# Houston Forensic Science Center, Inc. **Board of Directors Meeting**

## November 17, 2023



Position 1 - Dr. Stacey Mitchell, Board Chair Position 2 - Anna Vasquez Position 3 - Philip Hilder Position 4 - Jed Silverman Position 5 - Vanessa Goodwin, Vice Chair Position 6 - Ellen Cohen Position 7 - Lois J. Moore Position 8 - Joni Baird Position 9 - Vicki Huff Ex-Officio - Tracy Calabrese



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Houston Forensic Science Center, Inc.



Board of Directors Public Meeting

### Friday, November 17, 2023

www.hfsctx.gov

#### NOTICE OF PUBLIC MEETING

Notice is hereby given that beginning at 9:00 a.m. on the date set out above, a quorum of the board of directors (the "board") of the Houston Forensic Science Center, Inc. ("HFSC" and / or the "corporation") will meet in the City Hall Council Annex Chamber, 900 Bagby Street (public level), Houston, Texas 77002.

In accordance with Chapter 552 of the Texas Government Code (Texas Open Meetings Act) the agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 901 Bagby Street. The notice of this meeting, the agenda and the meeting packet are also posted <u>online</u> at <u>www.hfsctx.gov/meeting-archives</u>.

The items listed below may be taken out of order at the discretion of the chair. After the meeting concludes, a recording of the meeting will be posted to HFSC <u>website</u> at <u>www.hfsctx.gov.</u>

#### PARTICIPATING IN THE PUBLIC MEETING:

Members of the public may attend the meeting in person or view the meeting through a live stream broadcast on the internet. To view the live stream meeting online please visit <u>www.houstontx.gov/htv</u>.

#### **NOTICE OF PUBLIC COMMENT:**

The public is permitted to speak in-person during the public comment agenda item and as permitted by the chair. A speaker may address any subject relevant to the purpose of the corporation. Each speaker should limit his or her comments to three minutes. The chair may limit both the number of speakers and the time allotted for each speaker. A speaker who plans to submit a document for the board's consideration should provide at least ten copies of the document, each marked with the speaker's name. If you have questions regarding attending this meeting, please contact Interim Board Secretary Ashley Henry at (713) 929-6760.

#### AGENDA

- 1. Call to order.
- 2. Roll call; confirmation of presence of quorum.
- 3. Consider appointment of Ms. Natalee Veazey as secretary of the corporation, and possible related action.
- 4. Public Comment.
- 5. Reading of draft minutes from September 15, 2023, regular board meeting. Consideration of proposed corrections, if any. Approval of minutes.

- 6. Report from Dr. Stacey Mitchell, board chair, including a monthly update of activities, expressions of congratulations, remarks regarding newly appointed director, and other announcements.
- 7. Report from Dr. Peter Stout, president and CEO, including an overview of operations and technical updates, and other corporate business items.
- 8. Consider approval of Third Amendment to First Interlocal Agreement between the City of Houston and the corporation, relating to amending the definition of forensic operations to include the Houston Police Department property division, and related action.
- 9. Consider approval of First Amendment to Sublease between the City of Houston and the corporation for a leased space located at 500 Jefferson Street, Houston, Texas, 77002, and related actions.
- 10. Presentation from Mr. David Leach, treasurer and CFO, of audited financial statements for fiscal year 2023, and possible related action.
- 11. Consider approval of board resolution 2023-001 relating to the corporation's stated interest in obtaining cooperative purchasing services from Region 8 Education Service Center through the interlocal purchasing system ("TPIS"), and related action.
- 12. Consider approval of an Interlocal Agreement between Region 8 Education Service Center and the corporation, relating to participation in TPIS to obtain cooperative purchasing services, and related action.
- 13. Consider delegating authority to Dr. Stout to negotiate and enter into a contract between Cadre Forensics and the corporation for the purchase of a 3D Scope for use in the firearms section and related services, total budget not to exceed \$420,008.00, and related action.
- 14. Report from Mrs. Ashley Lankford, quality specialist, including an overview of the blind quality control program, updates on quality and property and evidence accreditation, and testimony metrics.

### **CLOSED MEETING**

15. Executive session in accordance with Sections 551.071, et seq. of the Texas Government Code, 551.074(a)(1), personnel matters, to discuss and finalize Dr. Peter Stout, president and CEO's annual evaluation.

#### **OPEN MEETING RECONVENES**

- 16. Reconvene into open meeting and consider any action deemed necessary as a result of the closed meeting, relating to personnel matters, and possible related action.
- 17. Adjournment.

#### **NOTICE REGARDING SPECIAL NEEDS:**

Persons requiring accommodations for special needs may contact HFSC at 713-929-6760.

#### **NOTICE REGARDING CLOSED MEETINGS:**

As authorized by Texas Government Code Chapter 551.001 (the "Open Meetings Act"), if, during the course of the meeting covered by this notice, the board should determine that a closed or executive meeting or session of the board should be held or is required in relation to any items included in this notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code will be held by the board at that date, hour and place given in this notice or as soon after the commencement of the meeting covered by the notice as the board may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Section 551.071-551.089, inclusive, of the Open Meetings Act, including, but not limited to:

551.071 - Consultation with Attorney
551.072 - Deliberation Regarding Real Property
551.073 - Deliberation Regarding Prospective Gift Section
551.074 - Personnel Matters
551.076 - Deliberation Regarding Security Devices
551.084 - Exclusion of Witness
551.087 - Economic Development Negotiations

The presiding officer shall announce that the board will convene in a closed meeting; that is, in "a meeting to which the public does not have access," sometimes referred to as an "executive session." The presiding officer's announcement will identify the provision(s) of the Open Meetings Act permitted by Section 551.071-551.089 under which the closed meeting will be held. Should any final action, final decision, or final vote be required in the opinion of the board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

A. The open meeting covered by this notice upon the reconvening of the public meeting, or B. At a subsequent public meeting of the board upon notice thereof, as the board shall determine

#### Certification of Posting of Notice of the Board of Directors, Houston Forensic Science Center, Inc.

I, Ashley Henry, do hereby certify that a notice of this meeting was posted on Tuesday, the 14th day of November 2023, in a place convenient to the public on the bulletin board located on the exterior wall of the City Hall building at 901 Bagby Street, Houston, Texas 77002, and on the HFSC website as required by Section 551.002 et seq., Texas Government Code.

Given under my hand this the 14th day of November, 2023.

Ashley Henry<sup>U</sup> Interim Board Secretary

### HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

Agenda Action	<b>3.</b> Consider appointment of Ms. Natalee Veazey as secretary of						
Item No.:	the corporation, and possible related action.						
Subject:	Appointment of the corporation's secretary, as required by HFSC's						
	bylaws.						
Background:	During the September 2023 regular meeting, the Board approved t						
	appointment of HFSC's interim board secretary, Mrs. Ashley Henry who						
	is currently employed as HFSC's manager of client services and case						
	management. Her appointment filled the vacancy of this position on an						
	interim basis, until the corporation has selected a candidate for final						
	appointment.						
Executive	Pursuant to the corporation's bylaws the Board shall appoint a secretary to						
Summary:	perform the duties described therein. The Board may appoint any person						
	who is not a director of the Board, to serve as the corporate secretary,						
	including any corporate officer, except the President of the corporation						
	After posting the position of board secretary and staff assistant internally						
	and externally, HFSC has concluded its interview process and selected Ms.						
	Natalee Veazey as the successful candidate. HFSC now submits Ms.						
	Veazey to the Board for consideration and recommends her appointment						
	as corporate secretary.						
	Pursuant to section 5.01 of the corporation's bylaws, "the persons						
	appointed shall hold the said offices until the next annual meeting of the						
	Board, at which meeting the Board shall appoint (or reappoint) persons to						
	hold the said offices until the next annual meeting, repeating the cycle						
	annually." If appointed, Ms. Veazey would serve in the position until the						
	next annual appointment of corporate officers, scheduled during the May						
	2024 board meeting.						
Fiscal Impact:	No anticipated additional fiscal impact.						
Staff	Staff recommends approval.						
<b>Recommendation:</b>							
By:	Dr. Stacey Mitchell, Board Chair						
	Legal review by General Counsel						



Houston Forensic Science Center, Inc.

Board of Directors Public Meeting ~ Minutes ~

### Friday, September 15, 2023

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### 1. <u>CALL TO ORDER:</u>

At 9:12 a.m., Vice Chairwoman Vanessa Goodwin 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 15, 2023, 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 12, 2023.

### 2. <u>ROLL CALL:</u>

The following board members were present in-person:

Vice Chairwoman Vanessa Goodwin
Jed Silverman
Ellen Cohen
Lois Moore
Vicki Huff

The following board members were absent:

Chairwoman Stacey Mitchell
Anna Vasquez
Philip Hilder
Tracy Calabrese

Vice Chairwoman Goodwin declared a quorum was present. She also noted that she would preside over the board meeting in Chairwoman Mitchell's absence, as permitted under the corporation's bylaws.

#### 3. <u>APPOINTMENT OF MRS. ASHLEY HENRY AS INTERIM CORPORATE SECRETARY:</u>

Vice Chairwoman Goodwin expressed appreciation to the previous corporate secretary, Ms. Sandra Ham, for her assistance to the board during her tenure. Vice Chairwoman Goodwin acknowledged that Ms. Ham's departure left a vacancy to fill and several legal obligations to carry out in the interim. Though HFSC is actively seeking qualified candidates for the position, the Board must appoint an interim secretary to fulfill these duties as needed. Vice Chairwoman Goodwin announced that Mrs. Ashley Henry, HFSC's manager of client services and case management agreed to serve as the interim corporate secretary to assist the board during this period. Vice Chairwoman Goodwin expressed appreciation to Mrs. Henry for her willingness to serve in the position again.

Director Cohen made a motion to appoint Mrs. Henry as interim secretary of the corporation. Director Moore seconded the motion, and the board unanimously approved the motion.

#### 4. <u>PUBLIC COMMENT:</u>

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

#### 5. <u>REVIEW AND APPROVAL OF MINUTES FROM PRIOR MEETING:</u>

Following a motion by Director Moore, seconded by Director Cohen, the board unanimously approved the August 14, 2023 meeting minutes.

#### 6. <u>CHAIRWOMAN MITCHELL'S REPORT:</u>

In Chairwoman Mitchell's absence, Vice Chairwoman Goodwin delivered the Chairwoman's report and started by welcoming the newest board member, Director Jed Silverman. Director Silverman is an attorney and well-respected member of the defense bar. He is a board-certified specialist in criminal law, and his practice focuses on federal cases, sex crimes, drug offenses, driving while intoxicated cases, and white-collar crimes. He is the past president of Harris County Criminal Lawyers Association and has been listed in Texas Monthly's Super Lawyers for several years. On behalf of Chairwoman Mitchell and the board, Vice Chairwoman Goodwin welcomed Director Silverman to the board and opened the floor to Director Silverman, who expressed appreciation for his appointment to the board and the opportunity to bring his knowledge of the Texas criminal justice system to the board.

Vice Chairwoman then reminded the board that only one regular board meeting remains for the year, taking place on November 17, 2023. At the November board meeting, the board will conduct the performance evaluation for Dr. Stout, the corporation's President and CEO. The board will also vote on individual performance goals they would like to see executed in the 2024 fiscal year. In preparation for the meeting, Vice Chairwoman Goodwin requested that board members send any requests for information to be presented during Dr. Stout's comments regarding HFSC's performance for fiscal year 2023. She requested that all board members plan to be in attendance for the November board meeting and executive session. The vice chairwoman also informed the board they may need to call a special meeting in early October, regarding the execution of agreements with the City related to the property room. Staff will reach out to the board with potential dates if the need for a special meeting arises.

Finally, Vice Chairwoman Goodwin acknowledged the retirement of Mrs. Caresse Young, HFSC's Director of Human Resources. Mrs. Young has worked at HFSC since December 2013 and is one of the few original employees of the corporation. On behalf of the board, the vice chairwoman expressed respect and gratitude for Mrs. Young's commitment to the organization and wished her well in her retirement. Vice Chairwoman Goodwin also thanked the staff who are assisting during the transition period. Dr. Stout then presented Mrs. Young with a token of appreciation. Dr. Stout highlighted that during Mrs. Young's tenure, she oversaw the hiring of approximately 460 employees. He expressed appreciation to Mrs. Young and in turn, Mrs. Young reflected on working at HFSC, describing it as an honor and privilege.

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

Dr. Stout shared that significant progress has been made over the last year in terms of reducing the backlog. Overall, the backlog decreased by about 36% to about 4,000 cases. Within the various disciplines logging a decrease in cases: CSU had a 99% reduction in cases; latent print comparison had

a 92% reduction (approximately 40 cases remaining); drug toxicology had a 73% reduction (approximately 330 cases remaining); digital media had a 68% reduction (approximately 68 cases remaining); and latent print processing had a 42% reduction (approximately 283 cases remaining). Other sections have experienced an increase in backlogged cases over the past year: seized drug cases increased by 121% to 1,500 cases; firearms cases increased by 36% to approximately 296 cases; and forensic biology cases increased by 18%. Dr. Stout conjected that the increase in forensic biology may be the result of the commercial labs to which HFSC outsources and their current timelines. Overall, reducing the backlog will require more work, and certain cases may remain beyond their target date due to various complexities. Dr. Stout noted improvements within these three sections to help reduce the backlog of cases. In seized drugs, one additional analyst was signed off in August while three more analysts are undergoing training to assist with casework. In firearms, two examiners are undergoing training and completing external training, which allows current examiners to continue with their work. In forensic biology, seven analysts are undergoing DNA training, and six analysts have been recruited and hired. Additionally, HFSC was awarded a \$2.2 million grant through the Department of Justice Capacity Enhancement Backlog Reduction (CEBR) program.

#### 8. <u>CONSIDER APPROVAL OF DR. STOUT'S PROPOSED ANNUAL CORPORATE</u> <u>PRIORITIES AND GOALS:</u>

Dr. Stout highlighted four components necessary for HFSC's success: reliability, timeliness, cost effectiveness, and robustness. He informed the board that the company goals for the 2024 fiscal year are similar to previous years' goals. The corporation also plans to maintain the goal of monthly 1-on-1 meetings between management and their staff, given its effectiveness. To configure production and quality goals, Dr. Stout proposed that each section (including technical and support units) devises their own goals. HFSC's overall rating on production and quality is then based on how many sections met their proposed goals (for example, a rating of five if all 14 sections met their goals). Each section defined specific productivity goals for the 2024 fiscal year and quality goals, focusing on continued increases in robustness and reliability. The sections must complete seven quality activity/awareness events; at minimum, one must be a preventative action, risk assessment, or process improvement in the review period. The goal will be rated based on the overall impact of the activities on the section's reliability, timeliness, or robustness. In terms of staffing and retention goals, HFSC experienced a voluntary turnover rate between 12-15% last year, which is an increase from the historic rate of 6%. However, Dr. Stout shared that other forensic laboratories in the U.S. are experiencing much higher turnover and vacancy rates at 20-30%. Therefore, relatively speaking, Dr. Stout reassured the Board that HFSC is in good shape.

Director Moore made a motion to approve Dr. Stout's annual corporate priorities and goals for 2023-2024. Director Silverman seconded the motion, and the board unanimously approved the motion.

#### 9. <u>TREASURER AND CFO DAVID LEACH'S PRESENTATION ON AUDITED FINANCIAL</u> <u>STATEMENTS FOR FISCAL YEAR 2023:</u>

Mr. Leach requested that the board postpone this agenda item for the next board meeting, as the final financial report is not yet available for the board's review.

Director Cohen made a motion to postpone the presentation on audited financial statements for the 2023 fiscal year to the next board meeting. Director Moore seconded the motion, and the board unanimously approved the motion.

#### 10. <u>CONSIDER APPROVAL OF A ONE-YEAR CONTRACT WITH SIGNATURE SCIENCE,</u> <u>LLC FOR DNA OUTSOURCING SERVICES:</u>

Dr. Stout informed the board that HFSC has continuously outsourced DNA case work to Signature Science, LLC for a significant period of time. The budget for the current contract will not exceed \$600,000.00, and the funding is an addition to HFSC's budget, approved by City Council in May 2023. The contract is also an extension of HFSC's previous agreement with Signature Science, LLC that will carry HFSC through until the CEBR grant is released. The terms of the contract do not differ from what the board has previously approved.

Director Moore made a motion to approve a one-year contract with Signature Science, LLC for DNA outsourcing services with a total budget not to exceed \$600,000.00. Director Silverman seconded the motion, and the board unanimously approved the motion. At the board's direction, Dr. Stout was authorized to proceed with executing the agreement on behalf of the corporation.

#### 11. QUALITY DIRECTOR JACKELINE MORAL'S REPORT:

Mrs. Moral reported that the quality division met its blind quality submission goals for both July and August. She shared that the quality division recently purchased a ballistics box to address challenges in the firearms blind quality control program. Currently, the division creates samples by using the water shooting tank for firearm examiners to conduct comparative analysis. However, this created a disadvantage for blind quality control, as the process was intended to create evidence that mirrors firearms casework, which the water shooting tank cannot achieve. The box has seven feet of wedge medical grain cotton that allows the division to wedge materials within it that are commonly found in crime scenes, such as sheet rock or wood. Firing into the box creates realistic damaged cartridges that mimic case samples. The quality division is waiting for the ballistics box to be shipped.

Mrs. Moral then announced that two members of the quality division will be presenting on the blind quality control program at the Association of Forensic Quality Assurance Management (AFQAM) conference in Dallas in October. They will host a workshop on how to conduct blind quality control programs in seized drugs and toxicology sections. Many laboratories are facing challenges in implementing their own blind quality control programs, resulting in HFSC's quality division receiving numerous questions on their procedures. This also aligns with the Texas Forensic Science Commission's initiative to encourage laboratories in Texas to implement blind quality control program. Dr. Stout will be the opening guest speaker for the conference.

In addition, the quality division will have several visitors throughout September and October. First, Anna Heavey, the quality manager at PathWest Laboratory in Australia and chairwoman of the Quality Specialist Advisory Group for the Australia, New Zealand Policing Advisory Agency (ANZPAA) National Institute of Forensic Science, will be visiting HFSC after attending AFQAM to exchange ideas on quality initiatives. In October, Dr. Max Guyll and Dr. Stephanie Madon from Arizona State University will also visit HFSC to learn more about the firearms discipline, comparative analytical workflow, and firearms blind quality control program with the intent of creating future opportunities for collaboration with HFSC. Finally, Mr. Raymond Valerio, the director of forensic sciences at the Queens County District Attorney's Office, will visit HFSC to provide ethics training to staff.

Next, Mrs. Moral discussed updates to accreditation. ANSI National Accreditation Board (ANAB), HFSC's accrediting body, conducted review of surveillance documents from July 17-31, 2023. They conduct the surveillance document review annually, and this year's review was focused on a subset of accreditation requirements specific to the quality management system. No nonconformities were noted during the review.

Also, the quality division has been working with the client services and case management division (CSCM) since February to prepare for the ANAB property and evidence accreditation program. In August, the quality division completed stage one, which involved a gap assessment to compare ANAB accreditation requirements to CSCM's policies on standard operating procedures, training manuals, quality manuals, security, and safety. From there, they identified gaps that needed to be addressed to meet ANAB's accreditation requirements. Stage two is still being finalized; however, updates have been made to CSCM's SOP, training manual and security manual. Updates to the quality manual were effective as of September 25, 2023. In the first week of October 2023, the quality division will undergo stage three in which an internal audit will occur to allow CSCM to research how they are meeting requirements and policies. The quality division will also conduct a supplemental management review focused on ensuring a robust quality management system. Both steps of stage three must be completed before the ANAB accreditation. Finally, in stage four, ANAB is scheduled to conduct an on-site assessment during the second week of December 2023.

