 2012.

Executed this 12th day of September, 2012.

D Gray
(Signature)

Deborah L. Gray
(Printed Name of Secretary or Acting Secretary)

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012-003

RESOLUTION DESIGNATING DEPOSITORY AND PRESCRIBING PROCEDURES RELATED TO FUNDS OF CORPORATION

WHEREAS, the Board of Directors (the "Board") of Houston Forensic Science LGC, Inc. (the "Corporation") desires to designate a depository for the Corporation's funds; and

WHEREAS, as authorized by the Board, on July 26, 27, and 28, 2012, the Corporation published in the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, a notice of the Corporation's request for proposals ("RFP") for a banking services contract ("Contract") by which a bank with retail operations within the city limits of Houston, Texas, will provide the Corporation with depository and other customary banking services;

WHEREAS, BOKF, N.A., d/b/a Bank of Texas ("Bank of Texas"), and Wells Fargo Bank, N.A. ("Wells Fargo") each timely submitted proposals responsive to the RFP, which proposals, or summaries of which proposals, have been considered by the Board; and

WHEREAS, the Board has concluded that the interests of the Corporation will best be served by awarding the Contract to Bank of Texas; and

WHEREAS, as contemplated by Section 105.074(g), Texas Local Government Code, the Board has concluded that certain procedures should be adopted to ensure the safety and integrity of the Corporation's funds to be deposited with Bank of Texas, which procedures are described below; **NOW, THEREFORE**;

BE IT RESOLVED BY THE DIRECTORS OF THE CORPORATION:

Section 1. That, for the purposes of this Resolution:

(a) "Bank," "depository," "depository services," and "designated officer" are defined by Section 105.001, Texas Local Government Code.

(b) "Account Signer" means a person whose signature authorizes a payment or other withdrawal from the Corporation's funds on deposit with the bank named below, subject to the provisions of this Resolution and applicable law. An Account Signer is a designated officer, but only

for the purposes of Sections 105.074(a), 105.074(g)(1), 105.076, and 105.091, Texas Local Government Code.

Section 2. That the Contract is awarded to Bank of Texas, *except that* this award shall be void if the said bank fails to provide security by the deadline prescribed by Section 105.031(a), Texas Local Government Code.

Section 3. That, in the event no person is serving as Treasurer of the Corporation, the President of the Corporation shall be the Corporation's designated officer.

Section 4. That, in the event no person is serving as Treasurer of the Corporation and no person is serving as President of the Corporation, the Board shall appoint the Corporation's designated officer, which appointment shall be memorialized in the Minutes of a meeting of the Board but which appointment shall be void upon the Board's appointment of a Treasurer or a President of the Corporation.

Section 5. That the designated officer may execute on behalf of the Corporation such agreement(s) with Bank of Texas as are customary, reasonable, and necessary to provide the Corporation with depository and other customary banking services, *provided that* the Chairman of the Board and the Vice-Chairman of the Board shall have had a reasonable opportunity to review the said agreement(s) prior to execution and shall not have expressed in a writing promptly delivered to the designated officer any objection to the said agreement(s), and *provided further that*, in the event of such objection, the designated officer shall not execute any such agreement(s) without the approval of a majority of the Directors, which approval shall

be memorialized in the Minutes of a meeting of the Board.

Section 6. That, pursuant to Section 105.074(g), Texas Local Government Code, the Corporation adopts the following procedures to ensure the safety and integrity of the Corporation's funds:

(a) Each of the Chairman of the Board, the Vice-Chairman of the Board, the President of the Corporation, and the Treasurer of the Corporation is an Account Signer, *provided that* the signatures of two Account Signers shall be required to make a payment or other withdrawal from the Corporation's funds in an amount exceeding $1,000.00.

(b) Notwithstanding Sections 105.074(a) and 105.074(g)(1), Texas Local Government Code, the Corporation's designated officer is not "authorized to direct payments from funds" of the Corporation unless the designated officer is also an Account Signer.

Section 7. That this Resolution shall take effect immediately upon its adoption by the Board of Directors.

ADOPTED this 12th day of September, 2012.

CERTIFICATE

The undersigned hereby certifies that this Resolution 2012-003 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 12th day of September, 2012.

Executed this 12th day of September, 2012.

