

Houston Forensic Science LGC, Inc.

MEETING OF BOARD OF DIRECTORS MINUTES

November 14, 2012

The undersigned, being the duly appointed Acting Secretary of Houston Forensic Science LGC, Inc. (the "Corporation"), hereby certifies that the following are true and correct minutes of the November 14, 2012, 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, which Chapter is made applicable to the Corporation by Section 431.004, Texas Transportation Code, a notice of the meeting was duly filed on November 9, 2012, 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 Marcia Johnson, Vice Chairman of the Board, at 9:05 a.m. on Wednesday, November 14, 2012, in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.

D. Ms. Bohr called the roll. The following Directors were present:

Nicole B. Cásarez, Sandra Guerra Thompson, Marcia Johnson, Enrique V. Barrera, Hiram A. "Art" Contreras, Catherine Lamboley, Willie E. B. Blackmon, and Tom P. Allen (ex-officio).

The following Directors were absent: Scott Hochberg and Donna Fujimoto Cole.

Ms. Johnson announced that a quorum of the Directors was present.

E. Ms. Johnson noted that a draft of the minutes of the Corporation's meeting of October 26, 2012, had been distributed to the Board. Mr. Contreras made a motion to approve the minutes, and it was seconded by Mr. Blackmon. The Motion passed unanimously, and the minutes of the meeting of October 26, 2012, were adopted.

F. Ms. Johnson asked if any members of the public wished to address the Board. There was no response from the persons present.

G. An excerpt of the video on the Mayor's press conference held on Friday, November 2, regarding the wrongful conviction of Mr. George Rodriguez was shown.

H. Ms. Johnson asked the Board to consider a Draft of a "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)." Ms. Johnson made a motion to adopt the resolution, and the move was seconded by Ms. Lamboley. The motion passed unanimously. (The adopted Resolution is No. 2012-005.)

I. Mr. Johnson asked Mr. Barrera to discuss appointment of Technical Advisory Group members. Discussions about each proposed member of the TAG and consideration of a resolution appointing proposed TAG members will be an agenda item for a future meeting.

J. Ms. Johnson asked Ms. Lamboley to report on transition issues. Ms. Lamboley made a motion that the Transition Working Group be given the authority to contact the five CPA firms that the City of Houston works with and has approved and come back to the Board with a recommendation about which CPA firm the Board should work with. Mr. Contreras seconded the motion. The motion passed unanimously.

K. Ms. Lamboley made a motion that the Transition Working Group be given the authority to solicit interest, conduct interviews, and place postings for insurance brokers for the Corporation and come back to the Board with recommendations. Mr. Blackmon seconded the motion. Mr. Allen suggested that he be permitted to submit a partial application on behalf of the LGC to the city's insurance broker to help determine pricing and availability of various coverages. Ms. Lamboley's motion was amended to include this and was passed unanimously.

L. Ms. Johnson asked Ms. Lamboley to discuss funds spent by the Corporation. Ms. Lamboley made a motion to add an additional \$50,000 to the spending authority of the Chair and the Vice Chair. Mr. Blackmon seconded the motion. The motion passed unanimously.

M. Mr. Ken Carrick and Ms. Shana Plott from Coleman Lew joined the meeting via Skype to discuss the CEO search. Mr. Carrick will be in Houston Thursday and Friday this week. If any Board member would like to meet with Mr. Carrick, Nicole Cásarez can assist with arranging it.

N. Ms. Johnson asked Assistant Chief Matt Slinkard to update the Board on the backlog at the crime lab and to update the timeline. Mr. James Miller, Controlled Substances Manager at HPD Crime Lab, was invited to discuss how the backlog in controlled substances was reduced so dramatically.


O. Ms. Johnson asked Ms. Lamboley to discuss the Bromwich report. The board was asked to discuss engaging Mr. Bromwich and two members of his team to come back to evaluate the components of HPD forensics, including compliance with recommendations of the Bromwich report and progress toward quantifying various backlogs and related issues. The cost would be \$150,000 plus travel expenses. Discussions were held regarding cost, timing, who should do an evaluation, and using existing internal documents.

The meeting ADJOURNED at approximately 11:20 a.m.

ATTACHMENTS INCORPORATE INTO AND MADE A PART OF THESE MINUTES: Resolution No. 2012-005 (H above).

HOUSTON FORENSIC SCIENCE LGC, INC.

By:



Deborah Bohr
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;

- 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

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, Assistant Secretary