

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS

MINUTES

January 8, 2016

The undersigned, being the duly appointed Secretary of the Houston Forensic Science Center, Inc., (the "Corporation"), hereby certifies that the following are true and correct minutes of the January 8, 2016 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 January 5, 2016, 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 Nicole B. Cásarez, Chairwoman of the Board, at approximately 9:00 a.m. on Friday, January 8, 2016, in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Ms. Ashley Wieringa called the roll. The following Directors were present: Nicole B. Cásarez, Anthony Graves, David M. Feldman, Janet Blancett, Dr. Robert "Bob" H. McPherson, Dr. Stacey A. Mitchell, Judge Willie E. B. Blackmon, and Tom P. Allen (ex-officio).

The following Director was absent: Sandra Guerra Thompson.

Chairwoman Cásarez announced that a quorum of the Directors was present.

- E. Chairwoman Cásarez noted that a draft of the minutes of the Corporation's meeting on December 11, 2015 had been distributed to the Board. Dr. McPherson made a motion to approve the minutes of the December 11, 2015 meeting, and the motion was seconded by Judge Blackmon. The motion passed unanimously, and the minutes of the December 11, 2015 meeting were adopted.
- F. Chairwoman Cásarez asked if any members of the public wished to address the Board. Chairwoman Cásarez noted that no one asked to address the Board and the meeting continued.
- G. Chairwoman Cásarez provided a Chair's report. She noted that along with Mr. David Leach and Mr. David Feldman, she met with Mayor Parker and City Finance regarding the Houston Forensic Science Center's (HFSC) financial independence. As a result of the meeting, a Memorandum of Understanding (MOU) was prepared, submitted to the Mayor's office and signed by the Mayor. Chairwoman Cásarez provided a copy of the executed MOU to the board. She noted that the proposed FY'17 budget would be presented at the February board

meeting and she reported that Dr. McPherson would be leading the finance working group consisting of Chairwoman Cásarez, Dr. McPherson, Mr. Feldman, and Ms. Blancett. Chairwoman Cásarez reminded board members to complete and submit the HFSC Financial Conflict of Interest Disclosure Form to the Director of Human Resources, Ms. Caresse Young. Lastly, Chairwoman Cásarez reported that the Technical Advisory Group (TAG) working group, led by Ms. Blancett, would consist of Ms. Blancett, Ms. Thompson, and Dr. Mitchell.

- H. Dr. Daniel D. Garner, President and Chief Executive Officer, provided a President's report. He noted that a copy of HFSC's organizational chart, including the client services/case management division, would be provided to the board. Dr. Garner reported that seven papers prepared by HFSC staff members have been accepted for presentation at the American Academy of Forensic Sciences annual conference and the presentation on culture change will be presented at the February board meeting. Dr. Garner provided a media update. He reported that the Center issued a press release regarding the corporate address change and noted that the first floor of 1301 Fannin is open. He reported that the Center is in the process of validating the instrumentation for arson analysis and will submit application for accreditation before completing work. Dr. Garner provided a report on new business opportunities, noting that HFSC continues to seek and have discussions with other jurisdictions. He reviewed the monthly training report and noted that HFSC will host a dedication event for the crime scene house in the near future.
- I. Dr. Peter Stout, Vice President and Chief Operations Officer, provided a Vice President's report. He provided an update on the client services/case management division. He reviewed the amount of requested court ordered documentation, including subpoenas and discovery orders, and explained how the division is handling those requests. Dr. Stout reviewed the mixture of requests received by the firearms, biology, toxicology and latent print sections in December as well as each section's average turnaround time (TAT). He reviewed HFSC's continued efforts to reduce the rejection rate of submissions to the toxicology section. He also reviewed the Forensic Analysis Division vehicle usage from September through December 2015 and provided highlights of the crime scene unit (CSU), digital, audio/video, and trace sections. He reported the number of received and completed information technology tickets. Dr. Stout reviewed the five-year plan and the status of the operational goals set for the first year.
- J. Mr. David Leach, Chief Financial Officer and Treasurer, provided a Treasurer's report. Mr. Leach reviewed the year-to-date (YTD) spending versus budget by major category for December 2015 as well as compared with the full fiscal year. He reported that personnel costs of HFSC are \$580K below budget. He reviewed current staffing and noted that capital and non-capital expenditures are proceeding as planned. Mr. Leach noted that the total COH costs are under budget by \$529K. He noted that he would soon be seeking board approval for reallocation of budgeted dollars. Mr. Leach presented the balance sheet by quarter and provided a report on the Center's grant applications.
- K. Ms. Lori Wilson, Quality Director, provided a quality assurance report. She reviewed the testimony monitoring, proficiency tests, and blind quality control program portions of the report. Ms. Wilson reported that the blind quality control program has been implemented in the toxicology, firearms, and controlled substances sections. She noted that the quality division is working with biology and latent print supervisors to develop blind quality control