Mrs. Moral updated the board on Texas Forensic Science Commission (TFSC) disclosures based on the last TFSC quarterly meeting on July 21, 2023. HFSC previously had three non-conformances that were reviewed at the quarterly meeting and were voted favorably as "no further action needed." This vote was a result of the root cause analysis, and corrective actions taken by the three sections to remediate non-conformances and prevent reoccurrence. The previous non-conformances were in the seized drugs, firearms, and crime scene sections. In seized drugs, cases were analyzed using incorrect sample vials via the "decision point" assay method, causing results to be improperly reported. The section did a retroactive audit, identifying 18 cases that had improper results and immediately recalled and re-analyzed the evidence. All the results agreed with the previously reported results, having no impact to the cases. In the firearms section, the disclosure was discovered as a part of the 2023 internal audit in which an item of evidence could not be located. This evidence contained test fires created from a case involving an officer-involved shooting. The non-conformance had no external impact because the case was inactive (as a result of a grand jury "no bill"). In response, the section enacted changes to evidence handling and auditing to prevent this from reoccurring. The final disclosure occurred in the crime scene unit where three case packets, which contained the original observations and notes from crime scene investigators, could not be located. One case report was released as the notes had been scanned into the case record before the notes were displaced. Another case packet was later found by the crime scene unit. Because this case was still active in the legal system, the quality division was able to technically review and administratively close out the report. The crime scene unit made organizational and clerical changes in the tracking of case packets and is transitioning into an electronic system.

Mrs. Moral then discussed two active TFSC disclosures in the forensic biology and latent print sections. She highlighted that the causes of both non-conformities were outside of HFSC's control. In forensic biology, the section identified an inherent subtlety in the probabilistic genotyping software that could cause a reporting issue. The section then conducted a retroactive audit of all cases since December 2019, the date the software was implemented. She stated the section identified five cases that required a supplemental report to be issued with additional information. Currently, the quality division is in the process of notifying the Harris County District Attorney's Office (HCDAO) and releasing these supplemental reports. In the latent print section, HFSC was notified by the Federal Bureau of Investigation (FBI) about a glitch in the FBI Automated Fingerprint Identification System (AFIS), which occurred when an area/location filter was selected, and palm prints were entered into the system. The filter prevented the system from conducting reverse searches, meaning the print could not be searched against new record prints. This affected 92 cases from 2014 to present day. Mrs. Moral informed the board that the latent print section searched the affected prints again and conducted comparison searches for 20 cases with new hits. The remaining 72 cases were re-registered in AFIS without the palm print selection to allow for reverse searches. The list of the affected cases was given

to HCDAO and the Harris County Public Defender's Office. Mrs. Moral stated that though these nonconformities were out of HFSC's control, the quality division chose to disclose them as they affected the integrity of cases and demonstrated HFSC's retroactive and mitigating efforts taken by the sections to address these issues. Dr. Stout added that such disclosures to TFSC help ensure that lab software issues are communicated state-wide.

Finally, Mrs. Moral discussed testimony monitoring. A total of 65 HFSC staff members collectively testified 149 times between January and August 2023. For those who testify, the quality division will monitor them at least once a year. Currently, 75% of testimonies are monitored, which meets HFSC's monitoring requirement. Mrs. Moral reported that HFSC testimony amounted to a total of 602 hours spent in court by staff members: 125 of those hours were spent on the stand testifying while the remaining 277 hours were spent waiting to testify. By section, crime scene had the most collective time waiting for testimony (201 hours), followed by the firearms section (77 hours) and the forensic biology section (63 hours). Over time, the current data from January to August 2023 almost surpass the total time in court from calendar year 2022 (619 hours). As HFSC is currently at 602 hours of time in court, Mrs. Moral stated that HFSC will surpass the 2022 total over the next few months. Mrs. Moral concluded by noting that the quality division manually captures the data in graphs, and as such, the division is working with an HFSC Lean Six Sigma (LLS) project engineer to create a PowerBI testimony dashboard. This will provide accessible real-time data for all staff members.

#### 12. ADJOURNMENT:

Director Silverman made a motion to adjourn the meeting. Director Huff seconded the motion. The meeting adjourned at 10:20 a.m.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the September 15, 2023 public meeting of the board.

By:

Ashley Henry Interim Board Secretary

# November 17 President's Report



# New HR director — Tai Aluko

- 17 years plus of HR Experience
- Master's degree from Texas A&M (Human Resources Management)
- Been in Houston for the past 10 years with husband and 2 sons
- Passionate about employee engagement, training, and development



# Backlog history (requests older than 30 days)

### • April 2014,

# ~12,000

- May 2016 Latent prints stuck in the property room (Latent prints)
- January 2017 Globalfiler implementation (FBI requirement) (DNA)
- August 2017 Hurricane Harvey (everything)
- 2018-2019 Toxicology instrumentation (tox)

### • February 2019,

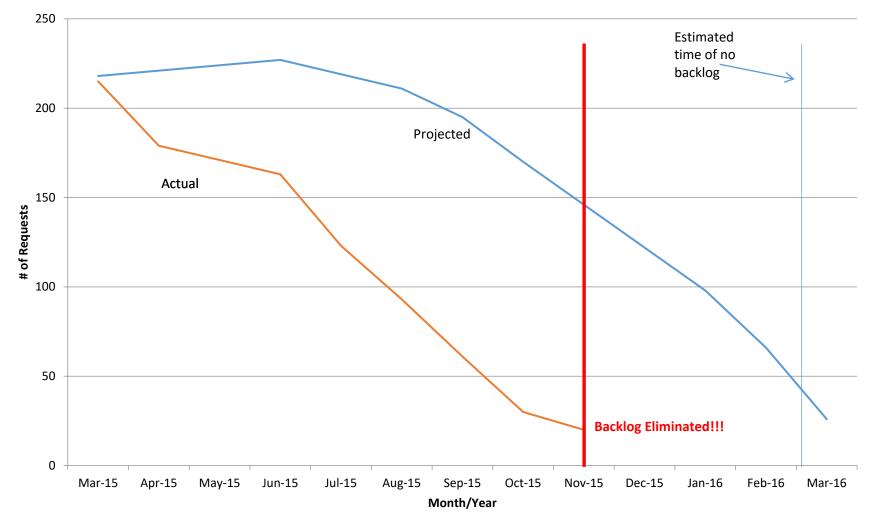
# 3,479

- June 10 2019 HB 1325 (seized drugs)
- March 2020 COVID (everything)
- March 2021 Colone (DNA)
- May 2021 CSU restructure (CSU)
- February 2021 Winter Storm Uri (everything, seized drugs extra)
- July 2021,

# 7,553

- November 2022 Mavens (DNA)
- Today, ~4,000

### From Operations report January 2015

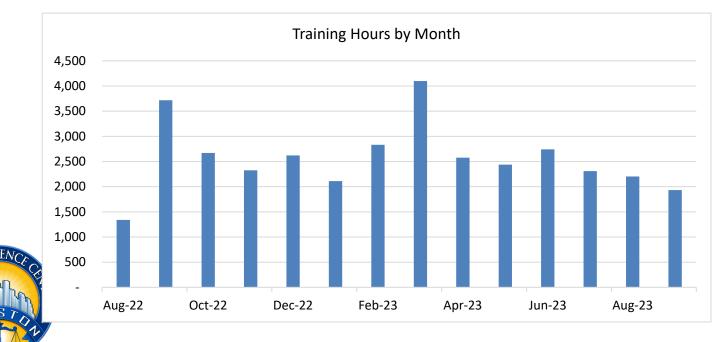


**Firearm Request Backlog - Projected vs. Actual** 



# ARPA funding impact

	6/30/2022	6/30/2023	9/30/2023	Reduction	%
Toxicology	1,371	407	319	1,052	77%
Latent prints	2,171	615	394	1,777	82%



- 35,916 training hours provided under ARPA through Sept '23
- **15 staff members** completed training under ARPA
- *2 firearms examiners* are in external training under ARPA. 3 additional examiners to start in May 2024
- **2 3D scopes in procurement** under ARPA

# Requests over 30 days old (last 12 months)

- Reduced by 16% from 4964 in October 2022 to 4194 in October 2023
- CSU reduced by 92% (currently 22)
- Latent Print Comparison reduced by 97% (currently 32)
- Drug Toxicology reduced by 82% (currently 181)
- Digital Multimedia reduced by 92% (currently 25)
- Latent Print Processing reduced by 77% (currently 171)



# Requests over 30 days old

- Seized Drugs increased by 55% in the past year (currently 1,635)
- Firearms increased by 75% in the past year (currently 322)
- Forensic Biology increased by 28% in the past year (1,217)
  - The increase is due to increased time at commercial labs for SAKs
  - In house backlog has decreased by 6%



# Backlogs mean three big questions

- What work goes first?
  - How does priority get determined and assigned?
- What is sufficient and necessary testing?
  - Case management, case acceptance policies
  - How is it determined what is tested to conserve capacity?
  - What cases *need* everything tested?
- What must be re-worked or can be canceled?
  - Lab backlogs are never in isolation. Delays in court make requests vulnerable
  - Dismissed or disposed cases
  - Case goes to court long after an analyst has left. Re-review? Re-test? Nothing?

# **HFSC at a Glance**

### AVERAGE Time to Report Common Requests<sup>1,2</sup> (Updated: 11/6/2023)

<sup>1</sup> Priority assignment for cases is determined in collaboration with other stakeholders and weighing the risks and benefits for that request with other pending requests. Requests for prioritization can be made in the Request Portal.

<sup>2</sup> Times reflect typical expected time from request to report for cases that do not have a court date, investigative priority, urgent public safety risk.

# **Seized Drugs**

In-Jail Cases: 32 days Regular Cases: 188 days Marijuana Cases: 140 Days

# Toxicology

Blood Alcohol Only: 47 days Alcohol & Drug Cases: 230 days

### DNA

Sexual Assault Kits (SAK): 202 days

### **Firearm Examinations**

Comparison Cases: 256 days

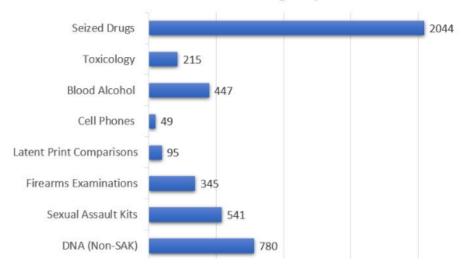
# Latent Prints

Comparison Cases: 47 days

### **Cell Phones**

Homicide With Phone Unlocked<sup>\*</sup>: 7 days

\*If unlocking is needed, time will vary greatly.



Number of Pending Requests

# Request portal priority workflow

### Launching November 17

💽 wa	ork	Ô	🗖   👫 Sign i 🗙   🗘 Schol 🗙   🥥 Septe 🗙   🦾 Strea: X   🎒 HFSC X   🖏 Week X   🖺 Calen X 📔 HFSC X 🚳 fr_col X   + 🛛 – 🗖	)	×
$\leftarrow$	C	Ô	https://limstest.houstonforensicscience.org/case/585486 A 🟠 🗘 🗘 🗅 🎓 😵 🔹	0	
			Request Expedited Handling		Q
			Are you requesting expedited handling? *		•
					0
			If you choose 'Yes' for this question, you will receive an email within 3 business days stating the acceptance or rejection of your request.	I	•
					+
			Yes     No		
			Please Provide a Response to each Question - REQUIRED		
			1. Is this request associated with a person in custody? *		
			⊖ Yes		
			○ No		
			2. Is this request needed for a search warrant or probable cause? *		
			⊖ Yes		
			○ No		
			3. Is this request a result of a consent to search/seize evidence and dependent on immediately returning the seized item? *		
			○ Yes	•	છે

# Interoperability of data between HFSC and HCDAO

- Manually scrubbing for dismissed and disposed cases
- EARLY data suggest ~40-100 requests per month impacted by dismiss/disposed status
  - May be work that can be canceled
  - May be dismissed/disposed BECAUSE of the lab work
  - May be dismissed/disposed but still NEEDED
  - May change
- Accreditation and communication needs for canceled work



# Court delays and the impact on testimony

- How do you support testimony demands when cases are tried years after the lab work?
  - Analyst departed, no longer employed by HFSC and HFSC has no recourse to demand work
  - "expert may offer an independent opinion "when the basis of [the] independent opinion are forensic reports prepared by a non-testifying expert, if the testifying expert reasonably relied on these facts and data to reach [the] conclusions"
  - Very jurisdiction dependent for how successful this is
  - This is before we contend with the time invested in preparation and mechanics of testimony



# Arizona v Smith

 Smith asserts three United States Supreme Court cases -Bullcoming v. New Mexico, 564 U.S. 647 (2011), Melendez-Diaz v. Massachusetts, 557 U.S. 305 (2009), and Williams - require the exclusion of Longoni's testimony. 1

STATE OF ARIZONA, Appellee, v. JASON SMITH, Appellant.

No. 1 CA-CR 21-0451

**Court of Appeals of Arizona, First Division** 

July 14, 2022

Not for Publication - Rule 111(c), Rules of the Arizona Supreme Court

Appeal from the Superior Court in Yuma County No. S1400CR201901251 The Honorable Brandon S. Kinsey, Judge

Arizona Attorney General's Office, Phoenix By Celeste Kinney Counsel for Appellee



# What goes into a firearms exam?

• Typical case has ~10 items



Were any or all of these fired from this gun?



# Test fires from the gun– about a half day





### 3 test fires gives 3 projectiles and 3 casings



# Comparisons upwards of 30 comparisons

X

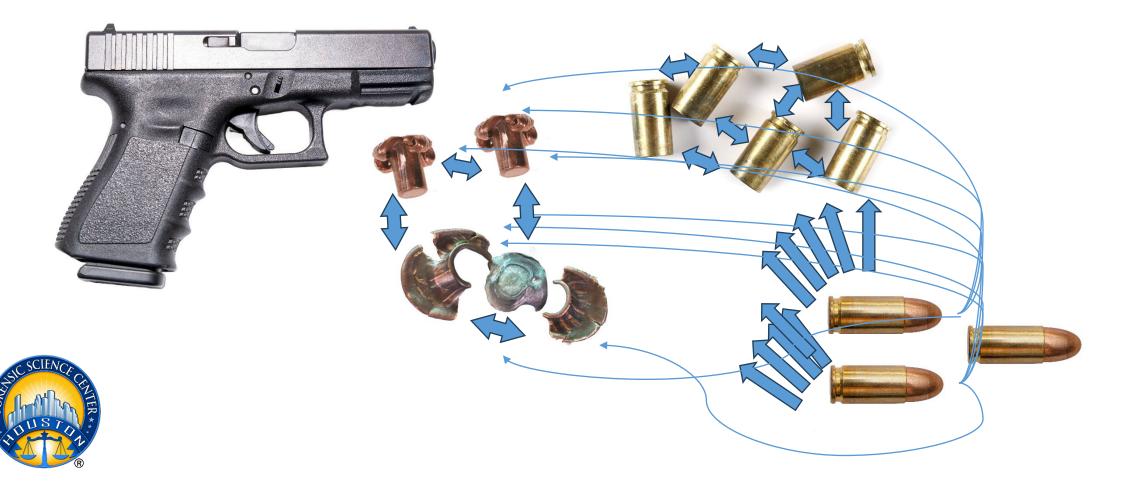
• Typical case has ~10 items





# Each comparison is about a day

• Typical case has ~10 items



# One case may be--

- 4 labor hours prep
- 20 comparisons x 8 hours each = 160 labor hours
- Second examiner to do the same = 160 labor hours
- Reviewers and reporting = 10 hours
- Routinely ~350 labor hours per modestly complex case



# Options??

- No option to outsource firearms examinations
  - Occasional urgent case to Tarrant County or TX DPS
- Must manage existing capacity to accommodate BOTH urgent investigative needs and court priorities
  - Means effective and timely communications of priority needs and when cases are disposed
  - Also, effective targeting of essential testing and avoiding a "test everything" mentality
- Currently, ~1,000 firearms examiners in the world
- Training new examiners takes about 2 years
- ARPA dollars used for training
  - 2 currently in training about 10-18 months out
  - 3 more to start next May so about 18-25 months out

raining means experienced, authorized analysts off case work to do training

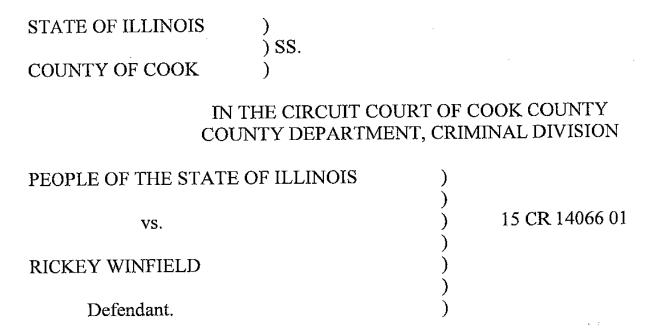
# Where we are at:

- 7 examiners = 14,000 labor hours per year
- About 400 requests per year x (70hr low complexity, 350hr modest complexity) =

28,000 – 140,000 labor hours demand not including court



# Challenges to the validity of firearms– May 2023



### **REVISED ORDER AND MEMORANDUM RULING<sup>1</sup>**

1. BACKGROUND AND PRELIMINARY COMMENTS<sup>2</sup>



**PNAS** 

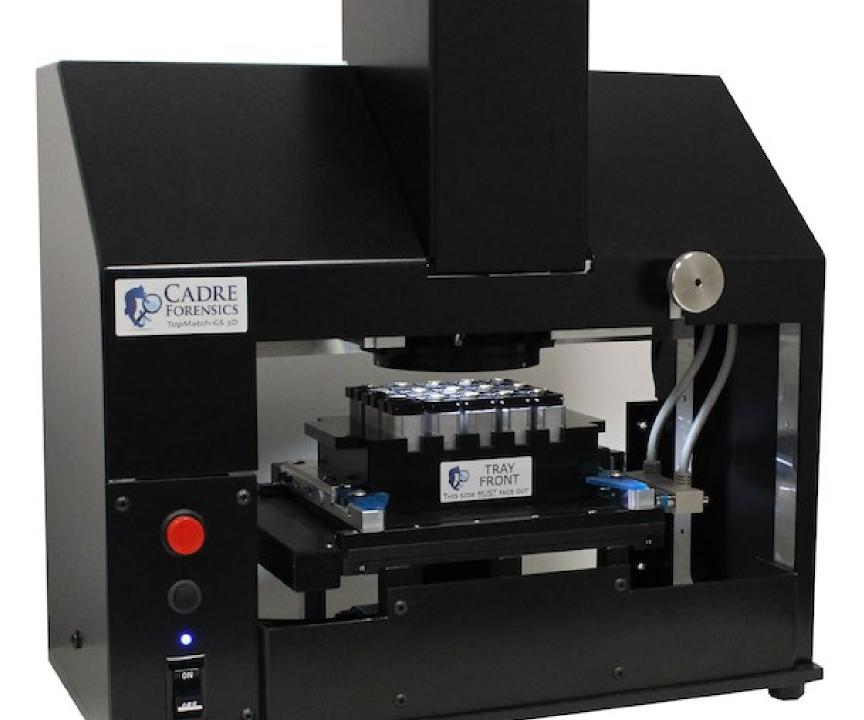
**Special Feature** 

# Science, Evidence, Law, and Justice

### 3D imaging scopes

- Procuring 3
  - 1 on NIJ grant
  - 2 on ARPA
- 24-30 months to get into production
- Data to address criticisms
- NOT likely to be faster