Deborah Bohr
(Signature)

Deborah Bohr
(Printed Name of Secretary or Acting Secretary)

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012-004

RESOLUTION PRESCRIBING STANDARDS OF CONDUCT FOR DIRECTORS

WHEREAS, the Board of Directors (the "Board") of Houston Forensic Science LGC, Inc. (the "Corporation") desires to prescribe certain standards of conduct for the Directors; **NOW, THEREFORE**;

BE IT RESOLVED BY THE DIRECTORS OF THE CORPORATION:

Section 1. That the Policy established by this Resolution applies to the Directors of the Corporation.

Section 2. That, with regard to any particular criminal investigation or proceeding, no Director of the Corporation shall engage in conduct reasonably likely to be construed as an attempt to interfere with or otherwise to influence the collection or the analysis of forensic evidence by an officer, employee, contractor, or agent of the Corporation, or to interfere with or otherwise to influence the timing or prioritization of such collection or analysis.

Section 3. That, notwithstanding Section 2 immediately above, nothing in this Resolution shall be construed to limit the authority of the Board as a whole to manage the affairs of the Corporation, including such matters as the collection and analysis of forensic evidence and the timing and prioritization of same.

Section 4. That no Director of the Corporation shall engage in conduct that, if committed by a public servant, would constitute an offense under Section 36.07(a)-(b), Texas Penal Code.

Section 5. That no Director of the Corporation shall engage in conduct that, if

committed by a public servant, would constitute an offense under Section 36.08(d), Texas Penal Code; furthermore, the exception created by Section 36.10(b), Texas Penal Code, shall apply to this Section 5 only if the fair market value of the benefit does not exceed $50.00.

Section 6. That any actual or reasonably suspected violation of the Policy established by this Resolution must be reported to the Board of Directors for action commensurate with the violation.

Section 7. That this Resolution shall take effect immediately upon its adoption by the Board of Directors.

ADOPTED this 10th day of October, 2012.

CERTIFICATE

The undersigned hereby certifies that this Resolution 2012-04 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 10th day of October, 2012.

Executed this 10th day of October, 2012.

Deborah Bohr
(Signature)

Deborah Bohr
(Printed Name of Secretary or Acting Secretary)

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012-005

RESOLUTION ESTABLISHING A TECHNICAL ADVISORY GROUP AND PROVIDING THE POLICIES AND PROCEDURES FOR APPOINTING AND OPERATING A TECHNICAL ADVISORY GROUP FOR THE HOUSTON FORENSIC SCIENCE LGC, INC. (LGC)

WHEREAS, the Corporate Certificate of Formation authorizes the LGC to *"appoint persons to the Corporation's Technical Advisory Group (the "TAG") whose members shall advise the Board individually or collectively regarding best practices for the management and operation of a forensic science center, especially with regard to obtaining and maintaining the highest levels of accreditation through the ASCLD/LAB-International Program or its equivalent."; and*

WHEREAS, the LGC Board has determined that it is in the best interest of the Corporation to establish the TAG and to develop policies and procedures for its appointment of members and its operation; **NOW THEREFORE;**

IT IS RESOLVED BY THE DIRECTORS OF THE CORPORATION:

I. **Policy:** It is the policy of the Houston Forensic Science LGC, Inc. (LGC) to be fully advised in all matters regarding the operations and management of the forensic activities of the LGC. To aid in attaining that goal, pursuant to Article VIII of the Certificate of Formation for the Houston Forensic Science LGC, Inc., the LGC hereby establishes a Technical Advisory Group (TAG).

II. **Purpose:** The TAG shall serve as volunteer advisors to the LGC board of directors but shall have no authority to act for or on behalf of the LGC, the board or the City of Houston. Subject to the direction and approval of the LGC, from time to time, the TAG may be asked to review and or to make recommendations to the LGC Board of Directors on topics that include, without exclusion:

A. accreditations attainment and compliance, including ISO accreditation;

B. laboratory operations, program standards and protocols of the LGC;

C. the quality and timeliness of services furnished to user agencies;

D. new scientific programs, protocols, and methods of testing and forensic technologies;

REPEALED BY RESOLUTION 2015-003

E. implementation of new programs, sustaining existing programs and improving upon them where possible, and the elimination of programs no longer needed;

F. protocols for testing and examination methods, and guidelines for the presentation of results in court;

G. qualification standards for the various scientists of the LGC, including the Director;

H. quality assurance and audit reports;

I. operating procedures;

J. interfacing use of the laboratory information management system;

K. analytical work, reports, and conclusions of scientists employed by the LGC;

L. developing review processes to use in instances where there has been an allegation of misidentification or other testing error made by the LGC during its examination of evidence;

