



Houston Forensic Science Center, Inc.

Board of Directors

Public Meeting

~ Minutes ~

Friday, May 12, 2023

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1. **CALL TO ORDER:**

At 9:02am, 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, May 12, 2023, in the City Hall Council Annex Chamber, 900 Bagby Street (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 Street on May 9, 2023.

2. **ROLL CALL:**

The following board members were present in-person:

Chairwoman Stacey Mitchell
Vice-Chairwoman Mary Lentschke
Anna Vasquez
Philip Hilder *
Vanessa Goodwin
Ellen Cohen
Lois Moore
Vicki Huff

The following board members were absent:

Francisco Medina
Tracy Calabrese

Chairwoman Mitchell declared a quorum was present.

*Director Hilder exited the meeting at 9:56am.

3. **PUBLIC COMMENT:**

Chairwoman Mitchell invited members of the public to address the board and make public comments. No members of the public addressed the board.

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

Following a motion by Director Philip Hilder and seconded by Director Vanessa Goodwin, the board unanimously approved the March 10, 2023 meeting minutes as presented.

5. **ANNUAL APPOINTMENT OF CORPORATE OFFICERS:**

Pursuant to the corporation’s bylaws, the board appoints HFSC’s corporate officers annually. Chairwoman Mitchell read the slate of nominees prior to the roll call vote for each position.

President – Dr. Peter Stout
Vice President – Dr. Amy Castillo
Treasurer – David Leach
Board Secretary – Sandra V. Ham

Director Vanessa Goodwin made a motion to approve the slate as presented. Director Ellen Cohen seconded the motion, and the board unanimously approved the slate of corporate officers.

6. **CHAIRWOMAN STACEY MITCHELL’S REPORT:**

The chairwoman began the report by confirming the next board meeting date to be July 13, 2023, commenting on the possibility for a need of a special board meeting. Should a special meeting need to be called, Chairwoman Mitchell indicated appropriate notice to each board member would be given.

Chairwoman Mitchell recognized the upcoming term expiration of several board members and anticipates that Directors Ellen Cohen and Anna Vasquez will be considered for reappointment once considered by City of Houston City Council. Chairwoman Mitchell expressed appreciation to both for their continued service to HFSC.

Chairwoman Mitchell also recognized Vice Chair Mary Lentschke and Director Francisco Medina, as both would no longer continue as board members after the completion of their current terms on June 30th. Chairwoman Mitchell acknowledged the valuable counsel Vice Chair Lentschke has provided over the years, having brought a unique and valuable perspective to board discussions. Although not in attendance, Chairwoman Mitchell also recognized Director Medina’s dedication to the board for the past six years.

Ending her comments, Chairwoman Mitchell presented Vice Chair Lentschke with a token of the board’s appreciation and acknowledged the occasion by inviting the board to also extend words of appreciation.

7. **VICE CHAIR SELECTION:**

Pursuant to the corporation’s bylaws and board resolution 2020-001, each year the directors select a vice chair of the board. The vice chair shall hold said position until the next annual meeting of the Board, at the same meeting the Corporate Officers are appointed. Chairwoman Mitchell began the discussions with the nomination of Director Vanessa Goodwin to the vice chair appointment. Chairwoman Mitchell indicated Director Goodwin was receptive to the appointment, and agreed to serve if the board was also in favor of her selection. Continuing, Chairwoman Mitchell provided a brief overview of Director Goodwin’s background, highlighting her position as assistant general counsel for the Arnold Foundation.

Director Philip Hilder made a motion to select Director Vanessa Goodwin as Vice Chair effective June 1, 2023. Director Ellen Cohen seconded the motion, and the board unanimously approved the selection.

8. **APPOINTMENT OF TECHNICAL ADVISORY GROUP MEMBERS:**

Pursuant to the certificate of formation and board resolution 2015-003, the board appoints persons to the corporation's Technical Advisory Group (TAG). The TAG's purpose is to advise the organization on best practices, particularly in management and operations, including issues related to accreditation. Dr. Peter Stout highlighted two highly qualified TAG members for board consideration of appointment. Dr. Stout provided a brief background for both members, noting that Dr. Adele Quigely McBride currently serves as Assistant Professor of Psychology at Simon Fraser University and Dr. Mike Swartz currently serves as an Associate Professor and Vice Chairman for the Department of Biostatistics, School of Public Health, University of Texas Health Science Center at Houston. Dr. Peter Stout acknowledged that the corporation could benefit from each of the potential TAG members' expertise and skills to navigate HFSC's new and evolving challenges.