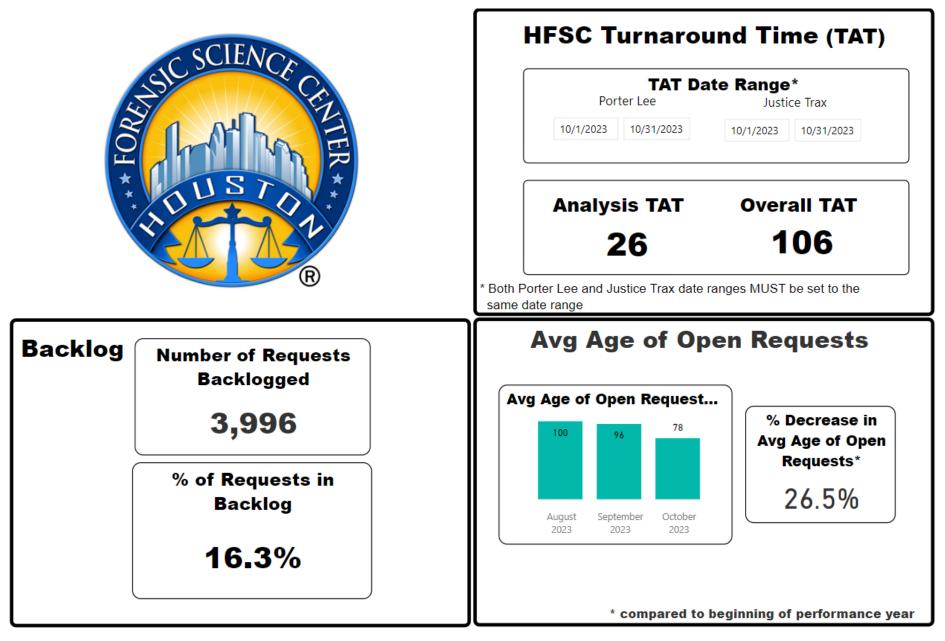




# Detail Data

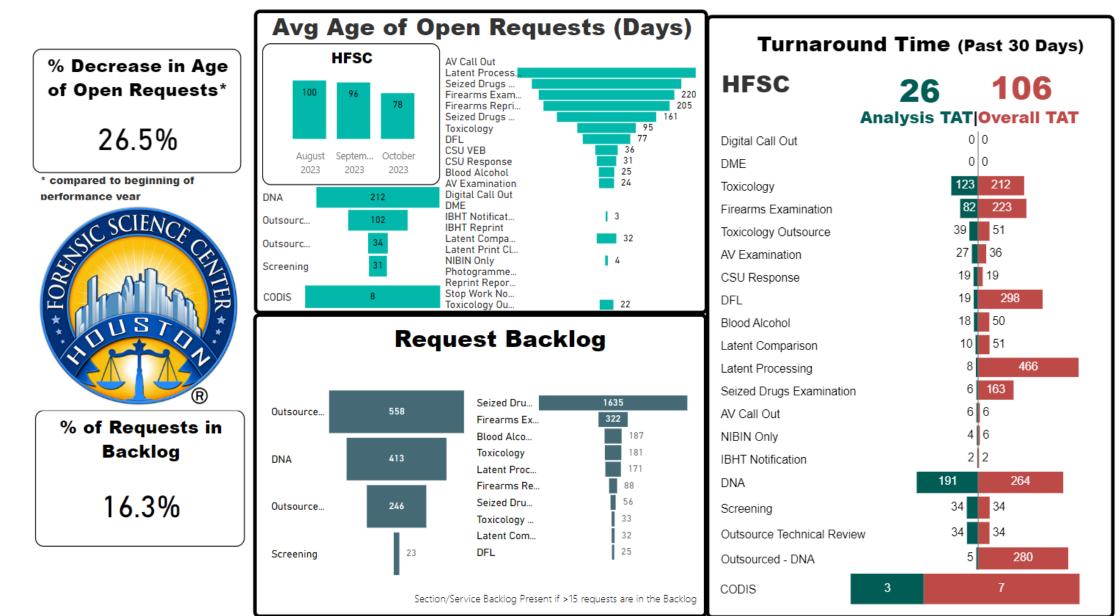


### **October 2023 Company Overview**



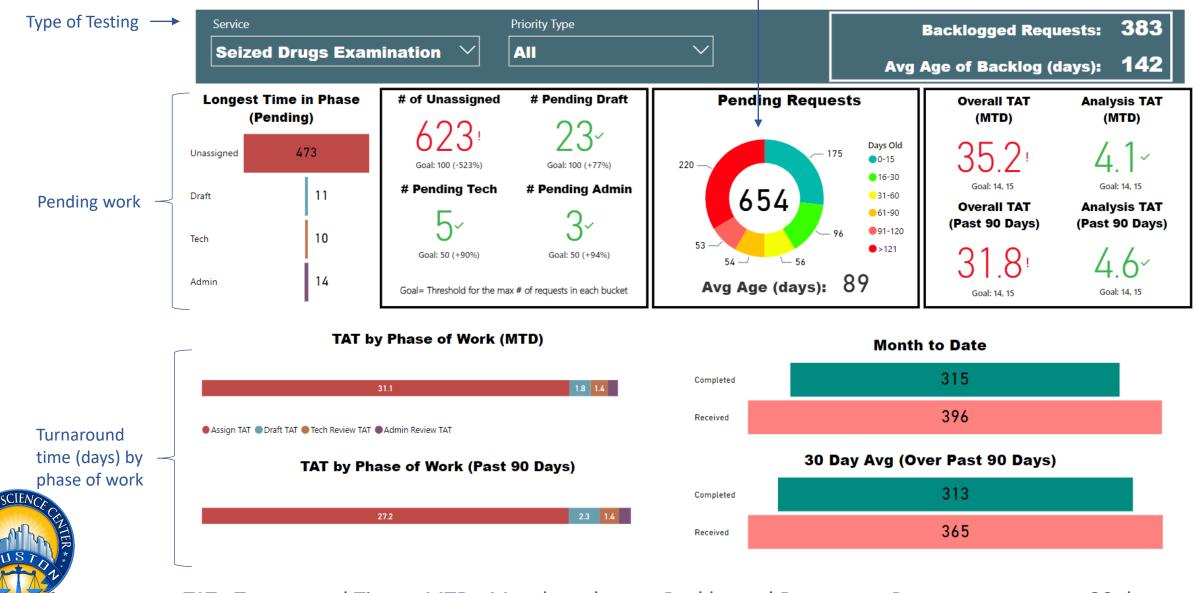


### **October 2023 Company Overview**



### **Key for Dashboard Section Pages**

#### Center of ring=total pending cases Ring=breakdown of<sub>l</sub>age for all pending cases

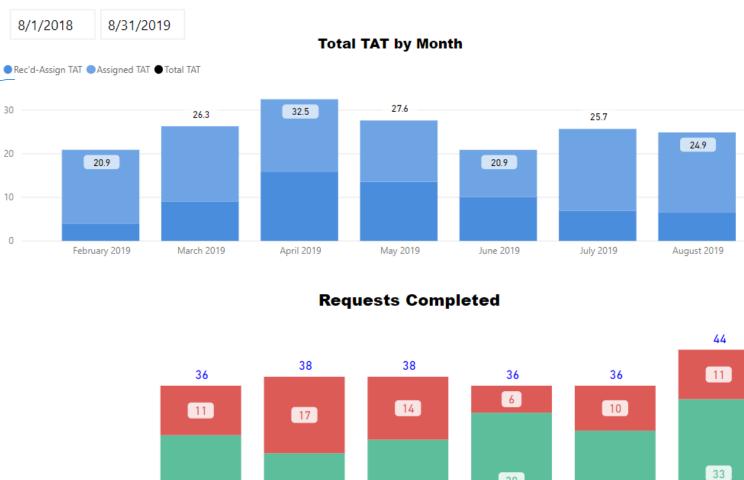


TAT= Turnaround Time MTD= Month to date

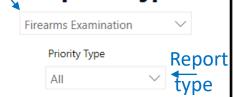
Backlogged Requests = Requests open over 30 days

### Key for Dashboard Historical Pages 1/2

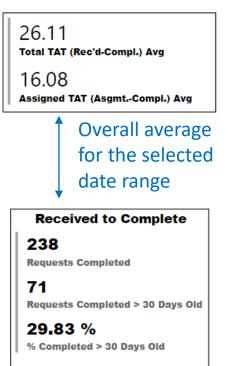
#### **Date Range**





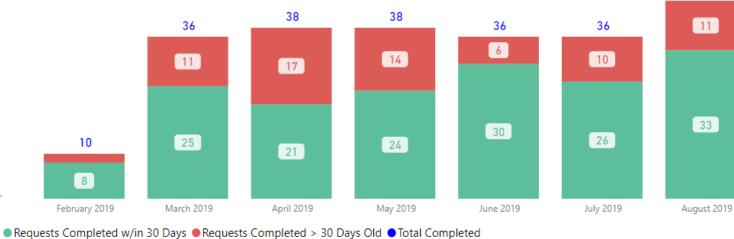


#### **Selected Time Frame Averages**



Requests more than 30 days old are considered to be backlogged requests

#### Data broken down by month



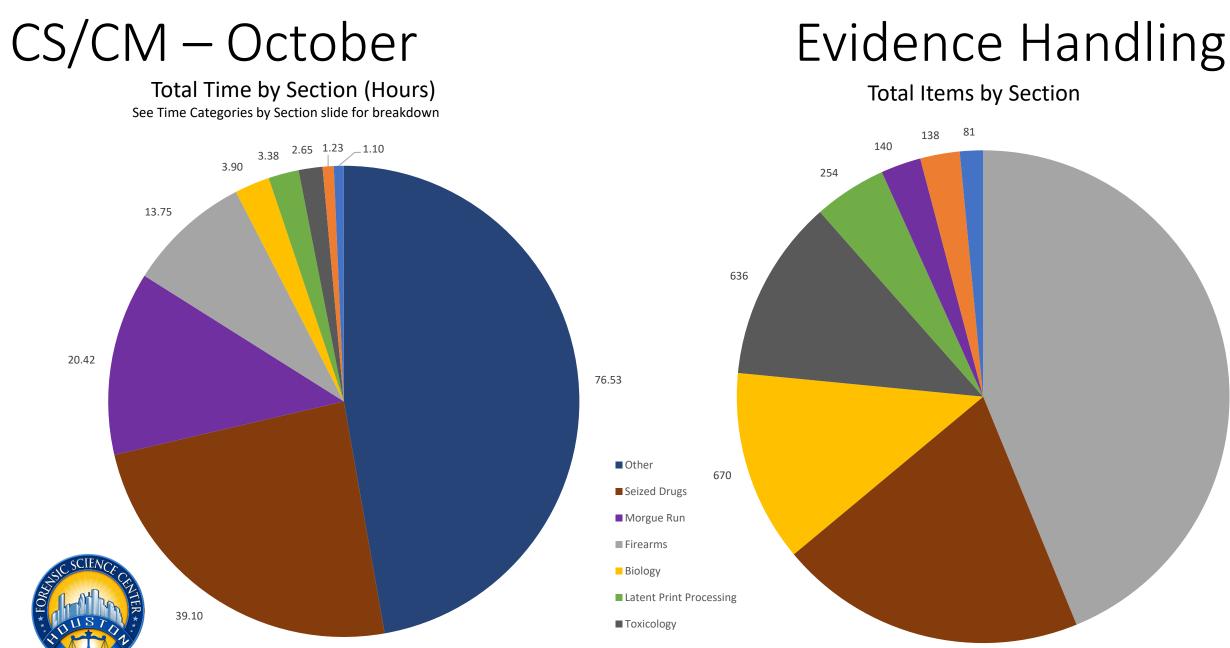
**TAT= Turnaround Time** 

Key for Dashboard Historical Pages 2/2



# Client Services and Case Management (CS/CM)





#### 

### CS/CM – October

Subpoena for Records,

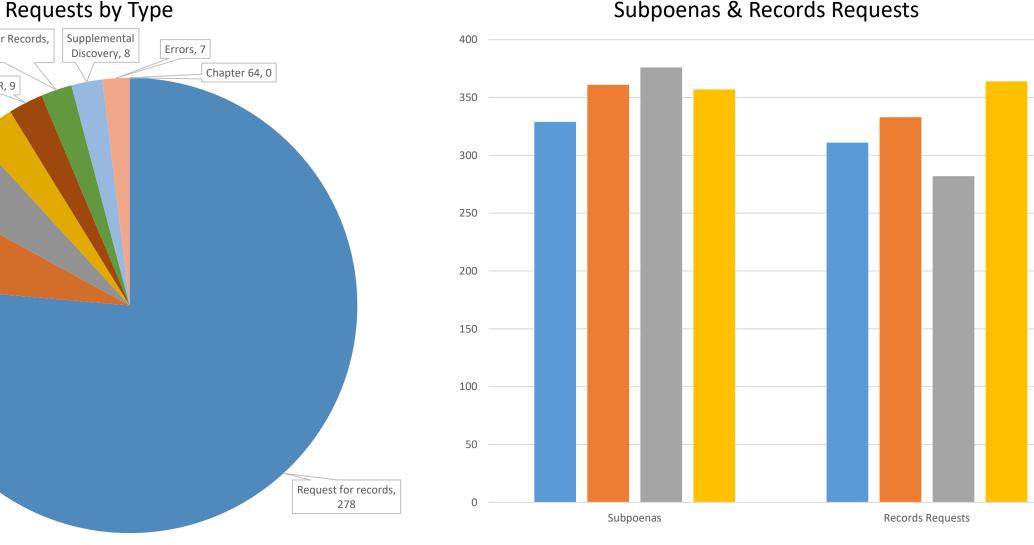
ALR, 9

3914Request, 11

Discovery, 19

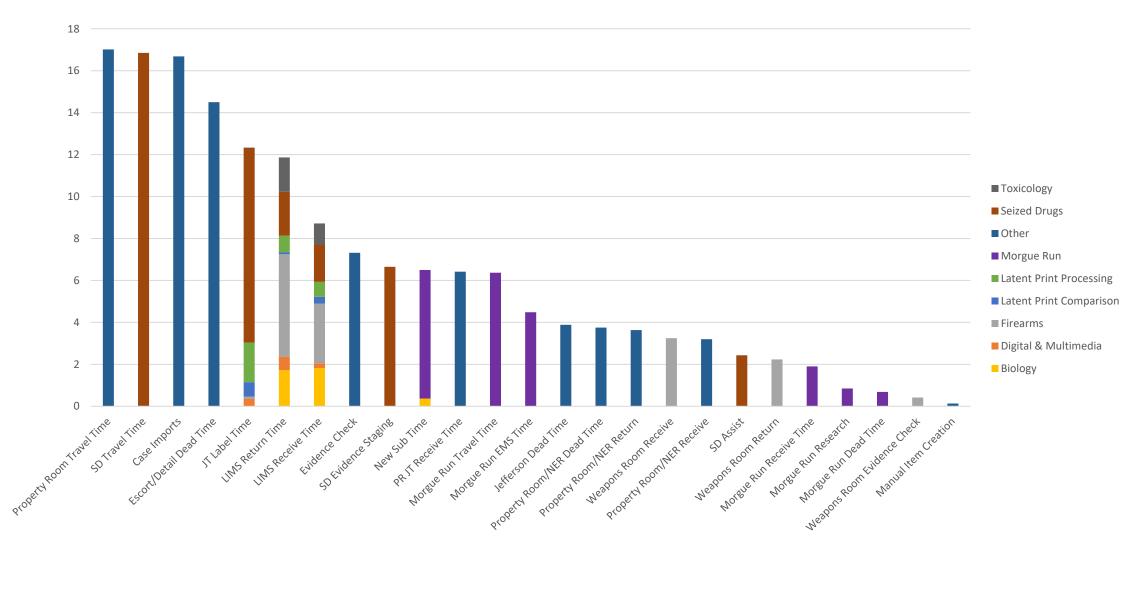
Other, 24

### Administrative

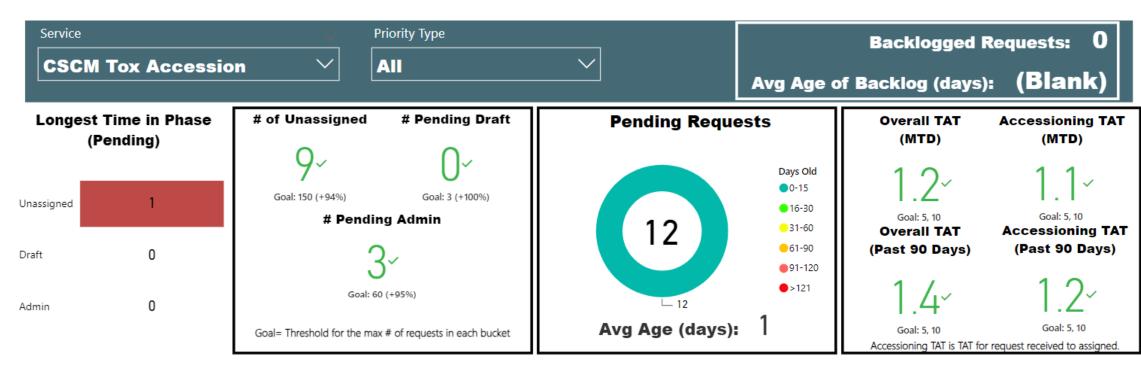


Subpoenas & Records Requests

## Time Categories – October Evidence Handling





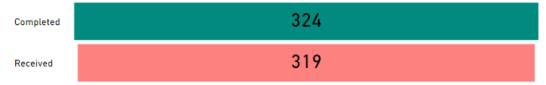


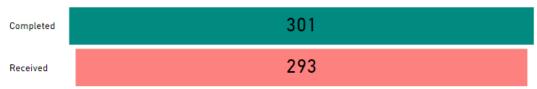


#### TAT by Phase of Work (Past 90 Days)



#### Month to Date

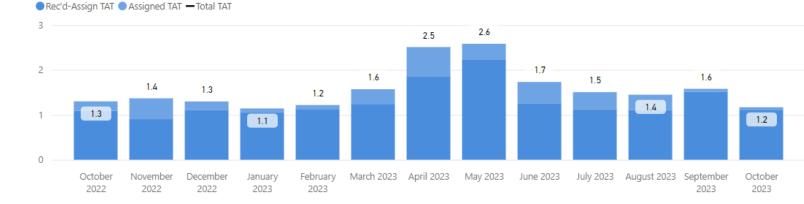




#### **Date Range**

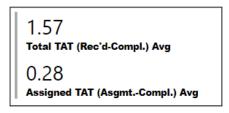
10/1/2022	10/31/2023
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#### **Total TAT by Month**



