



# Houston Forensic Science Center, Inc.

Board of Directors

Public Meeting

~ Minutes ~

Friday, September 9, 2022

www.hfsctx.gov

1. **CALL TO ORDER:**

At 9 a.m., Board Chairwoman Stacey Mitchell called the meeting to order.

The Houston Forensic Science Center, Inc. (“HFSC” and/or the “corporation”) board of directors (the “board”) convened this in-person meeting on Friday, September 9, 2022, in the City Hall Council Annex Chamber, 900 Bagby St. (public level), Houston, Texas 77002. In a manner permitted by the corporation’s bylaws, the meeting was called by providing all directors with notice of the date, time and purpose of the meeting at least three days before the scheduled date.

In accordance with Chapter 551 of the Texas Government Code (Texas Open Meetings Act) a notice of this meeting was posted on the bulletin board located on the exterior wall of the City Hall building at 901 Bagby on September 6.

2. **ROLL CALL:**

The following board members were present in-person:

Chairwoman Stacey Mitchell
Vice-chairwoman Mary Lentschke
Anna Vasquez
Francisco Medina
Vanessa Goodwin
Ellen Cohen
Tracy Calabrese

The following board member was absent:

Philip Hilder
Lois Moore
Vicki Huff

Chairwoman Mitchell declared a quorum was present noting that all members were physically present in-person.

3. **PUBLIC COMMENT:**

Chairwoman Mitchell gave members of the public an opportunity to address the board. No members of the public addressed the board.

4. **REVIEW AND APPROVAL OF MINUTES FROM PRIOR MEETING:**

Following a motion by Director Francisco Medina and seconded by Director Vanessa Goodwin, the board unanimously approved the July 8, 2022 meeting minutes.

5. **CHAIRWOMAN MITCHELL’S REPORT:**

The chairwoman first reminded members to attend the next board meeting on November 18, a week later, than the normally scheduled date due to Veteran’s Day and the corporation being closed for business. Attendance is especially important because the board will hold an executive session to discuss Dr. Peter Stout’s annual evaluation.

Next, she informed members that the corporation would have its annual holiday party on December 10. Chairwoman Mitchell encouraged all members to attend and to make monetary donations to help pay for the party because HFSC does not use taxpayer dollars for such events.

6. **DISCUSSION REGARDING THE CORPORATION'S TECHNICAL ADVISORY GROUP:**

Pursuant to the certificate of formation and board resolution 2015-003, the board appoints persons to the corporation's Technical Advisory Group (TAG). Chairwoman Mitchell began by explaining the TAG's purpose to advise the organization on best practices, particularly in management and operations including issues related to accreditation. Although she acknowledged that the TAG has served since the lab's establishment in 2012, HFSC now faces new and evolving challenges that could benefit more from the members' expertise and skills. She invited the board to reconnect with the TAG to discuss ways to work together. The chairwoman yielded the floor to Dr. Stout for the board to discuss re-engaging the group and considering a few potential appointees.

Before any discussion, Dr. Stout pointed out that the board's last in-person interaction with the TAG was five years ago. The corporation previously utilized the TAG for consulting expertise, especially in the beginning stages of HFSC's transition. He explained the need to add new members who can assist with some of the support aspects, such as statistical and information technology (IT) consulting, two areas he feels would be of great value to the lab.

Director Goodwin asked if the TAG has a distinct mandate or if they are called upon in a bespoke capacity sort of project question matter. Dr. Stout said the group is comprised of non-paid volunteers. However, if a larger-scale project extends out, the lab has the latitude to compensate the members if need be.

Next, Director Medina asked for the details regarding the TAG's formation requirements. General Counsel Akliah Mance briefly discussed the certificate of formation, which provides a general concept for having the advisory group. Ms. Mance stated that the board resolution 2015-003 spells out the guidelines for qualifications, including the terms of expertise, skills, background and more. She agreed to send those governing documents to the board as they're re-engaging and reassessing the TAG. Additionally, she noted that the board could amend the resolution if they find it no longer applicable.

Chairwoman Mitchell stated the discussion would continue during the November meeting to allow members to review the guidelines and the TAG's biographs underneath the about tab on the website.

7. **PRESIDENT AND CEO DR. PETER STOUT'S REPORT:**

Dr. Stout gave an operational report highlighting that the crime scene unit cleared out more than 170 reports at the vehicle examination building, reducing its backlog to below 200. He then noted the lab has resumed outsourcing in the toxicology section due to the \$700,00 in federal relief funds provided by the American Rescue Plan Act. The group plans to ship 50 samples weekly to help them catch up and eliminate the backlog. He explained the requests for multimedia work have decreased by 60% within the last three months, noting that HPD acquired licenses with Cellebrite. He mentioned possibly implementing a lean six sigma project to help improve efficiency. Additionally, he explained the staffing turnover issue in the seized drug section, noting they only have four analysts processing casework and six new trainees. Therefore, he anticipates that the backlog will be an issue for another year.

Next, he touched on the challenges with casework prioritization and the strain it places on the entire lab, noting there is limited time and staff to fulfill the stakeholder's needs. In addition, he briefly discussed the long arc of training someone to be proficient in the work HFSC performs.