Director Vanessa Goodwin made a motion to appoint Dr. Adele Quigely McBride and Dr. Mike Swartz to the Technical Advisory Group. Director Anna Vasquez seconded the motion, and the board unanimously approved the appointments.

9. **BOARD CRIME SCENE UNIT WORKING GROUP'S STATUS REPORT:**

Chairwoman Mitchell provided an overview of the history of the Crime Scene Unit working group, recognizing Vice Chair Lentschke's most recent update indicated the group was nearing the conclusion of its work. Vice Chair Lentschke provided an update on the group's progress, as the working group continued its efforts over the last few months. She recognized this work to be possible in conjunction with the HFSC executive team.

Vice Chairwoman Lentschke began by providing an overview of the concerns the working group considered from the City of Houston Office of Inspector General's report. Those four focus areas were related to insufficient personnel, inflexible scheduling, a hostile work environment and the loss of HR as a safety valve in HFSC's crime scene unit (CSU). Vice Chair Lentschke indicated the group utilized this information to update several HFSC policies, including those related to workplace behavior, conduct, and harassment.

Vice Chairwoman Lentschke indicated that the next steps would include training on those updated policies and annual review of those policies. Vice Chairwoman Lentschke indicated that the group would conclude its work based on the understanding that constant improvement of such policies would be implemented.

Chairwoman Mitchell expressed appreciation to HFSC staff, executive team, and the working group members, Vice Chair Lentschke, Director Huff, and Director Goodwin, for their commitment over the past two years.

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

Dr. Peter Stout began his presentation with an overview of the organization's operational highlights, detailing a significant recent policy change from the Harris County District Attorney's Office concerning drug cases larger than four grams. He indicated the seized drugs section is monitoring request data to measure impacts on the organization. Dr. Stout also overviewed concerns with DNA

outsourcing, as HFSC will transition to only outsourcing sexual assault kits in order to maximize grant funding.

Dr. Stout commented on the capacity of the firearms section, with two examiners in training, as the number of court priority requests continues to create issues in balancing incoming work, backlog management, and meeting court dates. Additionally, Dr. Stout provided information on the reduction of the backlog requests for digital multimedia, toxicology, latent print comparison, and latent print processing.

Continuing, Dr. Stout discussed the potential impacts of the 88th Legislative Session, overviewing several bills that were originally of concern, but are now believed to have halted in progress. There remains several bills in support of increasing charges and penalties for fentanyl related cases, which may have more unintentional consequences for medical examiners rather than the laboratory.

Of note, Dr. Stout detailed Senate Bill 402, which seeks to prioritize homicide cases in the courts. Dr. Stout indicated that this passage would create potential priority conflicts for analysis, testimony and document support. Ending his presentation, Dr. Stout reviewed other notable bills related to fentanyl test strips, post-conviction DNA testing, evidence tracking and rights to information for victims, and kratom products.

11. **PROPOSAL TO ADD PROPERTY AND EVIDENCE MANAGEMENT SERVICES:**

Chairwoman Mitchell began the discussion with an overview of the proposal for HFSC to acquire the Houston Police Department property room and evidence management services. She highlighted Dr. Stout's previous presentations to the board, noting the wide range of opportunities and challenges in pursuing a plan to add these services to the corporation.

Chairwoman Mitchell overviewed the progress of the acquisition and described the involvement of the board in moving forward in negotiations towards final action, which will result in negotiations with the City, the Houston Police Department, vendors, the landlord, and others.

Dr. Peter Stout detailed to the board the potential benefits of consolidating property and evidence management with HFSC forensic operations, as a related service. After preliminary discussions with stakeholders, the City of Houston, and Houston Police Department, Dr. Stout has secured support for the framework around the expansion of HFSC's operations.

Dr. Stout indicated the transfer of management and control of property and evidence management will require the execution of several agreements to ensure appropriate funding, organizational structure, policies, procurement of assets and office/storage space, as well as the designation and transfer of personnel. To continue these efforts Dr. Stout will need the board's approval to begin negotiating all necessary agreements. Dr. Stout will regularly update the board on his progress and present to the board any agreement which requires the board's approval by law or HFSC policy.