# Request Type CSCM Tox Accession Priority Type All

#### **Selected Time Frame Averages**



#### **Requests Completed**



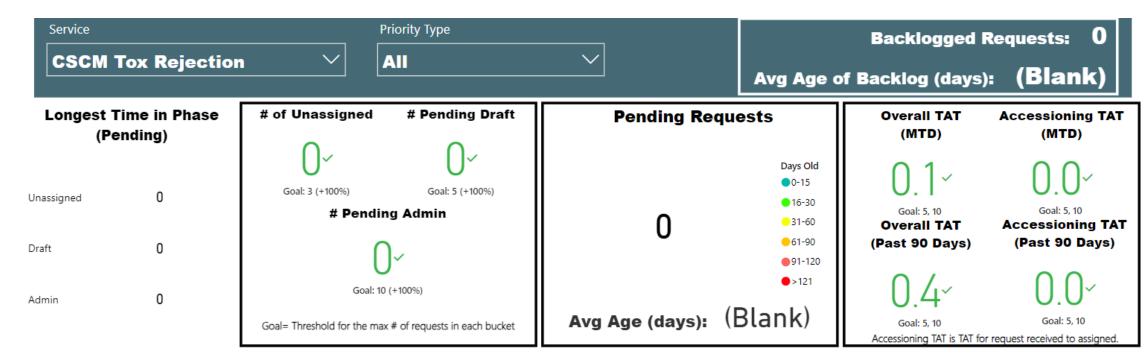


Requests more than 30 days old are considered to be backlogged requests







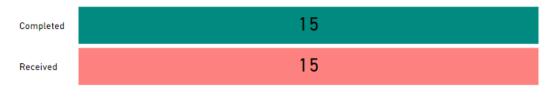




#### TAT by Phase of Work (Past 90 Days)

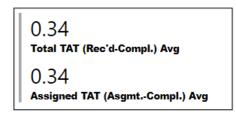


#### Month to Date



Completed	15
Received	15

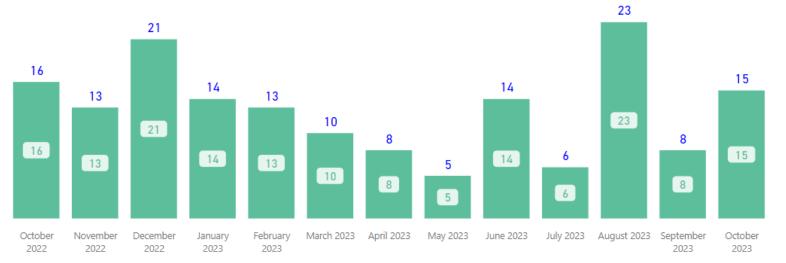




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#### **Requests Completed**

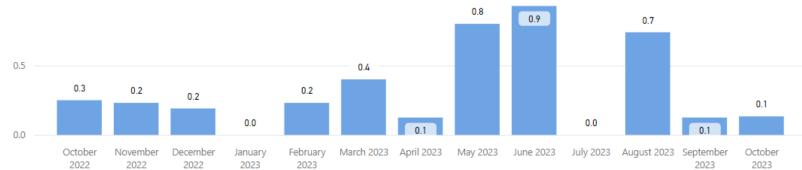


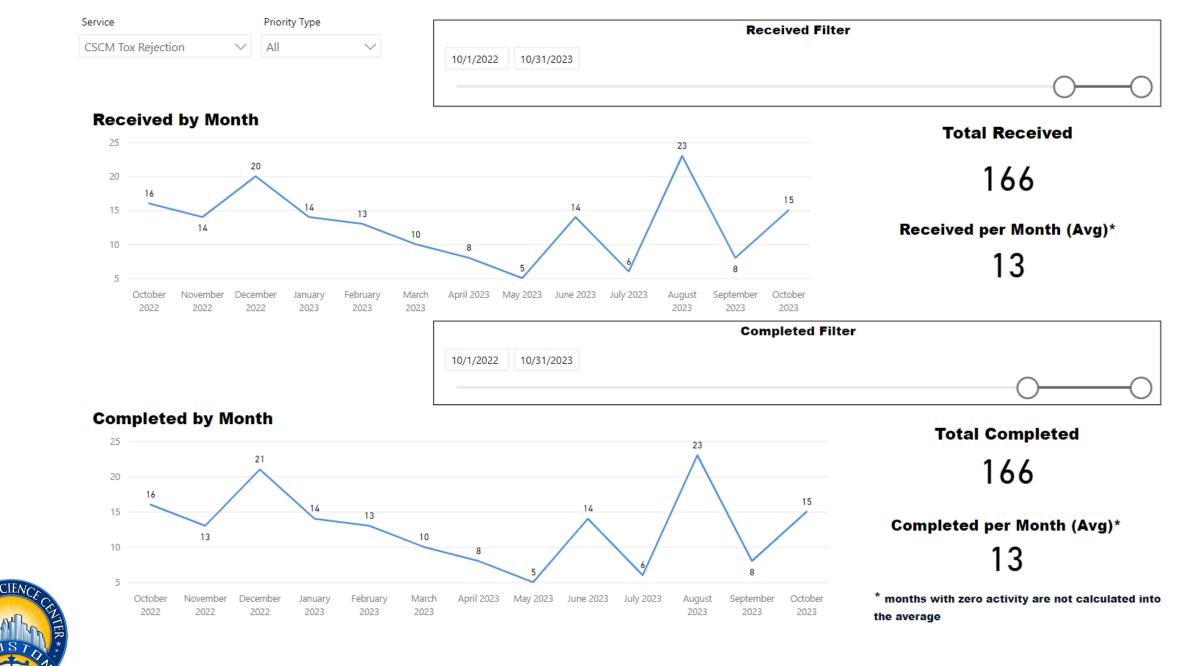


Requests more than 30 days old are considered to be backlogged requests



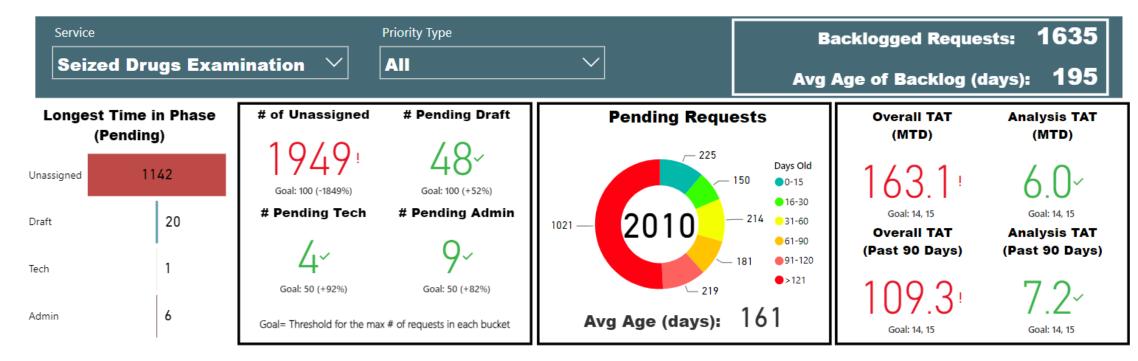
Requests Completed w/in 30 Days





# Seized Drugs



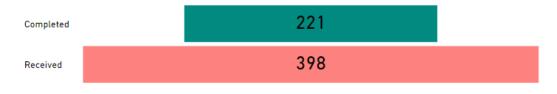


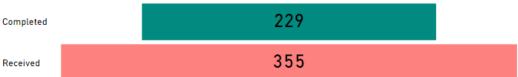


#### TAT by Phase of Work (Past 90 Days)

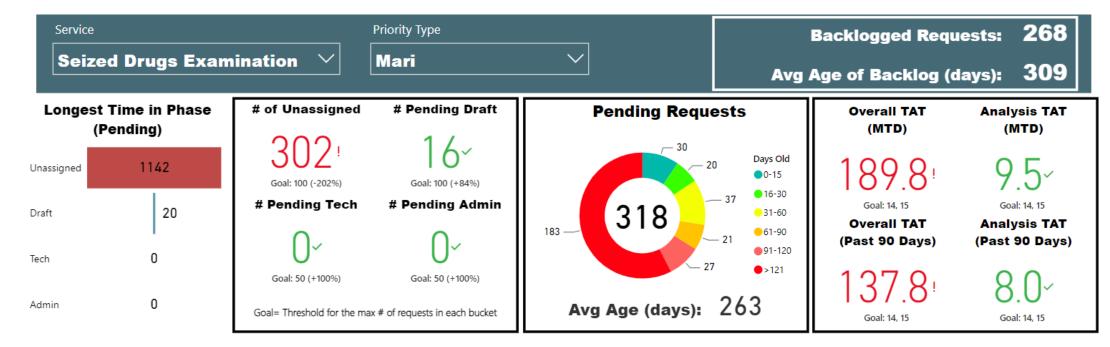
Complete 102.1 3.9 Received

#### Month to Date





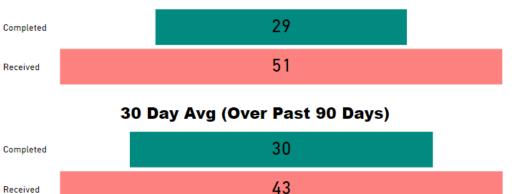




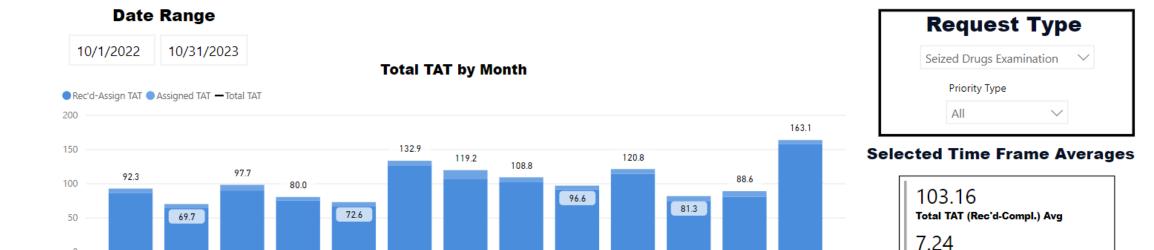


129.7 5.8

Month to Date







July 2023

September

2023

August

2023

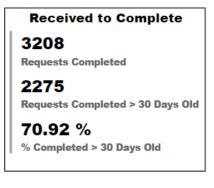
October

2023

#### **Requests Completed**

March 2023 April 2023 May 2023 June 2023





Assigned TAT (Asgmt.-Compl.) Avg

Requests more than 30 days old are considered to be backlogged requests

Requests Completed w/in 30 Days

February

2023

January

2023



0

October

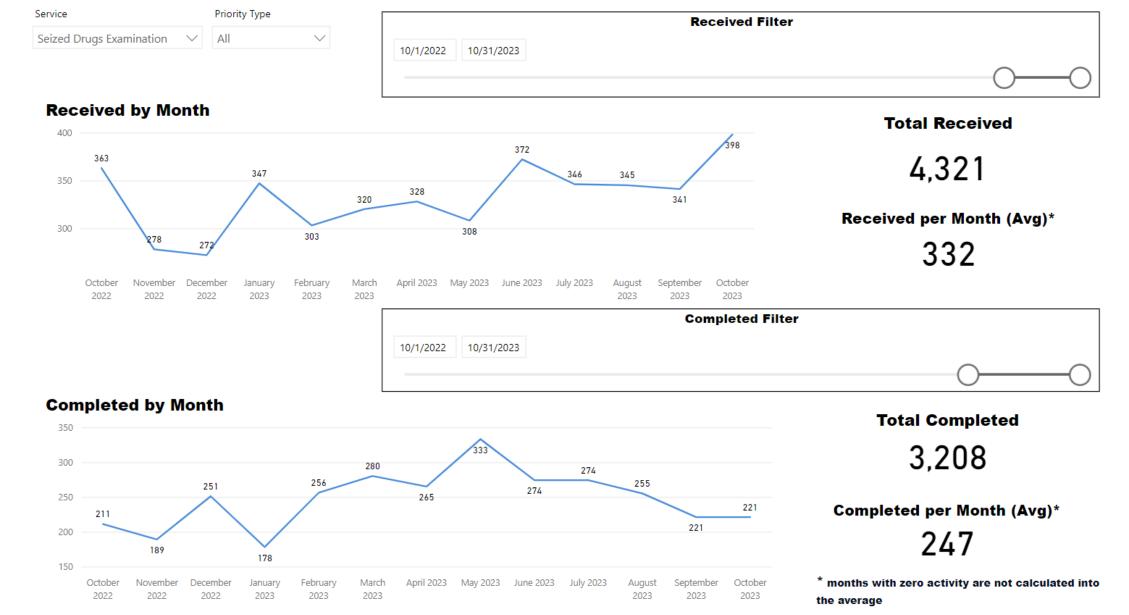
2022

November

2022

December

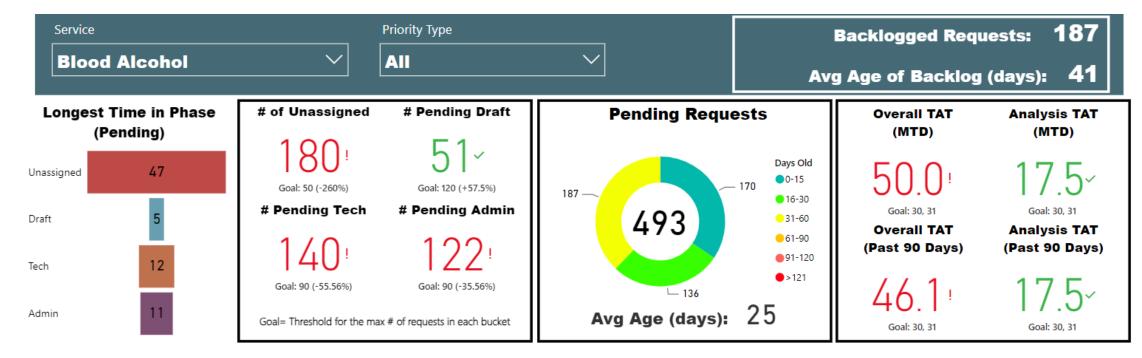
2022





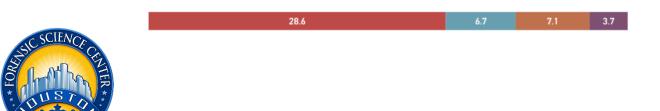
# Toxicology



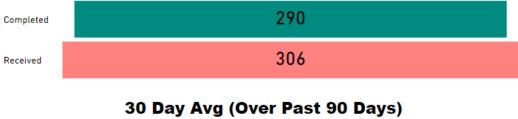


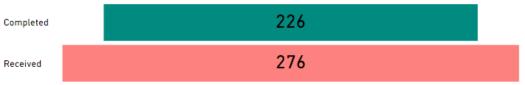


#### TAT by Phase of Work (Past 90 Days)



Month to Date



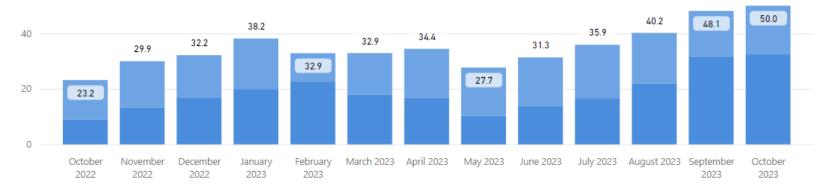


#### Date Range

10/1/2022	10/31/2023
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#### **Total TAT by Month**

Rec'd-Assign TAT Assigned TAT Total TAT

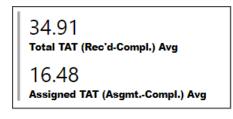


 Request Type

 Blood Alcohol
 ✓

 Priority Type
 ✓

#### **Selected Time Frame Averages**



#### **Requests Completed**

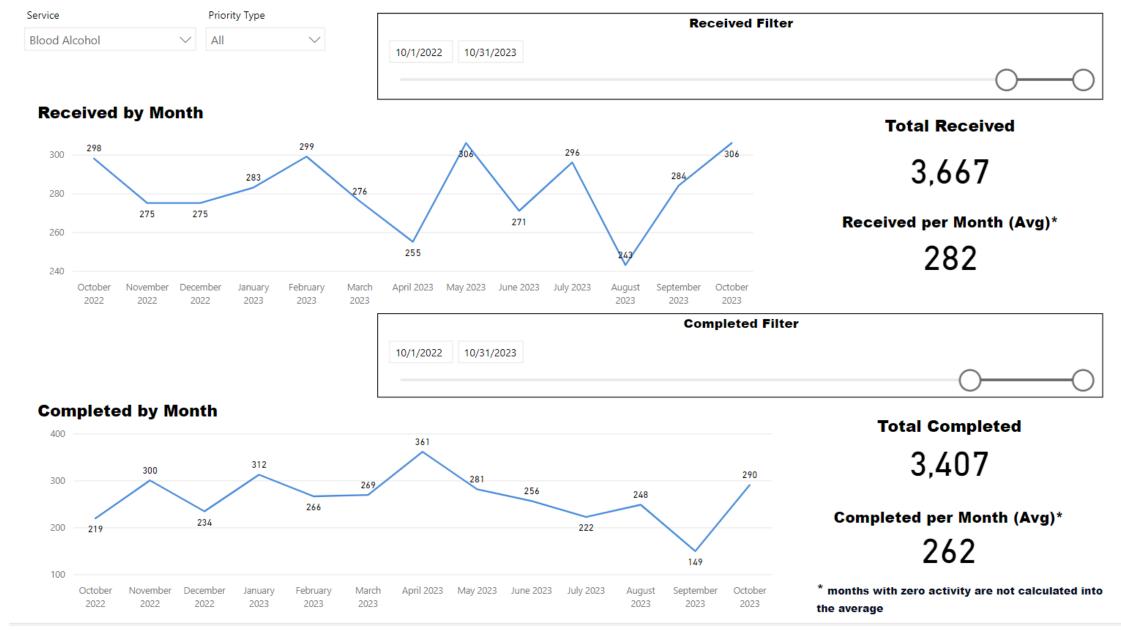




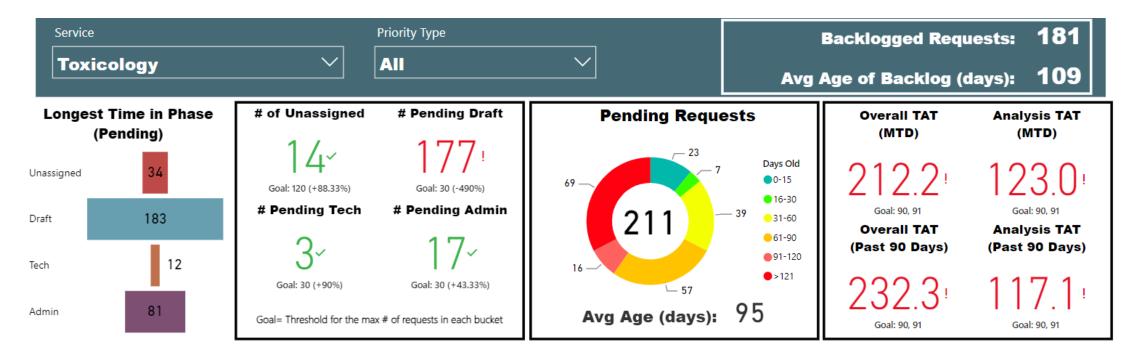
Requests more than 30 days old are considered to be backlogged requests