M. reports of allegations of professional negligence, misconduct, or misidentification or other testing error that occurred in providing forensic science services at the LGC;

N. relevant scientific literature to determine whether modification of any of the LGC manuals and procedures is desirable;

O. the quality and timeliness of the forensic science services at the LGC;

P. qualification standards for analyst positions within the LGC; and

Q. any other matters related to the scientific operation of the LGC.

III. Selection and Operation of the Technical Advisory Group (TAG)

(A) The TAG may consist of up to 9 members to be appointed by the LGC Board. The TAG shall include forensic scientists as well as scientists from related fields who do not work directly in forensic science. Each scientist from a related field shall have an advanced degree, laboratory experience, or publication in peer-reviewed journals in that field, along with relevant experience in research, methodology, statistics and/or quality assurance. Members of the TAG may not be currently employed by the City of Houston or by any law enforcement laboratory or agency that provides forensic science services to the city or the LGC.

(B) The forensic scientists should have expertise in one or more of the following areas: lab security, molecular biology, population genetics, forensic chemistry, forensic biology, trace evidence, firearms and toolmarks, or forensic toxicology (including certification by the American Board of Forensic Toxicologists). It is preferred that forensic scientists appointed

REPEALED BY RESOLUTION 2015-003

to serve on the TAG hold membership in at least one of the following associations: the International Association for Identification, the International Association for Chemical Testing, the American Society of Crime Laboratory Directors, Academy of Forensic Sciences, or American Statistical Association.

(C) TAG members need not be selected from each of the disciplines identified and not need be residents of Houston, Harris County or Texas.

(D) The LGC Board chair shall designate the presiding officer of the TAG.

(E) Each member shall serve at the pleasure of the LGC Board.

(F) The TAG should meet no less than two times during the year or at such times as the LGC chair shall determine. Such meetings may be in person, by video or other electronic means.

(G) A qualified member of the TAG may serve as a compensated consultant for the LGC as the LGC deems advisable.

ADOPTED this 14th day of November, 2012.

CERTIFICATE

The under signed hereby certifies that this Resolution 2012-005 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 14th day of November, 2012.

Executed this 14th day of November, 2012.

Deborah Bohr

Deborah Bohr, Assistant Secretary

REPEALED BY RESOLUTION 2015-003

HOUSTON FORENSIC SCIENCE LGC, INC.

Resolution No. 2012-006

RESOLUTION APPOINTING MEMBERS TO THE TECHNICAL ADVISORY GROUP (TAG) FOR THE HOUSTON FORENSIC SCIENCE LGC, INC. (LGC)

WHEREAS, the LGC established a TAG by resolution number 2012-006 on November 30, 2012; and

WHEREAS, the LGC is authorized by its Certificate of Formation to *"appoint persons to the Corporation's Technical Advisory Group (the "TAG") whose members shall advise the Board individually or collectively regarding best practices for the management and operation of a forensic science center, especially with regard to obtaining and maintaining the highest levels of accreditation through the ASCLD/LAB-International Program or its equivalent."; and*

WHEREAS, the LGC Board has determined that it is in the best interest of the Corporation to appoint qualified members to the TAG; **NOW THEREFORE;**

IT IS RESOLVED BY THE DIRECTORS OF THE CORPORATION:

The Initial TAG members shall be as follows:

Member	Name	Expertise
	Dr. Bobby Wilson	Chemistry, Biology, Toxicology, Trace Evidence, Operations, Management, Accreditation, Standards, Data Handling, lab Security
	David M. Epstein	Forensic Chemist, Trace Chemistry, Firearms and Tool Marks, Fire and Explosion Debris, Operations, Management, Accreditation, Standards
	Dr. Elizabeth Todd	Chemistry, Operations, Toxicology
	Darrell Davis	Chemistry, Operations, Lab Security, AFS
	Bruce Budowle	Chemistry, Biology, DNA, Genetics, Operations
	Professor Cliff Spiegelman	Firearms, Statistics,
	Dr. Tony Mikos	Engineering, Accreditation
	Dr. Sargur Srihari	Latent Prints, Statistics, Computer Science, Engineering, Data Handling

ADOPTED this 30th day of November, 2012.

CERTIFICATE

The under signed hereby certifies that this Resolution 2012-006 was duly adopted by the Board of Directors of Houston Forensic Science LGC, Inc., on the 30th day of November, 2012.

Executed this 30th day of November, 2012.

Deborah Bohr

Deborah Bohr, Assistant Secretary