Dr. Stout commented on the improvements of the quality of evidence handling, with subsequent efficiencies transferring benefits into the laboratory. There is also the benefit of returning classified officers to HPD to further police resources. Additionally, there are accreditations standards that can be achieved at the national level, which HFSC would seek.

Director Hilder exited the meeting at 9:56am.

Dr. Stout continued the discussion of the timeline for acquisition, stating the best-case scenario to be a signed agreement for a lease by the end of the calendar year. There are additional conversations required

for the construction timeline, as well as the personnel transition. He indicated it to be a similar timeline to the original transition of the Houston Police Department crime lab to HFSC.

Dr. Stout requested board consideration of the approval of this authorization and indicated he would continue to provide the board with regular updates. Any negotiated agreements would require board approval and would be presented at a future board meeting.

Director Vicki Huff made a motion to authorize Dr. Stout to negotiate an agreement for acquisition of the Houston Police Department property room and evidence management services. Director Lois Moore seconded the motion, and the board unanimously authorized Dr. Stout to move forward in negotiations.

12. QUALITY DIRECTOR JACKELINE MORAL'S REPORT:

Quality Director Jackeline Moral began the discussion by presenting the corporation's blind quality control metrics, reporting HFSC met all submission goals for March and April. In addition, she highlighted the recent presentation by Dr. Stout, previous Quality Director Erika Ziemak, and herself, to an Australian governmental organization on the topic of quality implementation. Dr. Stout emphasized that this organization was undergoing a similar transition to HPD's transition of the crime lab to HFSC. Additionally, Ms. Moral noted that the quality section would be presenting at the upcoming AFTE conference on the topic of implementation of blind testing and blind verification in firearms.

Quality Director Moral proceeded with an update of the 2023 internal audit program. The internal audit will demonstrate HFSC's compliance to all accreditation standards, the HFSC quality manual, OSAC registry standards, and section specific standard operating procedures. Four sections will be reviewed. Throughout the process, one nonconformance was discovered, which will subsequently be reported as a disclosure.

Next, Mrs. Moral highlighted the quality section's work with the Customer Service / Client Management section (CS/CM) in reaching accreditation. In review of manuals and other standard operating procedures, the section will perform a gap assessment to identify needs and ensure achievement of the accreditation.

Mrs. Moral continued her presentation by reviewing the organization's disclosures. She indicated within the seized drugs section a sample was incorrectly utilized, in effect causing a test result to be improperly reported. After the reanalysis, the report indicated the same result. Through this discovery, the section has added a verification component to the test process. Additionally, Mrs. Moral reported a firearms disclosure in which an item of evidence could not be located. The firearms section has completed a risk assessment and reviewed the evidence handling process. Lastly, Quality Director Moral reviewed a crime scene unit disclosure due to a missing case packet. The missing case packet resulted in the inability to complete the technical review, as the case notes were needed to substantiate the draft report.

Mrs. Moral concluded her presentation with the 2023 testimony data year-to-date. For March and April, HFSC had 47 analysts testify, with approximately 67% of those testimonies monitored. She continued by overviewing the testimony hours, specifically detailing the hours spent on the stand versus hours waiting to testify. Mrs. Moral also detailed the waiting hours by section, with the crime scene unit spending the largest amount of waiting hours to testify.


In total, waiting hours for all sections was 282 hours. In comparison to previous years, there was a decrease in hours in 2020 due to COVID. In 2022, there was a rise in the amount of testimony hours, and for 2023, current data indicates a trend for a total of 800 hours for the year. Mrs. Moral recognized that with the requirement for testimony to be monitored, there are also uncounted waiting hours by monitors.

Chairwoman Mitchell recognized HFSC's quality section, and expressed appreciation to Mrs. Moral and the section's quality specialists.

13. **ADJOURNMENT:**

Chairwoman Mitchell requested a motion to adjourn the meeting. Director Anna Vasquez made a motion to adjourn. Vice Chair Mary Lentschke seconded the motion. The meeting adjourned at 10:32am.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the May 12, 2023 public meeting of the board.

By: 

Sandra V. Ham
Board Secretary