Requests Completed w/in 30 Days





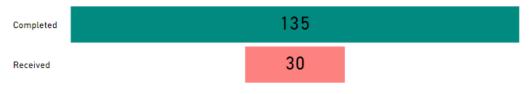


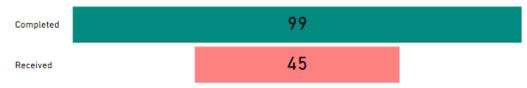


#### TAT by Phase of Work (Past 90 Days)



#### Month to Date

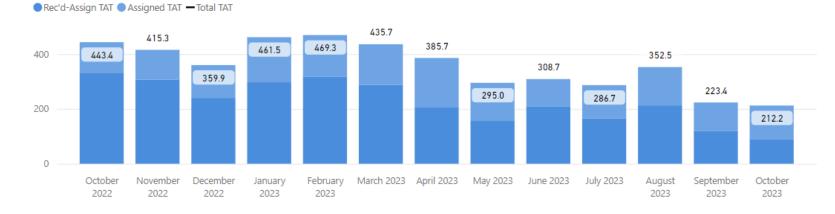




#### Date Range



#### **Total TAT by Month**



Reques	st Type
Toxicology	$\sim$
Priority Type	
All	

#### **Selected Time Frame Averages**

357.60 Total TAT (Rec'd-Compl.) Avg
136.35 Assigned TAT (AsgmtCompl.) Avg

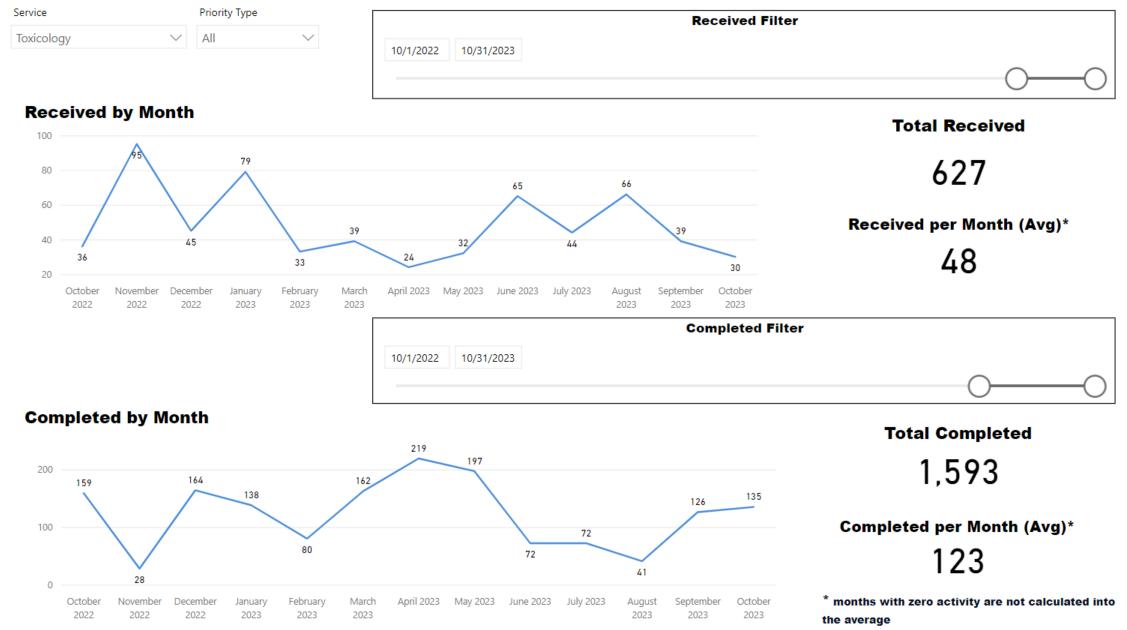
#### **Requests Completed**





Requests more than 30 days old are considered to be backlogged requests

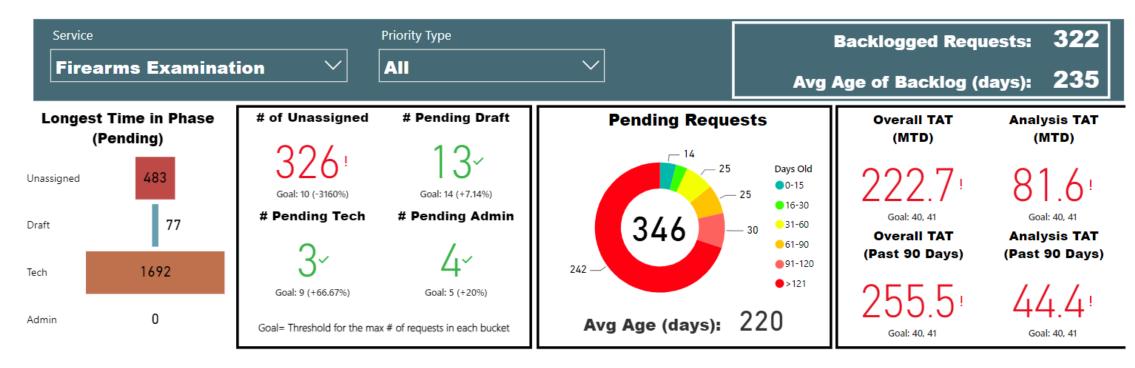






## Firearms



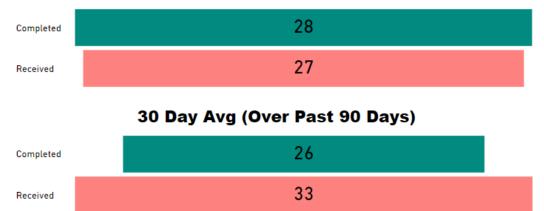


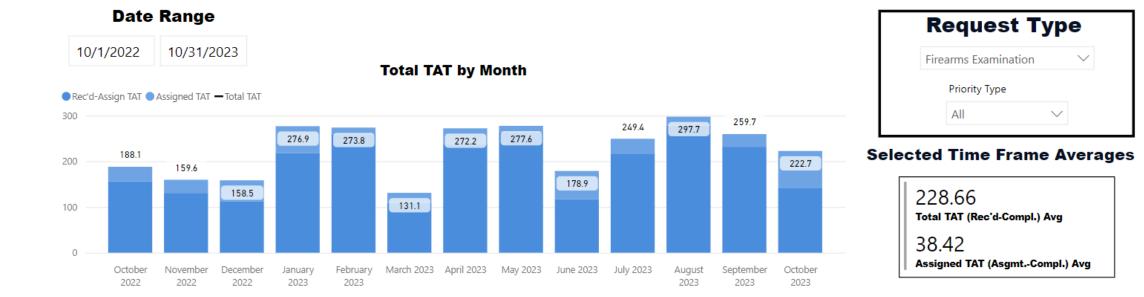


#### TAT by Phase of Work (Past 90 Days)



#### Month to Date





#### **Requests Completed**





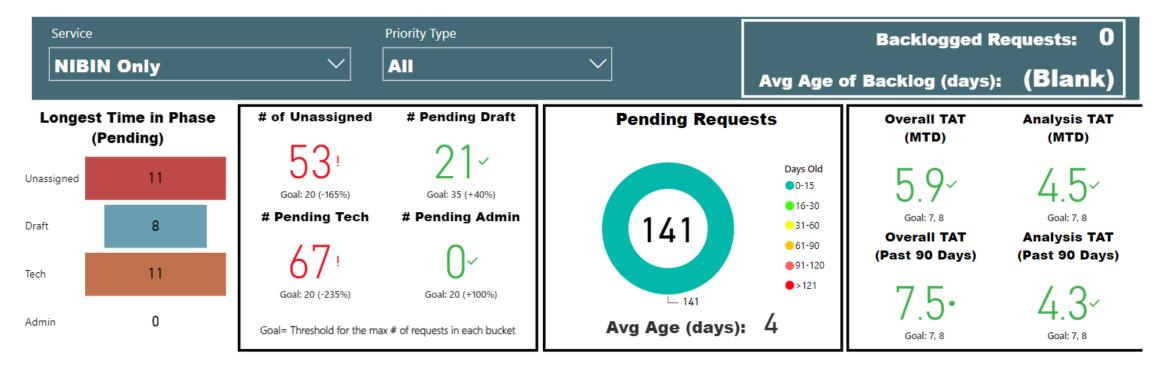
Requests more than 30 days old are considered to be backlogged requests



Requests Completed w/in 30 Days





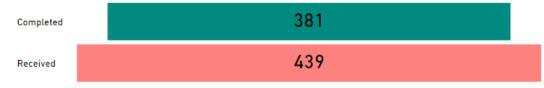


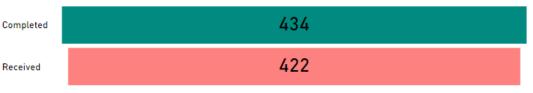


#### TAT by Phase of Work (Past 90 Days)



#### Month to Date



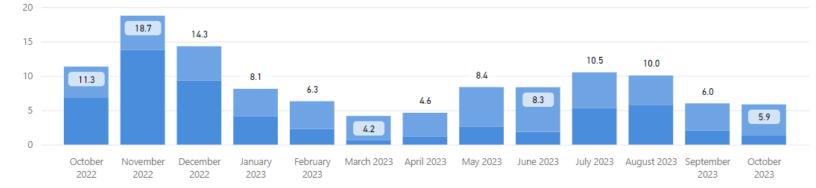


#### Date Range



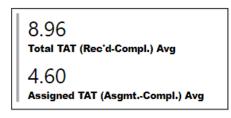
#### **Total TAT by Month**





# Request Type NIBIN Only ✓ Priority Type ✓

#### **Selected Time Frame Averages**



#### **Requests Completed**



Received to Complete
5741
Requests Completed
62
Requests Completed > 30 Days Old
1.08 %
% Completed > 30 Days Old

Requests more than 30 days old are considered to be backlogged requests



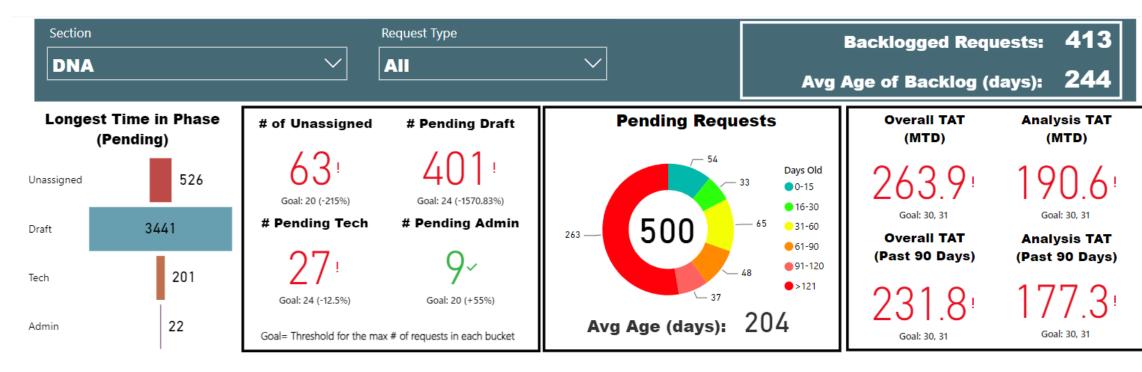
#### Requests Completed w/in 30 Days





# Forensic Biology





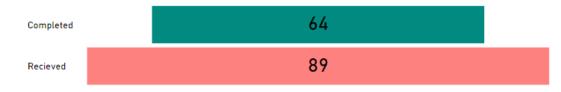


#### TAT by Phase of Work (Past 90 Days)

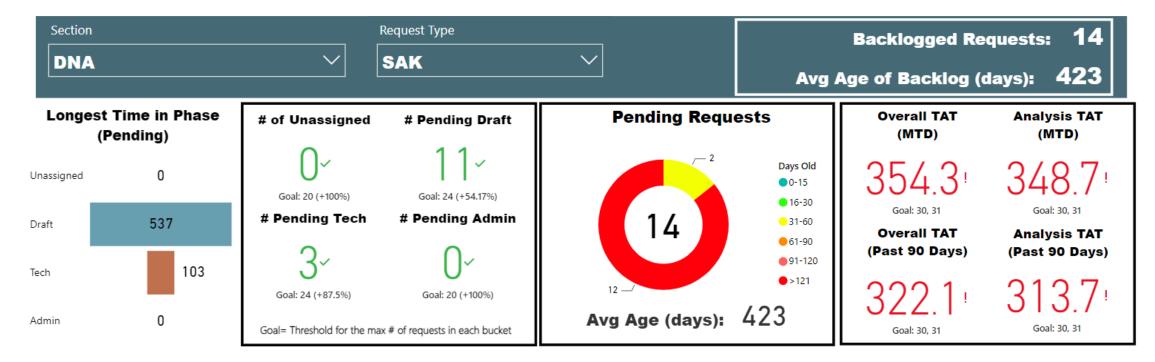




#### Month to Date





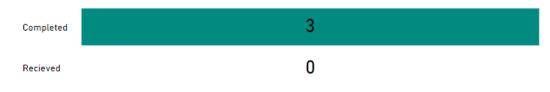


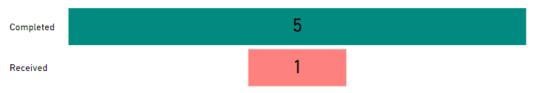


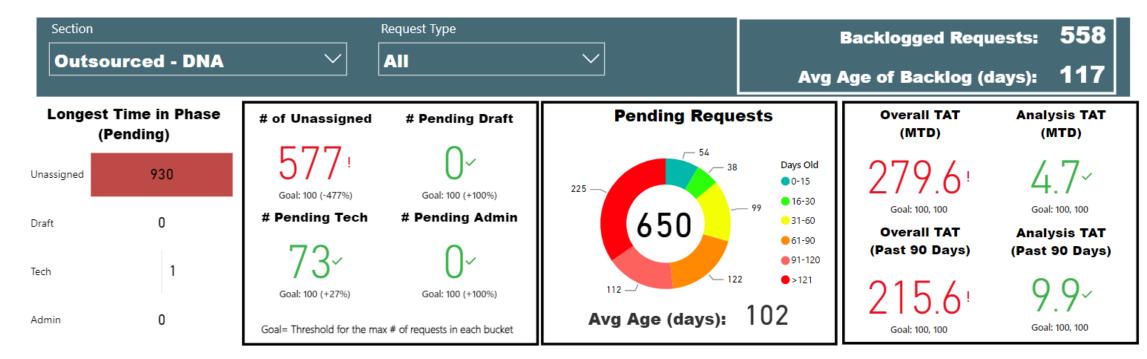
# TAT by Phase of Work (Past 90 Days)



#### **Month to Date**









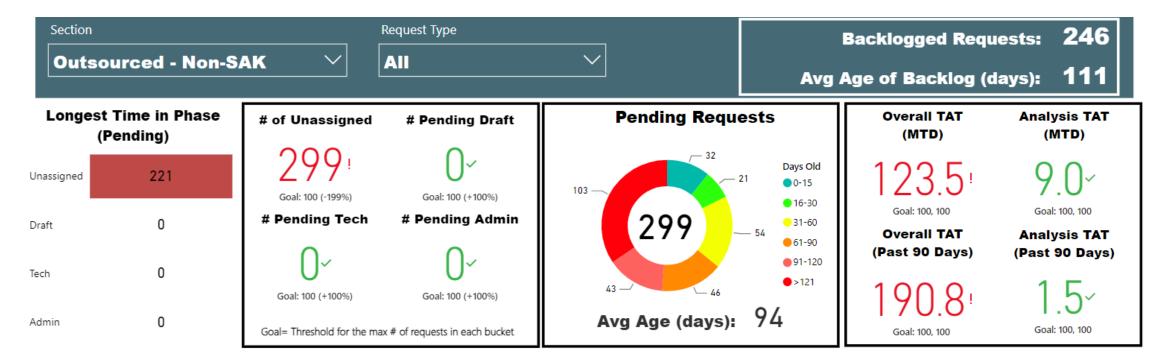
# TAT by Phase of Work (Past 90 Days)



#### Month to Date



Completed	104
Received	111

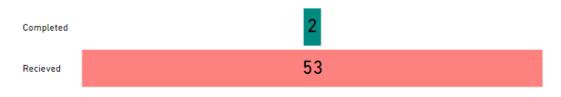


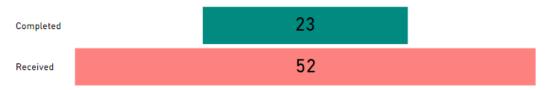


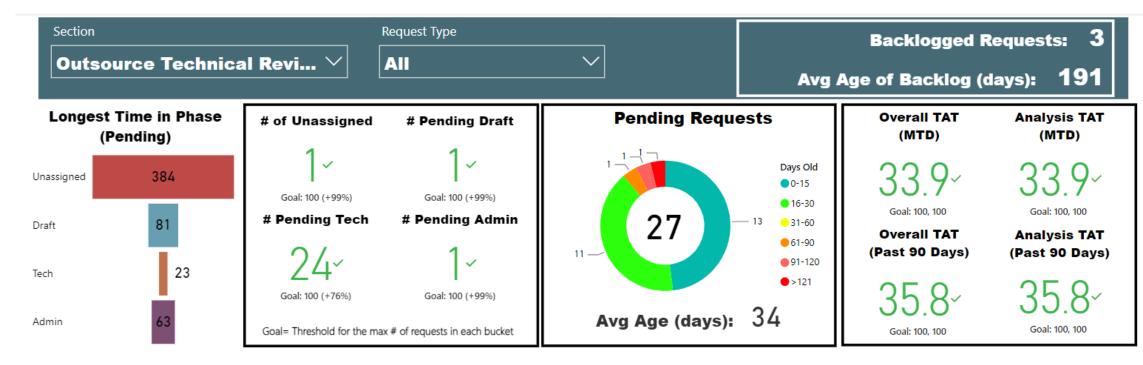
# TAT by Phase of Work (Past 90 Days)