Dr. Stout shared an overview of the prioritization meeting with the stakeholder on August 31. There was representation from the Harris County District Attorney's Office (HCDAO), HPD, the city of Houston, the public defender's office, the defense bar, and administrative judges and court administration. The meeting primarily focused on prioritization and testimony management and helping the stakeholder to understand the real bias risk associated with them directly reaching out to the analysts. He stated that he would need full stakeholder compliance once the system is built. The meeting results include the lab revising its case management policy in the latent print section, adding policies for the digital multimedia and firearms sections they plan to launch on October 1 and conducting weekly tactical meetings. He then announced that the HCDAO is live in the lab's request portal as of September 2. The long-awaited access now eliminates the need to make requests by phone and email.

Lastly, Dr. Stout explained the corporation's efforts to increase grant funding. He mentioned in 2017, HFSC applied for a grant through the Paul Coverdell Forensic Science Improvement Grants program. A program that awards grants to states and units of local government to help improve forensic science, allocating 85% of total programs fund to be awarded to states and the remaining 15% to be awarded competitively. The state awards range from \$10,000 to \$15,000, while the competitive awards range from \$200,000 to \$500,000. However, HFSC was deemed ineligible because of article 13 in its certificate of formation. That article provides a definition of the corporation as not being a political subdivision or public instrumentality, a statement Dr. Stout acknowledged is not completely accurate under the law. Finally, he stated the next step is for HFSC to work with city legal to change the language in article 13 to be eligible to apply for the Paul Coverdell program for the next grant cycle between January and April 2023.

8. **CONSIDER APPROVAL OF DR. STOUT'S PROPOSED ANNUAL CORPORATE PRIORITIES AND GOALS:**

Dr. Stout pointed out that there isn't much change to the company goals for the upcoming year. He gave a detailed overview of the four 2022-2023 goals, including that all sections complete 80% of the monthly one-on-ones between the manager and their staff. The corporation found that the one-on-ones helped establish the relationship between both parties. The second goal is a 12% to 15% companywide voluntary turnover rate for the review period, noting if the target achieved is between that range, then it will be a three rating. The third goal is for everyone in the organization to obtain a minimum of 16 hours of continuing education. Lastly, Dr. Stout explained that all technical and support sections are responsible for hitting their section production and quality goals. Those division goals reflect working toward the stakeholder's needs and producing quality work. Therefore, the strategy behind the corporate goal will be based on how many of those sections meet their goals.

Director Ellen Cohen made a motion to approve Dr. Stout's annual corporate priorities and goals for 2022-2023. Director Goodwin seconded the motion, and the board unanimously approved the motion.

9. **CONSIDER AUTHORIZING AN AGREEMENT WITH SIGNATURE SCIENCE, LLC FOR DNA OUTSOURCING:**

HFSC will use its federal grant dollars to outsource this DNA expenditure. Dr. Stout asked the board to approve an agreement allowing him to negotiate and enter into a contract with Signature Science, LLC (SigSci) for the DNA backlog project to outsource sexual assault kits. He reiterated

his comfortability and happiness with SigSci, noting that the corporation has done a lot of business with them over the past years.

Director Goodwin motioned to delegate authority to Dr. Stout to negotiate and enter into an agreement for DNA outsourcing services with Signature Science, LLC, for a total budget of \$318,050. Vice-chair Mary Lentschke seconded the motion, and the board unanimously approved the motion.

10. **TREASURER AND CFO DAVID LEACH'S PRESENTATION REGARDING FISCAL YEAR 2022 BUDGET REALLOCATIONS:**

Mr. Leach first noted that the net numbers are the same but that he's requesting permission to move line items around to avoid overspending in any specific area. Next, he mentioned that the final fiscal year (FY) 2022 budget reallocations did not impact the total budget amount. And finally, Mr. Leach asked the board to approve the final FY 2022 budget with the proposed reallocations.

Vice-chair Lentschke made a motion to approve the FY 2022 budget reallocations. Director Cohen seconded the motion, and the board unanimously approved the reallocations and thus, the final FY 2022 budget.

11. **QUALITY DIRECTOR ERIKA ZIEMAK'S REPORT:**

Ms. Ziemak reported that the quality division met its July and August submission targets for blind quality control samples and verifications.

Next, she announced that the ANSI National Accreditation Board (ANAB) conducted its external reaccreditation assessment from August 8-11. The nine assessors reviewed all the corporation's documentation and records and the overarching quality management system to assess its compliance with the ISO standards. There were five findings, one in the firearms section and four in the forensic biology/DNA section. The lab will provide ANAB with the final action plan for resolving those non-conformances by October 10.

Ms. Ziemak then explained three testimony disclosures HFSC provided to the Texas Forensic Science Commission regarding the quality division and the forensic biology/DNA and firearms sections. One disclosure centered around a former National Integrated Ballistic Information Network technician who failed to label test fire bullets and cartridge cases appropriately. She said a firearms examiner discovered that some test fires had been switched while processing a comparison request. In addition, those test fires were not correctly labeled. As a result, the section conducted an audit of 46 requests where the technician's provided test fires, and they found no issues, noting three firearms were not available for rework. However, they determined to avoid using his work in future casework. The commission will vote on this disclosure at its next meeting.

In conclusion, she reported that 53 analysts had testified this year and ten transcripts are being evaluated.

12. **ADJOURNMENT:**

Chairwoman Mitchell requested a motion to adjourn the meeting. Director Anna Vasquez made a motion to adjourn. Vice-chair Lentschke seconded the motion. The meeting adjourned at 10:33 a.m.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the September 9, 2022 public meeting of the board.

By: *Amanda DeBerry* Amanda DeBerry, Secretary