programs for these disciplines by March 2016. Ms. Wilson reviewed the incidents/corrective/preventive action portion and the audits and inspections portion of the quality report. She noted that the quality division conducted a safety audit at all HFSC spaces including 1200 Travis, 1301 Fannin, CSU vehicle examination building, and the crime scene training house. Ms. Wilson reviewed the accreditation timelines.

- L. Mr. Domingo Villarreal, Technical Director of Training, and Ms. Soraya McClung, Scientific Director of Training, provided a report regarding the HFSC training division. Mr. Villarreal reviewed the training division's mission, its personnel and its current focus. Ms. McClung reviewed the 2015 accomplishments, including the provision of internal training services related to CSU, ethics, cognitive bias and value of blind testing. She noted that the training division is working on the American Board of Criminalistics certification preparation course, and continues to host lectureship series events, conduct external training and presentations, and engage in community outreach. Ms. McClung reviewed the 2016 new initiatives. She reported that the Center plans to conduct forensic courses for attorneys, focus on section specific curriculums, and submit a grant proposal to the International Narcotics and Law Enforcement Program. Ms. McClung reviewed third party revenues for 2016. The Board discussed pricing of training, associated costs to the HFSC, and types of marketing strategies.
- M. Mr. Feldman left the meeting at approximately 11:37 a.m.
- N. Ms. Blancett, liaison to the TAG, provided a report on the activities of the TAG. She welcomed Dr. Mitchell to the TAG working group and requested that the Board Secretary delay delivery of monthly emails to members of the TAG until requested by the liaison to the TAG.
- O. Ms. Blancett presented an amended TAG resolution which modifies section 8 to include "the International Society for Forensic Genetics." Ms. Blancett made a motion that the Board approve the "Resolution Regarding Policies and Procedures for Technical Advisory Group" and the motion was seconded by Dr. Mitchell. The motion passed unanimously. (The adopted resolution is No. 2016-001).
- P. There being no other business, the meeting was ADJOURNED at 11:57 a.m.

Houston Forensic Science Center, Inc.

By: \_\_\_\_\_

Ashley Wieringa

Secretary

HOUSTON FORENSIC SCIENCE CENTER, INC.

Resolution No. 2016-001

**RESOLUTION REGARDING POLICIES AND PROCEDURES  
FOR TECHNICAL ADVISORY GROUP**

**WHEREAS**, the Certificate of Formation of Houston Forensic Science Center, Inc. ("Corporation"), as has been amended from time to time, authorizes the Corporation's Board of Directors ("Board") to appoint persons to the Corporation's Technical Advisory Group ("TAG") to advise the Board individually and 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; and

**WHEREAS**, in 2012 the Board concluded the Corporation's interests would be well served by establishing the TAG and prescribing policies and procedures for the appointment of TAG members and for the TAG's operation; and

**WHEREAS**, as a result of the conclusion stated immediately above, the Board adopted Resolution No. 2012-005; and

**WHEREAS**, the Board concluded that the Corporation's interests would be well served by replacing Resolution No. 2012-005 with a more specific resolution; and

**WHEREAS**, the Board adopted Resolution No. 2015-003, which replaced Resolution No. 2012-005 in its entirety; and

**WHEREAS**, the Board has concluded that its Resolution No. 2015-003 should have provided additional flexibility regarding the professional organizations to which forensic scientists appointed to the TAG are expected to be members; **NOW, THEREFORE;**

**BE IT RESOLVED BY THE DIRECTORS OF THE CORPORATION:**

**Section 1.** That the TAG shall serve as volunteer advisors to the Board but shall have no authority to act for or on behalf of the Board, the Corporation, or the City of Houston ("City");

**Section 2.** That from time to time the Board may ask one or more members of the TAG to review and to make recommendations regarding the following topics:

- (a) Accreditation attainment and compliance, specifically including accreditation incorporating pertinent standards issued by the International Standards Organization (ISO) and the Texas Forensic Science Commission;
- (b) Laboratory operations, program standards, and protocols of the Corporation;
- (c) The quality and timeliness of the Corporation's forensic services;
- (d) New scientific programs, protocols, methods of testing, and forensic technologies;
- (e) Implementation of new programs, sustaining existing programs and improving 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 judicial proceedings;
- (g) Qualification standards for scientists employed or managed by the Corporation, include the Executive Director;
- (h) Quality assurance and audit reports;
- (i) Operating procedures;
- (j) Selection and use of laboratory information management systems ("LIMS");
- (k) Analytical work, reports, and conclusions of scientists employed or managed by the Corporation;
- (l) Developing review processes to respond to allegations of any misidentification or other testing errors made by the Corporation;
- (m) Reports of allegations of professional negligence, misconduct, or misidentification or other testing errors related to the Corporation's forensic services;

- (n) Relevant scientific literature to determine whether modification of the Corporation's manuals or procedures is necessary or desirable;
- (o) Qualification standards for analysts employed or managed by the Corporation;
- (p) Matters pertaining to the Corporation's information technology ("IT") infrastructure, including hardware, software, interfaces, and telecommunications; and
- (q) Any other matter related to the Corporation's scientific operations;

**Section 3.** That the TAG shall consist of up to nine members appointed by a majority vote of the Board, which vote shall be taken at a properly noticed public meeting of the Board;

**Section 4.** That the TAG shall include forensic scientists and may include scientists from related fields, *provided that* each scientist from a related field has an advanced degree, laboratory experience, or publication in peer-reviewed journals in the scientist's field, along with related experience in research, methodology, statistics, and/or quality assurance;

**Section 5.** That the TAG may include technical expert practitioners in matters pertaining to corporate IT infrastructure supporting the LIMS and other computer systems necessary to produce and preserve the Corporation's work product and electronic records, *provided that* each such technical expert practitioner shall have a degree from an accredited university and have direct experience designing, operating, and/or managing a corporate IT infrastructure of a complexity comparable to that needed by the Corporation;

**Section 6.** That members of the TAG may not be employed by the City or by any law enforcement laboratory or agency that provides forensic services to the City or to the Corporation;

**Section 7.** That forensic scientists appointed to the TAG should have expertise in one or more of the following areas: Laboratory security, molecular biology, population genetics, forensic chemistry, forensic biology, forensic toxicology (including certification by the American Board of Forensic Toxicologists or a substantially equivalent organization), trace evidence, firearms and toolmarks, or arson investigation and analytical testing;

**Section 8.** That the Board recommends each forensic scientist appointed to the TAG be a member of at least one of the following organizations or their substantial equivalents: The International Association for Identification, the International Association for Chemical Testing, the American Society of Crime Laboratory Directors, the American Academy of Forensic Scientists, the International Society for Forensic Genetics, the National Fire Protection Association, or the American Statistical Association;

**Section 9.** That TAG members need not be appointed for each discipline for which the Corporation provides forensic services and need not be residents of the City, Harris County, or Texas;

**Section 10.** That each member of the TAG shall serve at the pleasure of the Board;

**Section 11.** That the Chair of the Board shall appoint (a) the presiding officer of the TAG and (b) a member of the Board to serve as liaison to the TAG ("Board Liaison");

**Section 12.** That, as needed and as coordinated by the Board Liaison, any member of the Board or of the Corporation's executive management may consult with one or more members of the TAG regarding matters within the scope of the TAG member's expertise;

**Section 13.** That the TAG may meet in person or by video conference or other electronic means at such times as the Chair of the Board may determine, in consultation with the Board Liaison;

**Section 14.** That one or more members of the TAG may serve as compensated consultants of the Corporation, *provided that* the terms of the consultation are evidenced by a written contract between the TAG member and the Corporation and the terms of the contract have been approved in advance by a majority vote of the Board taken at a properly noticed public meeting;

**Section 15.** That the Corporation shall compensate members of the TAG for their reasonable expenses incurred in providing consultation services to the Corporation, *provided that* all such expenses comply with the policies and procedures required for expense reimbursement to employees of the Corporation;

**Section 16.** That the Board shall supply each member of the TAG with a monthly update, which update shall include the minutes of the Board's previous meeting, the monthly operations report, and such other documents reasonably



necessary to keep each member of the TAG fully informed of current developments at the Corporation; and

**Section 17.** That upon adoption of this Resolution by the Board, (a) this Resolution shall take effect immediately and (b) Resolutions Nos. 2012-005 and 2015-003 are repealed in their entirety.

ADOPTED this 8 day of January, 2016.

**CERTIFICATE**

The undersigned certifies that this Resolution 2016-001 was duly adopted by the Board of Directors of Houston Forensic Science Center, Inc., on the 8 day of January, 2016.

Executed this 13 day of January, 2016.

Ashley Wieringa  
Ashley Wieringa, Secretary