#### Month to Date

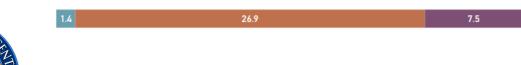




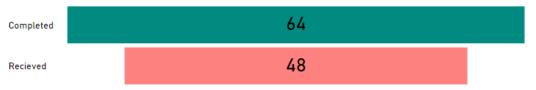


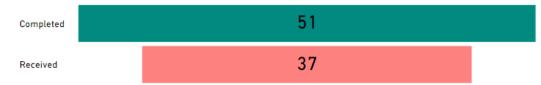


# TAT by Phase of Work (Past 90 Days)



#### Month to Date



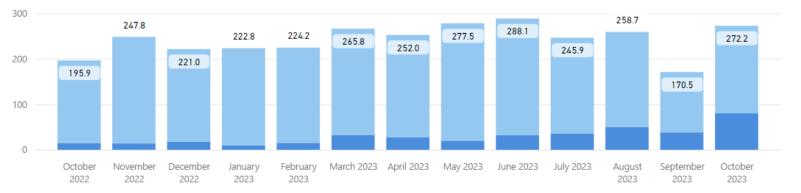






#### **Total TAT by Month**

Rec'd-Assign TAT Assigned TAT Total TAT

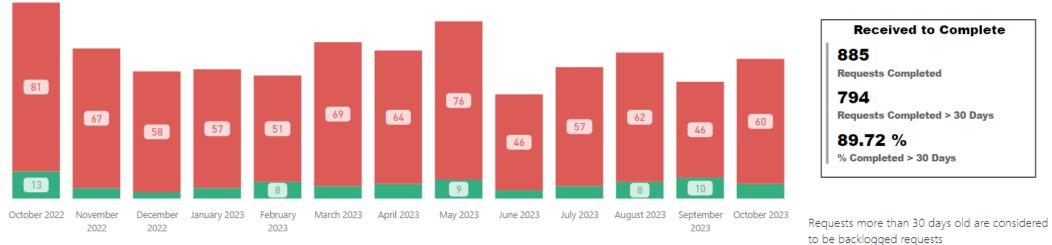


# Request Type

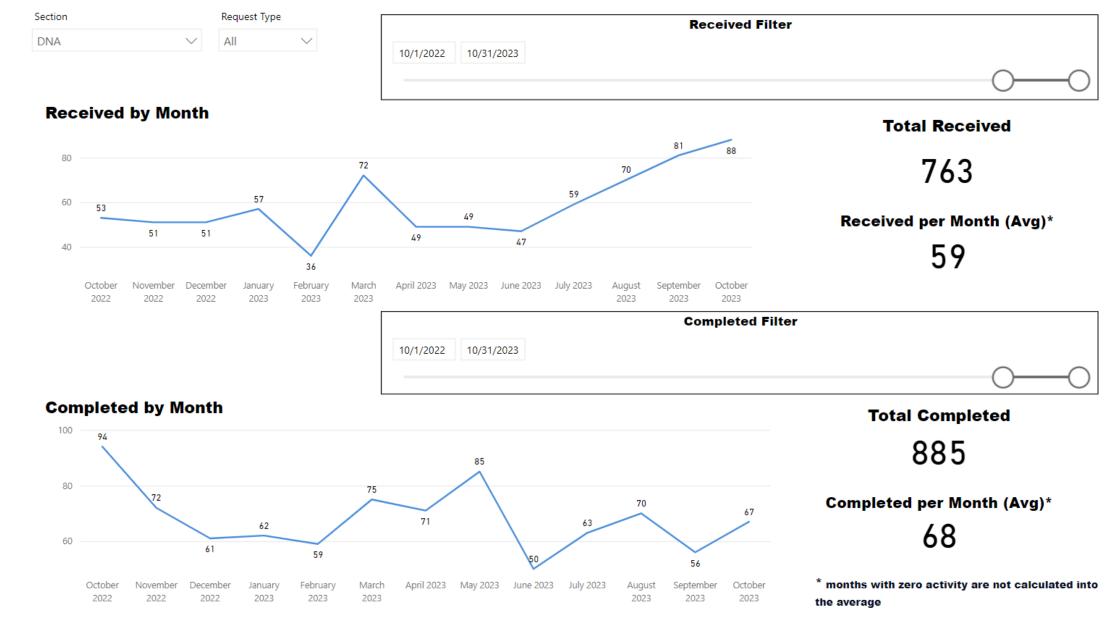
#### **Selected Time Frame Averages**

241.79 Total TAT (Rec'd-Compl.) Avg
212.83 Assigned TAT (AsgmtCompl.) Avg

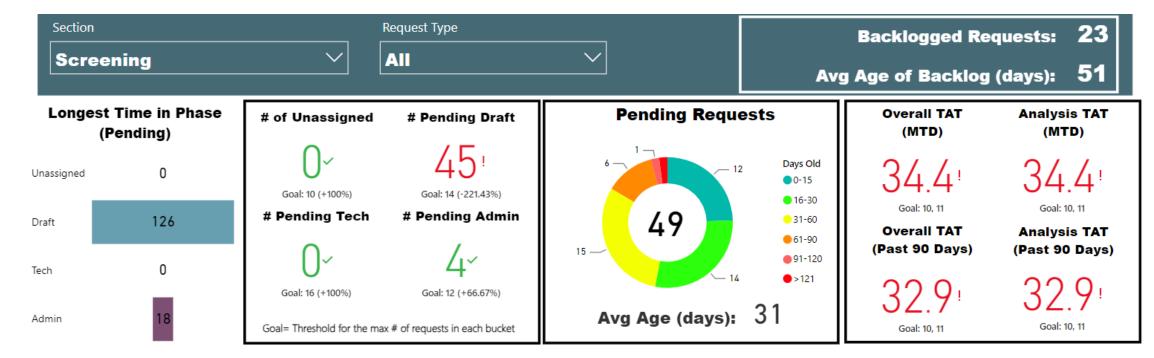
#### **Requests Completed**









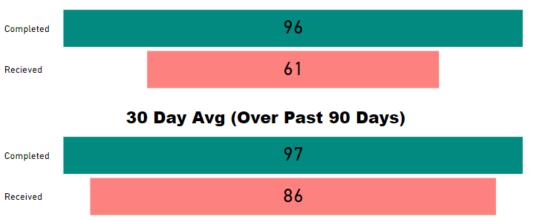




# TAT by Phase of Work (Past 90 Days)

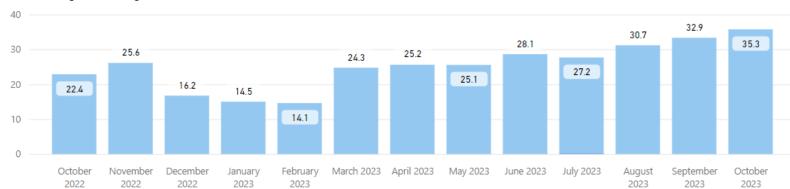


#### Month to Date



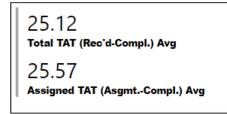
10/1/2022	10/31/2023
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#### **Total TAT by Month**

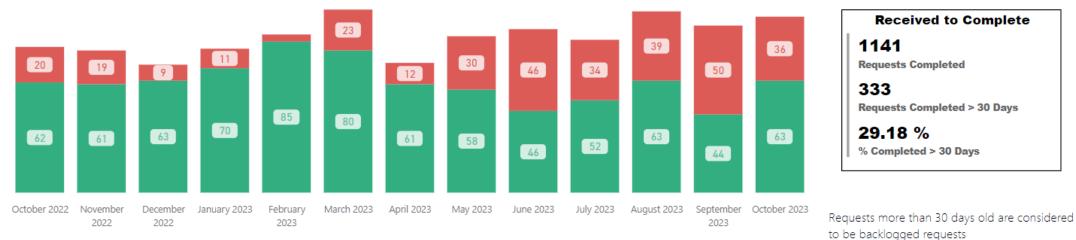


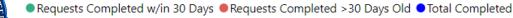
# Request Type Request Type All ✓

## **Selected Time Frame Averages**



# **Requests Completed**

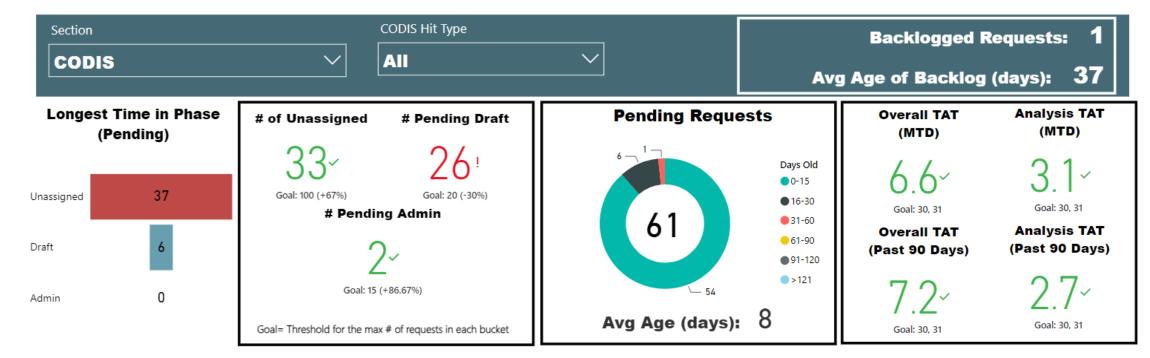




Rec'd-Assign TAT Assigned TAT Total TAT





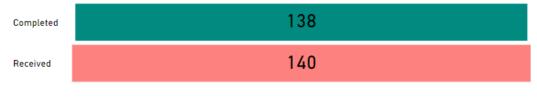


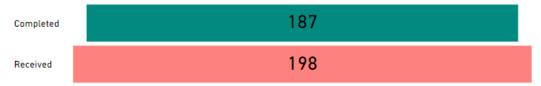


# TAT by Phase of Work (Past 90 Days)



## Month to Date



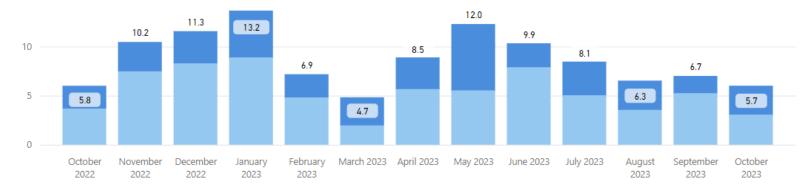






#### **Total TAT by Month**

Rec'd-Assign TAT Assigned TAT Total TAT

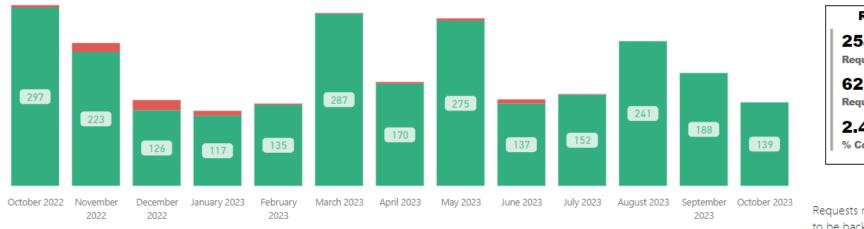


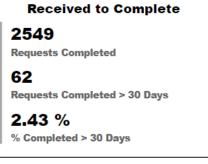


#### Selected Time Frame Averages

8.16 Total TAT (Rec'd-Compl.) Avg
3.31 Assigned TAT (AsgmtCompl.) Avg

## **Requests Completed**





Requests more than 30 days old are considered to be backlogged requests

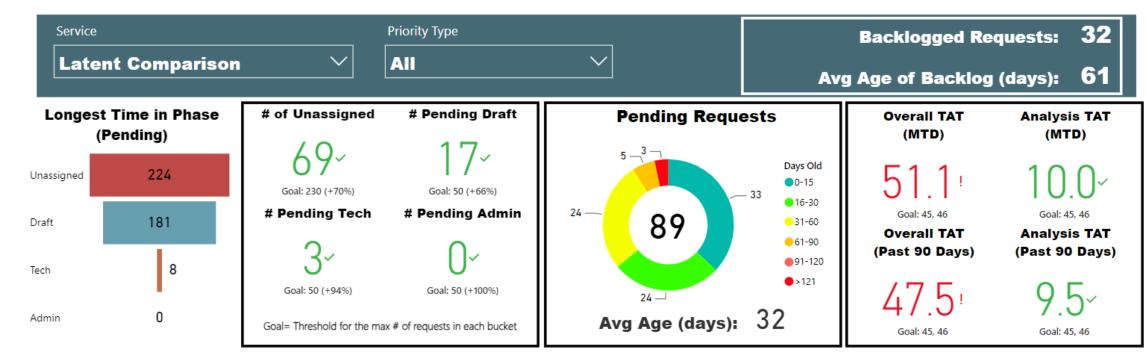






# Latent Prints



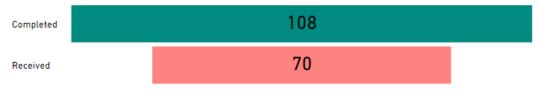


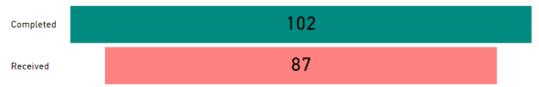


# TAT by Phase of Work (Past 90 Days)

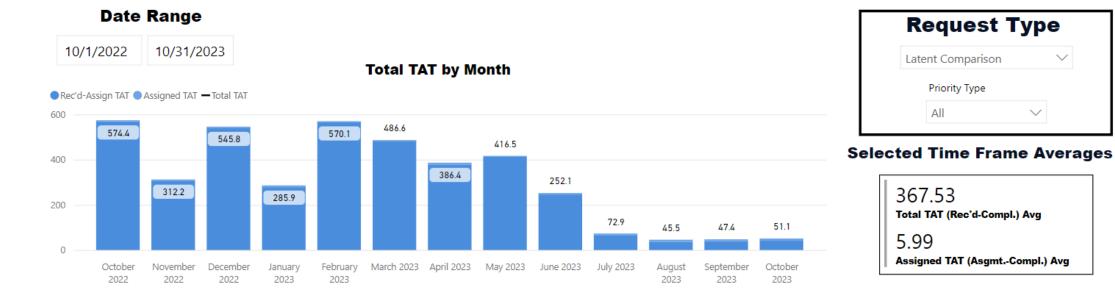


#### Month to Date



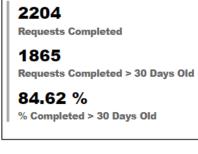






**Requests Completed** 

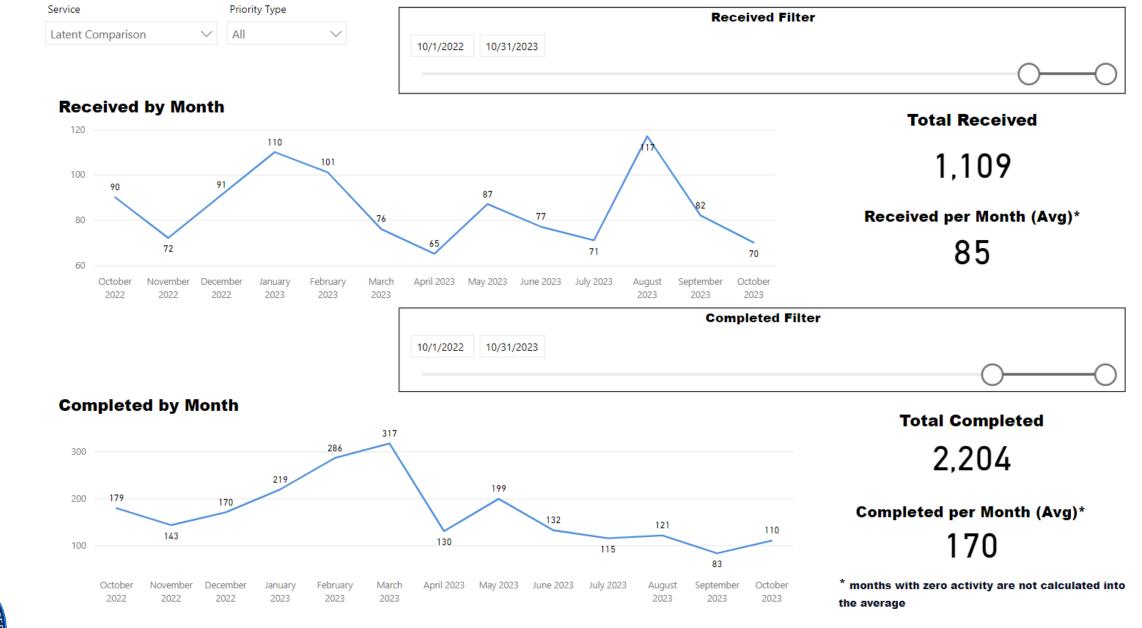




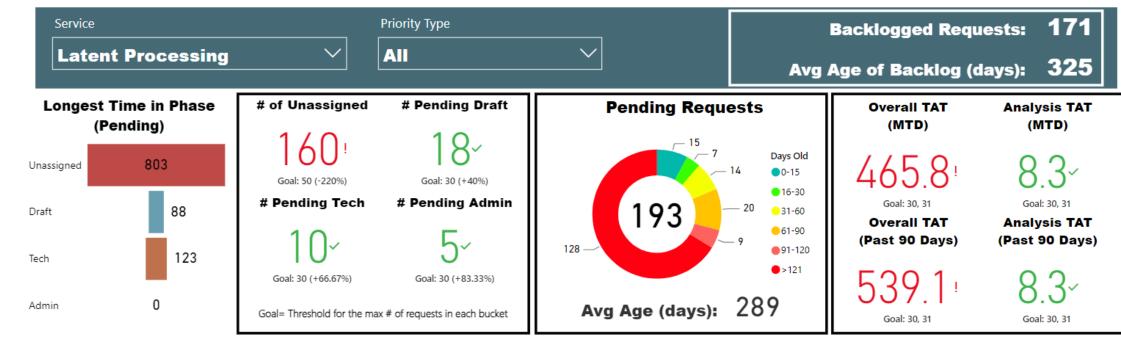
**Received to Complete** 

Requests more than 30 days old are considered to be backlogged requests









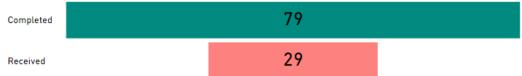


## TAT by Phase of Work (Past 90 Days)



## Month to Date

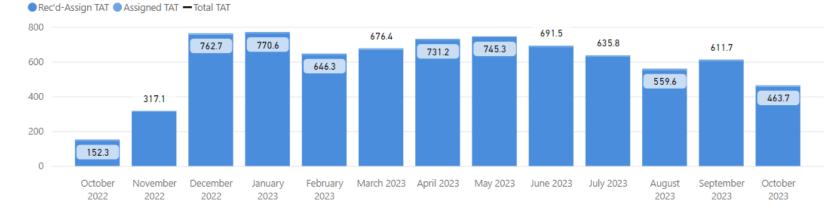








#### **Total TAT by Month**



 Request Type

 Latent Processing

 Priority Type
 All

#### **Selected Time Frame Averages**

637.06 Total TAT (Rec'd-Compl.) Avg
7.42 Assigned TAT (AsgmtCompl.) Avg

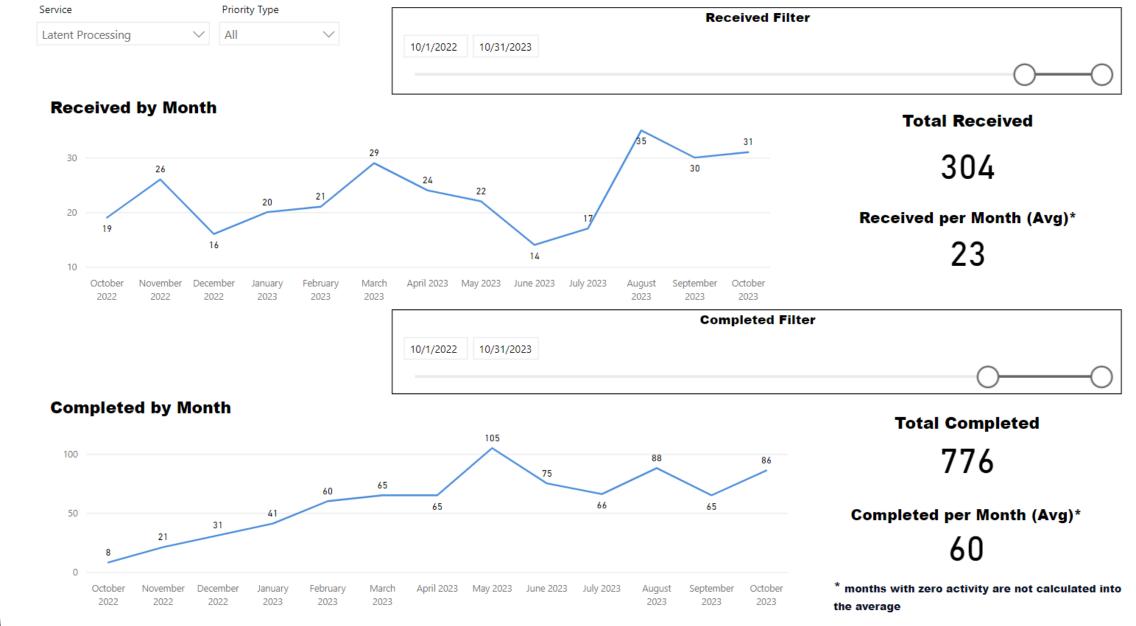
# **Requests Completed**





Requests more than 30 days old are considered to be backlogged requests

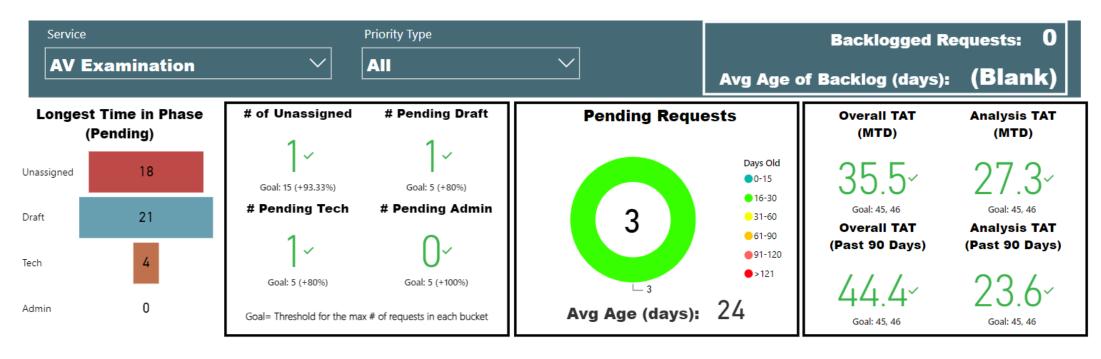






# Digital Multi-Media



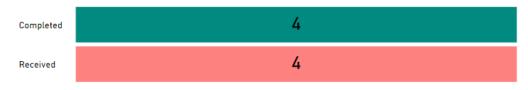


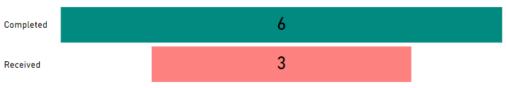


## TAT by Phase of Work (Past 90 Days)



#### Month to Date







21.0

June 2023

July 2023

August 2023

September October 2023

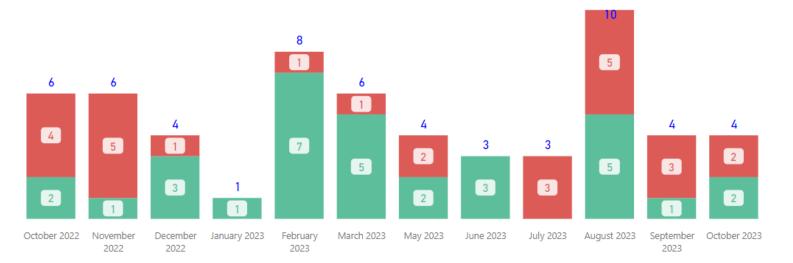
2023

**Requests Completed** 

May 2023

22.7

March 2023





Assigned TAT (Asgmt.-Compl.) Avg

24.85

Requests more than 30 days old are considered to be backlogged requests

Requests Completed w/in 30 Days

19.5

December

2022

January 2023

February

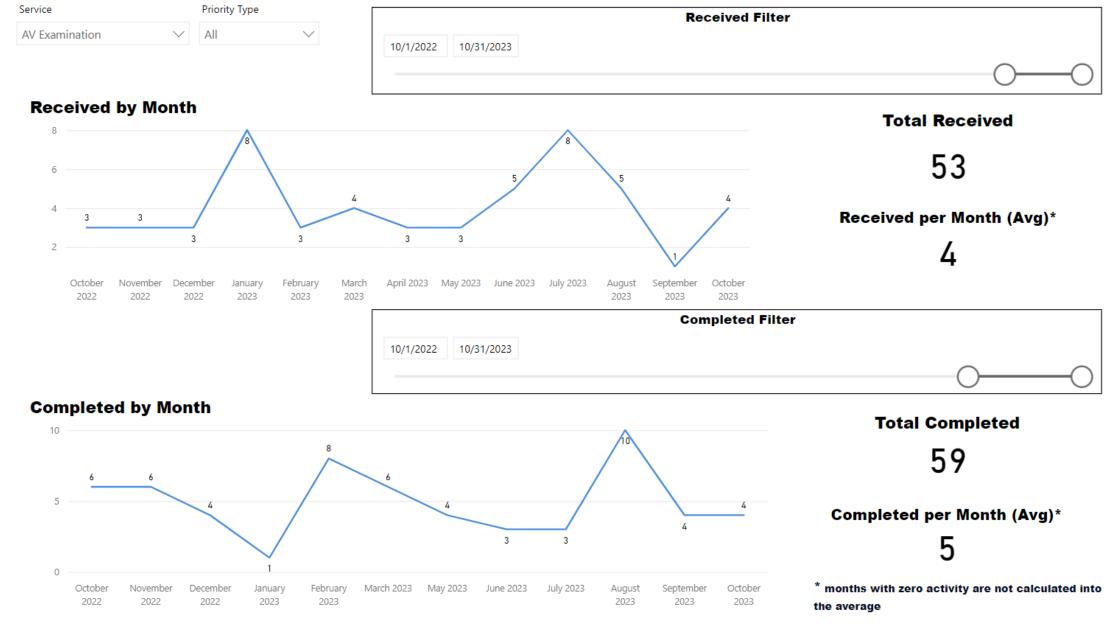
2023

0

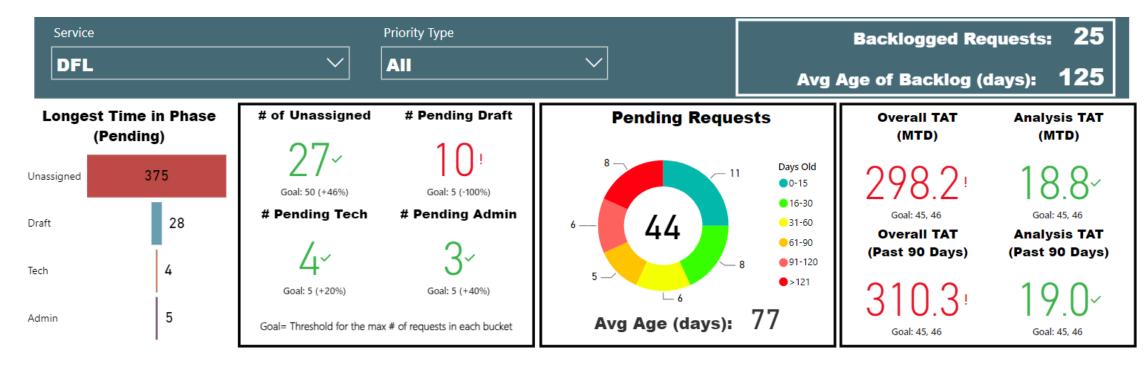
October 2022 November

2022





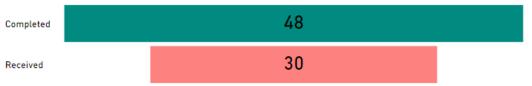


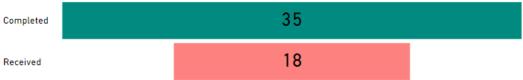






#### Month to Date



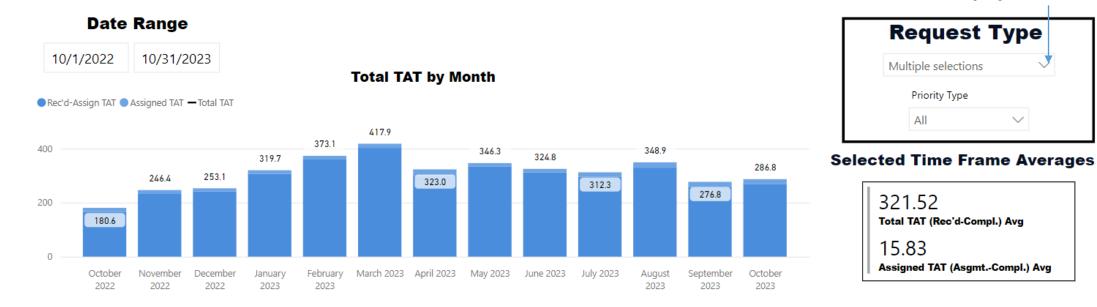


# DFL and DME

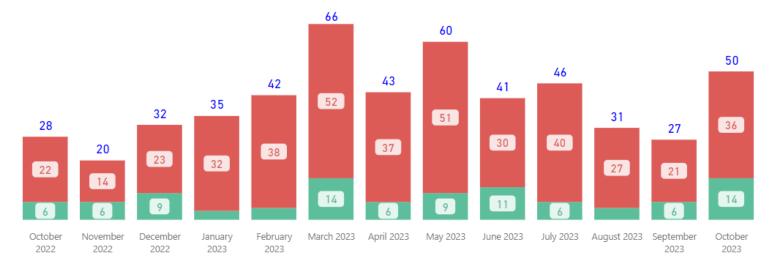
 $\sim$ 

Priority Type

All



## **Requests Completed**





Requests more than 30 days old are considered to be backlogged requests



# DFL and DME

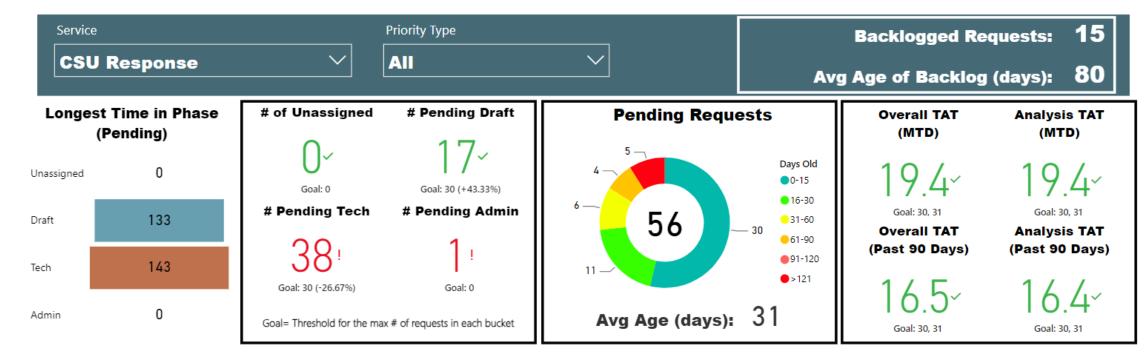


the average



# Crime Scene Unit



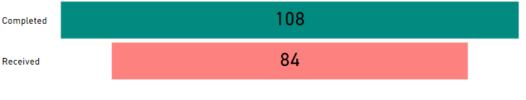


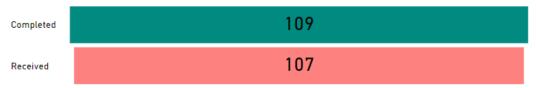


# TAT by Phase of Work (Past 90 Days)



## Month to Date

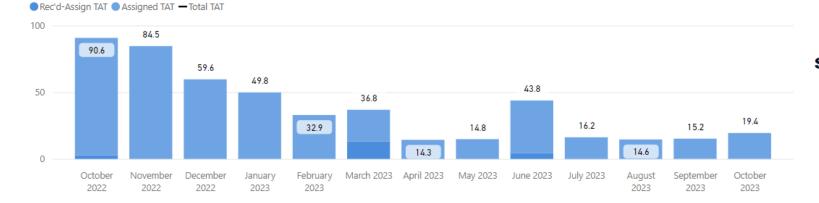






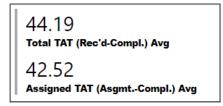


Total TAT by Month



# Request Type CSU Response ✓ Priority Type ✓

#### **Selected Time Frame Averages**



**Requests Completed** 



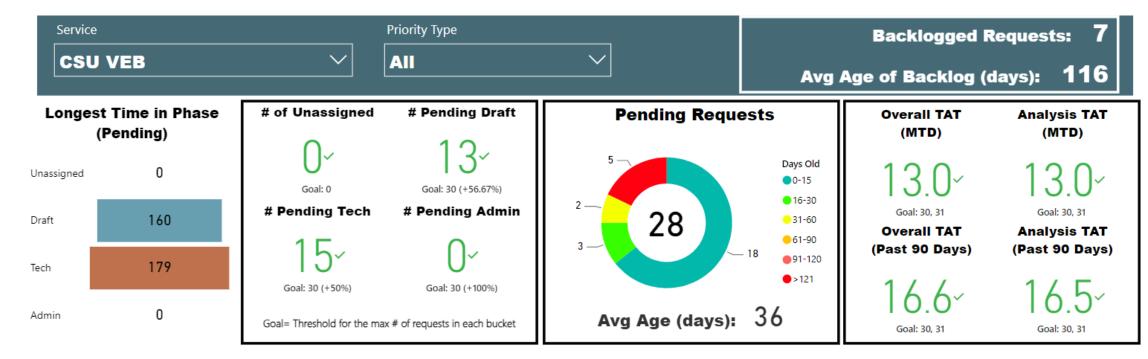


Requests more than 30 days old are considered to be backlogged requests



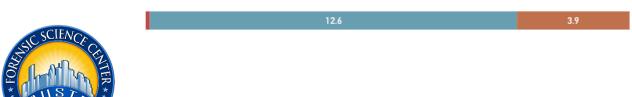




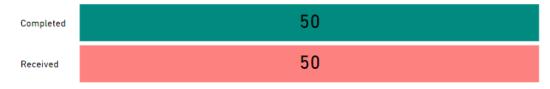


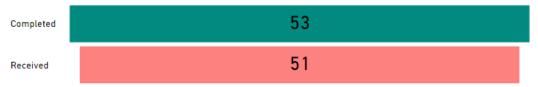


# TAT by Phase of Work (Past 90 Days)



Month to Date

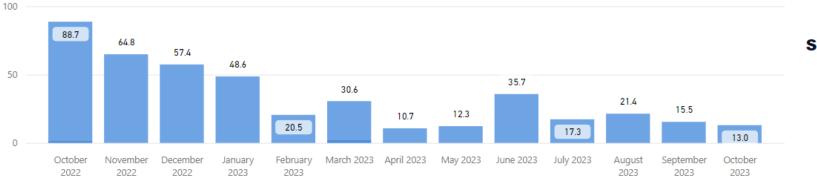


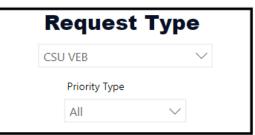




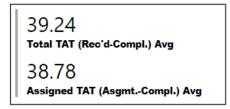
#### **Total TAT by Month**

Rec'd-Assign TAT Assigned TAT Total TAT

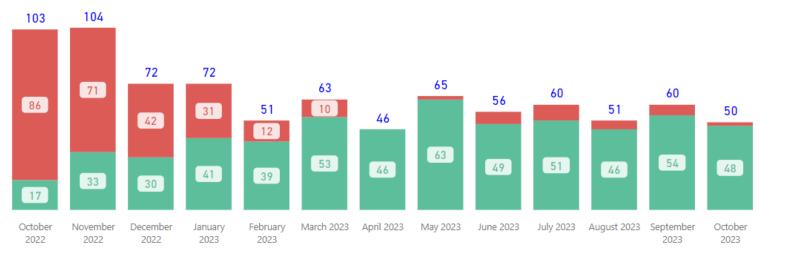




#### **Selected Time Frame Averages**



#### **Requests Completed**





Requests more than 30 days old are considered to be backlogged requests







# HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

Agenda Action Item No.:	<b>8.</b> Consider approval of Third Amendment to First Interlocal Agreement between the City of Houston and the corporation, relating to amending the definition of forensic operations to include the Houston Police Department property division, and related action.
Subject:	Proposal to amend the First Interlocal Agreement between the City of Houston (the "City") and the corporation, to expand the scope of permissible forensic operations.
Background:	Pursuant to City of Houston Ordinance No. 2014-165, passed and adopted by the City on February 26, 2014, the City and the corporation entered into the First Interlocal Agreement whereby the City transferred to the corporation, control of, and responsibility for "Forensic Operations" as defined in that agreement. Any proposed amendments to the First Interlocal Agreement must be approved by the HFSC Board and City Council. In previous board meetings, Dr. Peter Stout has presented to the Board various proposals to expand HFSC's forensic operations to include certain property management services, including management of evidence items. Over the years, Dr. Stout has provided information to the Board regarding potential efficiency gains in property management, which HFSC could assist in implementing, if its forensic operations expanded to include this service.
Executive Summary:	Although discussions are ongoing regarding the potential for HFSC to expand its services to include various property management functions, the current Interlocal Agreement with the City must be amended to allow for any future proposals to be adopted, as the current definition of "Forensic Operations" does not include the contemplated additional services. If the Board approves the proposed amendments, the agreement is not final and is not executed at that time. Rather, the proposed amendments are simply available for consideration by the City and City Council, at a later date, as with all amendments to the First Interlocal Agreement.
Fiscal Impact:	Anticipated costs will require subsequent budget modifications.
Staff Recommendation:	Staff recommends approval.
By:	Dr. Peter Stout, President and CEO Approved as to form, by General Counsel

# HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

Agondo Astion	9. Consider approval of First Amendment to Sublease between the City of
Agenda Action Item No.:	Houston and the corporation for a leased space located at 500 Jefferson Street, Houston, Texas 77002, and related actions.
Subject:	Consider approval of amendments to the existing sublease between the City and the corporation governing HFSC's occupancy of its current lab and office space.
Background:	Pursuant to City of Houston Ordinance No. 2018-793, the City of Houston (the "City") executed a certain Lease Agreement with Jefferson Smith LLC for laboratory and office space located at 500 Jefferson Street, effective October 11, 2018. Subsequently, the City and the corporation entered into a certain Sublease Agreement effective March 6, 2019, passed and adopted by City Council as Ordinance No. 2019-0116. The two agreements provided a mechanism by which HFSC would subsequently relocate its laboratory and office space to 500 Jefferson Street. The agreements also contemplated HFSC's potential need for additional space in subsequent years and during the initial term of the agreement, thus permitting such additions by amendment.
Executive Summary:	HFSC contemplates the potential need for additional space within the 500 Jefferson building, if forensic operations expand over the next several years. Although discussions are ongoing regarding proposals, the current sublease with the City must be amended to allow for any potential future expansion, as the current sublease does not include the necessary space. If the Board approves the proposed amendments, the agreement is not final and is not executed at that time. Rather, the proposed amendments are simply available for consideration by the City and City Council, at a later date, as with all amendments to the sublease.
Fiscal Impact:	Anticipated costs will require subsequent budget modifications.
Staff Recommendation:	Staff recommends approval.
By:	Dr. Peter Stout, President and CEO Approved as to form by General Counsel

# Houston Forensic Science Center, Inc. (A Component Unit of the City of Houston)

Financial Statements and Single Audit Reports for the year ended June 30, 2023

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#### **Independent Auditors' Report**

To the Board of Directors of Houston Forensic Science Center, Inc.:

#### **Report on the Audit of the Financial Statements**

#### **Opinions**

We have audited the financial statements of the governmental activities and the major fund of Houston Forensic Science Center, Inc., as of and for the years ended June 30, 2023 and 2022, and the related notes to the financial statements, which collectively comprise Houston Forensic Science Center, Inc.'s basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of Houston Forensic Science Center, Inc. as of June 30, 2023 and 2022, and the respective changes in financial position thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Basis for Opinions**

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are required to be independent of Houston Forensic Science Center, Inc. and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Houston Forensic Science Center, Inc.'s ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

#### Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Houston Forensic Science Center, Inc.'s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Houston Forensic Science Center, Inc.'s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

#### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that management's discussion and analysis be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Houston Forensic Science Center, Inc.'s basic financial statements. The accompanying supplementary information included in schedule of expenditures of federal awards for the year ended June 30, 2023 as required by Title 2 U. S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements and certain additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

#### **Report Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated September 14, 2023 on our consideration of Houston Forensic Science Center, Inc.'s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Houston Forensic Science Center, Inc.'s internal control over financial report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Houston Forensic Science Center, Inc.'s internal control over financial reporting and compliance.

Blazek & Vetterling

September 14, 2023

#### Houston Forensic Science Center, Inc. Management's Discussion and Analysis For the years ended June 30, 2023 and 2022 (unaudited)

The following discussion and analysis of Houston Forensic Science Center, Inc.'s (HFSC) financial performance provides an overview of the financial activities for the years ended June 30, 2023 and 2022. This discussion should be read in conjunction with HFSC's financial statements, which follow this section.

#### FINANCIAL HIGHLIGHTS

Financial highlights for the fiscal year ending June 30, 2023 include:

- HFSC's total net position increased by \$1.2 million with revenue of \$32.1 million and expenses of \$30.9 million.
- \$25.6 million of HFSC's expenses were program expenses incurred in connection with forensic science services.
- HFSC recognized revenue of \$28.5 million in appropriations from the City of Houston (the City) in its statement of activities.
- HFSC was awarded a \$4.95 million American Rescue Plan Act (ARPA) grant as a subrecipient from the City for the purpose of providing public safety in enhancing HFSC's services and recognized revenue of \$1.4 million related to reimbursable expenses per the grant agreement.
- HFSC entered lease agreements to acquire the use of forensic and office equipment, which added lease and capital assets and lease liabilities of \$460,000.
- HFSC added \$311,000 in capital assets during the year in addition to the lease asset referred to above.
- At the close of the current fiscal year, HFSC's general fund reported a fund balance of \$3,769,000, an increase of \$2.1 million in comparison with the prior year. This increase is due to higher than expected employee turnover, resulting in lower than expected salary expense. HFSC also had lower than budgeted general laboratory expenses.

Financial highlights for the fiscal year ending June 30, 2022 include:

- HFSC's total net position decreased by \$394,000 with revenue of \$30.7 million and expenses of \$31.1 million.
- \$25.3 million of HFSC's expenses were program expenses incurred in connection with forensic science services.
- HFSC recognized revenue of \$28.5 million in appropriations from the City in its statement of activities.
- HFSC entered lease agreements to acquire the use of forensic and office equipment, which added lease and capital assets and lease liabilities of \$174,000.
- HFSC added \$357,000 in capital assets during the year in addition to the lease asset referred to above.
- At the close of the current fiscal year, HFSC's general fund reported a fund balance of \$1,637,000, an increase of \$571,000 in comparison with the prior year. This increase is the result of receiving a \$1.3 million budget increase to increase the resources available to the Crime Scene Unit and Toxicology functions through additional staff and equipment, as well as delays in the anticipated timing of leased equipment purchases for Toxicology and Firearms resulting in lower than budgeted expenses. HFSC also experienced higher than expected employee turnover, resulting in lower than expected salary expense. HFSC also had lower than budgeted general laboratory expenses.

#### **OVERVIEW OF THE FINANCIAL STATEMENTS**

This discussion and analysis is intended to serve as an introduction to HFSC's basic financial statements. The basic financial statements present combined government-wide and governmental fund financial statements. The notes to the financial statements provide additional information that is essential to a full understanding of the basic financial statements.

*Government-wide financial statements* reflect an economic resources measurement focus and are prepared using the accrual basis of accounting. The government-wide financial statements are designed to provide readers with a broad overview of HFSC's finances, in a manner similar to a private-sector business. The statement of net position shows the financial position of HFSC at year end by presenting HFSC's assets and liabilities, with net position representing the difference between assets and liabilities. The statement of activities presents information showing changes in HFSC's net position during the year. Changes in net position are reported when an underlying event giving rise to a change occurs, regardless of the timing of related cash flows. Therefore, revenue and expenses are reported in this statement for some items that will not result in cash flows until future fiscal periods.

*Governmental fund financial statements* reflect a current financial resources measurement focus and are prepared using the modified accrual basis of accounting. Unlike the government-wide financial statements, the governmental fund financial statements present information showing the near-term inflows and outflows of spendable resources and the balances of spendable resources at year end.

HFSC's governmental fund is comprised of its general fund. At June 30, 2023, HFSC's general fund reported a fund balance of \$3,768,762, an increase of \$2,132,114 from the prior year. This increase is the result of lower salary related expenses of \$245,000 and lower lab supplies of \$151,000. Approximately 71% of the fund balance constitutes unassigned fund balance, which is available for spending at HFSC's discretion, with the remainder of the balance representing nonspendable prepaid expenses. At June 30, 2022, HFSC's general fund reported a fund balance of \$1,636,648, an increase of \$570,503 from the prior year. This increase is the result of greater funding to support forensic activity of \$1.3 million. Approximately 39% of the fund balance constitutes unassigned fund balance, which is available for spending at HFSC's discretion, with the remainder of the balance constitutes unassigned fund balance, which is available for spending to support forensic activity of \$1.3 million.

#### **Condensed Government-Wide Financial Information and Financial Analysis**

		AS OF JUNE 30	
	<u>2023</u>	2022	<u>2021</u>
Condensed Statements of Net Position:			
Current and other assets Capital assets	\$ 4,945,725 <u>30,595,639</u>	\$ 2,567,306 31,901,313	\$ 2,788,404 33,389,040
Total assets	<u>\$ 35,541,364</u>	<u>\$ 34,468,619</u>	<u>\$ 36,177,444</u>
Noncurrent liabilities Current liabilities	\$ 32,098,762 2,018,246	\$ 32,525,917 <u>1,671,914</u>	\$ 33,131,386 2,381,304
Total liabilities	<u>\$ 34,117,008</u>	<u>\$ 34,197,831</u>	<u>\$ 35,512,690</u>
Net position: Unrestricted Net investments in capital assets	\$ 2,409,371 (985,015)		\$ (391,790) <u>1,056,544</u>
Total net position	<u>\$ 1,424,356</u>	<u>\$ 270,788</u>	<u>\$ 664,754</u>

#### Fiscal Year 2023

The assets of HFSC primarily consist of cash, grants receivable from a federal government agency, prepaid expenses and capital assets, which includes leased assets. Liabilities primarily consist of operating expenses, including accrued salaries, compensated absences, and lease liabilities. The increase in assets at June 30, 2023, as compared to June 30, 2022, primarily is the result of an increase in cash of \$1.6 million due to lower salary related expenses than budgeted, an increase of government grant receivables of \$600,000 due to the CARES Act grant agreement entered into during fiscal year 2023 and acquisition of leased forensic equipment of \$460,000, offset by accumulated depreciation of \$2.1 million due to depreciation and amortization. Liabilities were fairly consistent from prior year as the decrease in the principal payments of \$741,000 were made during fiscal year 2023 offset by an increase in the lease liability of \$460,000 due to the acquisition of leased forensic equipment.

#### Fiscal Year 2022

The assets of HFSC primarily consist of cash, grants receivable from a federal government agency, prepaid expenses and capital assets, which includes leased assets. Liabilities primarily consist of operating expenses, including accrued salaries, compensated absences, and lease liabilities. The decrease in assets at June 30, 2022, as compared to June 30, 2021, primarily is the result of an increase in accumulated depreciation of \$2.0 million due to depreciation and amortization, a decrease in cash of \$843,000 due to a greater amount of prepayments for goods and services shortly before the 2022 fiscal year end; offset by an increase in prepaid expenses relating to software, insurance, and service agreements and an increase in capital asset additions of \$531,000 related to the purchase of leased forensic and office equipment, computer hardware and vehicles. Liabilities decreased primarily due to the timing of payments relating to operations during fiscal year 2022 and principal payments relating to lease liabilities, offset by \$211,000 of additional lease agreements entered into during the fiscal year.

	FO	R THE YEAR ENDED JU	JNE 30
	<u>2023</u>	<u>2022</u>	<u>2021</u>
Condensed Statements of Activities:			
Expenses:			
Program services	\$ 25,590,225	\$ 25,348,822	\$ 25,286,663
Management and general	4,291,454	4,663,452	4,580,861
Interest expense	1,061,830	1,078,693	1,090,568
Total expenses	30,943,509	31,090,967	30,958,092
Revenue:			
City of Houston – appropriation	27,048,208	27,048,208	25,757,590
City of Houston – facility appropriation	1,460,000	1,460,000	1,460,000
City of Houston – CARES grant	1,391,270		1,358,652
U. S. Department of Justice – government grant			
revenue	1,971,026	1,946,456	1,673,098
Other revenue	226,573	242,337	201,389
Other loss			(293,200)
Total revenue	32,097,077	30,697,001	30,157,529
CHANGES IN NET POSITION	1,153,568	(393,966)	(800,563)
Net position, beginning of year	270,788	664,754	1,465,317
Net position, end of year	<u>\$ 1,424,356</u>	<u>\$ 270,788</u>	<u>\$ 664,754</u>

#### Fiscal Year 2023

The statement of activities reports the expenses and revenue of HFSC and the corresponding effect on net position. The majority of HFSC's revenue is provided from appropriations from the City. The City provides appropriated funds from its general fund and appropriations for facility costs. HFSC also receives federal grant revenue from the U. S. Department of Justice, which is paid on a reimbursement basis.

HFSC recognized ARPA grant revenue of \$1.4 million from the City as a subrecipient for the purpose of providing public safety in enhancing HFSC's services.

Expenses decreased slightly by \$147,000 from the prior year due to employee turnover and unfilled positions.

#### Fiscal Year 2022

The statement of activities reports the expenses and revenue of HFSC and the corresponding effect on net position. The majority of HFSC's revenue is provided from appropriations from the City. The City provides appropriated funds from its general fund and appropriations for facility costs. HFSC also receives federal grant revenue from the U. S. Department of Justice, which is paid on a reimbursement basis.

Appropriation from the City increased \$1.3 million during the year to fund additional forensic activity. Expenses remained fairly consistent from the prior year.

#### CAPITAL ASSETS AND LONG-TERM DEBT

#### Capital Assets

#### Fiscal Year 2023

HFSC's investment in capital assets as of June 30, 2023 totals \$30.6 million (net of accumulated depreciation and amortization). This investment in capital assets includes lease assets, scientific forensic equipment, furniture and equipment, leasehold improvements, and vehicles. The decrease in capital assets for the current fiscal year was primarily related to amortization of leased building space and forensic equipment of \$1.4 million and depreciation of capital assets of \$674,000, offset by the acquisition of leased forensic equipment of \$460,000 and scientific forensic equipment, vehicles, and leasehold improvements of \$311,000. HFSC entered into a lease agreement during 2019 for the use of building space, which comprises approximately 87% of total assets.

#### Fiscal Year 2022

HFSC's investment in capital assets as of June 30, 2022 totals \$31.9 million (net of accumulated depreciation and amortization). This investment in capital assets includes lease assets, scientific forensic equipment, furniture and equipment, leasehold improvements, and vehicles. The decrease in capital assets for the current fiscal year was primarily related to amortization of leased building space and forensic equipment of \$1.3 million and depreciation of capital assets of \$686,000, offset by the acquisition of leased forensic and office equipment of \$211,000 and computer hardware, vehicles, and capital improvements of \$357,000. HFSC entered into a lease agreement during 2019 for the use of building space, which comprises approximately 80% of total assets.

#### Long-Term Debt

#### Fiscal Year 2023

HFSC's lease liability decreased by \$284,000 as a result of HFSC making scheduled principal payments of \$741,000, for the use of building space and forensic lease agreements offset by acquiring the use of leased forensic equipment of \$460,000.

See additional information concerning the lease agreement in Note 6 to the financial statements.

#### Fiscal Year 2022

HFSC's lease liability decreased by \$469,000 as a result of HFSC making scheduled principal payments of \$679,000, for the use of building space and forensic lease agreements offset by acquiring the use of leased forensic and office equipment of \$174,000.

See additional information concerning the lease agreement in Note 6 to the financial statements.

#### ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS

HFSC's Board of Directors approves an annual financial budget which serves as the basis for HFSC's allocation of resources.

During the 2024 budget process, the City appropriated revenue for 2024, which is projected to be \$29 million. HFSC also projects utilizing \$1.7 million of the \$4.95 million remaining in ARPA grant funds during fiscal year 2024.

#### **Contacting Houston Forensic Science Center, Inc.'s Financial Management**

The financial report is designed to discuss issues that may be material to the operation of HFSC. Questions concerning any of the information provided in this report or requests for additional information should be addressed to the Chief Financial Officer and Treasurer, Houston Forensic Science Center, Inc., 500 Jefferson St., 13<sup>th</sup> Floor, Houston, Texas, 77002.

Governmental Fund Balance Sheet and Statement of Net Position as of June 30, 2023

	GENERAL <u>FUND</u>	adjustments <u>(note 9</u> )	STATEMENT OF <u>NET POSITION</u>
ASSETS			
Current assets: Cash Government grants receivable Prepaid expenses and other assets	\$ 2,773,358 1,085,442 1,086,925		\$ 2,773,358 1,085,442 1,086,925
Noncurrent assets: Capital assets, net of depreciation and amortization (Note 5)		<u>\$ 30,595,639</u>	30,595,639
TOTAL ASSETS	<u>\$ 4,945,725</u>	<u>\$ 30,595,639</u>	<u>\$ 35,541,364</u>
LIABILITIES			
Current liabilities: Accounts payable and accrued expenses Lease liability, current portion <i>(Note 6)</i>	\$ 1,176,963	\$ 841,283	\$ 1,176,963 841,283
Noncurrent liabilities: Compensated absences Lease liability, long-term portion <i>(Note 6)</i>		1,359,391 30,739,371	1,359,391 30,739,371
TOTAL LIABILITIES	1,176,963	<u>\$ 32,940,045</u>	<u>\$ 34,117,008</u>
FUND BALANCE			
Nonspendable prepaid expenses Unassigned	1,075,825 2,692,937		
TOTAL FUND BALANCE	3,768,762		
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 4,945,725</u>		
NET POSITION			
Unrestricted Invested in capital assets, net of related debt		\$ (1,359,391) (985,015)	\$ 2,409,371 (985,015)
TOTAL NET POSITION		<u>\$ (2,344,406</u> )	<u>\$ 1,424,356</u>

Governmental Fund Balance Sheet and Statement of Net Position as of June 30, 2022

	GENERAL <u>FUND</u>	ADJUSTMENTS <u>(NOTE 9</u> )	STATEMENT OF <u>NET POSITION</u>
ASSETS			
Current assets: Cash Government grants receivable Prepaid expenses and other assets	\$ 1,140,948 423,823 1,002,535		\$ 1,140,948 423,823 1,002,535
Noncurrent assets: Capital assets, net of depreciation and amortization (Note 5)		<u>\$ 31,901,313</u>	31,901,313
TOTAL ASSETS	<u>\$ 2,567,306</u>	<u>\$ 31,901,313</u>	<u>\$ 34,468,619</u>
LIABILITIES			
Current liabilities: Accounts payable and accrued expenses Lease liability, current portion <i>(Note 6)</i>	\$ 930,658	\$ 741,256	\$ 930,658 741,256
Noncurrent liabilities: Compensated absences Lease liability, long-term portion <i>(Note 6)</i>		1,403,233 	1,403,233 31,122,684
TOTAL LIABILITIES	930,658	<u>\$ 33,267,173</u>	<u>\$ 34,197,831</u>
FUND BALANCE			
Nonspendable prepaid expenses Unassigned	998,635 <u>638,013</u>		
TOTAL FUND BALANCE	1,636,648		
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 2,567,306</u>		
NET POSITION			
Unrestricted Invested in capital assets, net of related debt		\$ (1,403,233) <u>37,373</u>	\$ 233,415 <u>37,373</u>
TOTAL NET POSITION		<u>\$ (1,365,860</u> )	<u>\$ 270,788</u>

Governmental Fund Statement of Revenue, Expenditures, and Changes in Fund Balance and Statement of Activities for the year ended June 30, 2023

	GENERAL <u>FUND</u>	adjustments <u>(note 9</u> )	STATEMENT OF <u>ACTIVITIES</u>
EXPENDITURES / EXPENSES:			
Program services Management and general Capital expenditures Debt service principal – lease payments Interest expense	\$ 23,850,004 4,011,161 770,947 761,134 <u>1,061,830</u>	\$ 1,740,221 280,293 (770,947) (761,134)	\$ 25,590,225 4,291,454 <u>1,061,830</u>
Total expenditures / expenses	30,455,076	488,433	30,943,509
REVENUE:			
Grant from City of Houston – appropriation Grant from City of Houston – facility appropriation Grant from City of Houston – CARES grant U. S. Department of Justice – government grant revenue Other revenue	27,048,208 1,460,000 1,391,270 1,971,026 226,573		27,048,208 1,460,000 1,391,270 1,971,026 226,573
Total revenue	32,097,077		32,097,077
EXCESS OF REVENUE OVER EXPENDITURES / CHANGES IN NET POSITION OTHER FINANCING SOURCES (USES):	1,642,001	(488,433)	1,153,568
Other financing sources – inception of lease	490,113	(490,113)	
Total other financing sources (uses)	490,113	(490,113)	
CHANGE IN FUND BALANCE / NET POSITION	2,132,114	(978,546)	1,153,568
Fund balance / net position, beginning of year	1,636,648	(1,365,860)	270,788
Fund balance / net position, end of year	<u>\$ 3,768,762</u>	<u>\$ (2,344,406</u> )	<u>\$ 1,424,356</u>

Governmental Fund Statement of Revenue, Expenditures, and Changes in Fund Balance and Statement of Activities for the year ended June 30, 2022

	GENERAL <u>FUND</u>	adjustments <u>(note 9</u> )	STATEMENT OF <u>ACTIVITIES</u>
EXPENDITURES / EXPENSES:			
Program services Management and general Capital expenditures Debt service principal – lease payments Interest expense	\$ 23,679,319 4,368,848 531,083 679,105 1,078,693	\$ 1,669,503 294,604 (531,083) (679,105)	\$ 25,348,822 4,663,452 <u>1,078,693</u>
Total expenditures / expenses	30,337,048	753,919	31,090,967
REVENUE:			
Grant from City of Houston – appropriation Grant from City of Houston – facility appropriation U. S. Department of Justice – government grant revenue Other revenue	27,048,208 1,460,000 1,946,456 242,337		27,048,208 1,460,000 1,946,456 242,337
Total revenue	30,697,001		30,697,001
EXCESS OF REVENUE OVER EXPENDITURES / CHANGES IN NET POSITION	359,953	(753,919)	(393,966)
OTHER FINANCING SOURCES (USES):			
Other financing sources – inception of lease	210,550	(210,550)	
Total other financing sources (uses)	210,550	(210,550)	
CHANGE IN FUND BALANCE / NET POSITION	570,503	(964,469)	(393,966)
Fund balance / net position, beginning of year	1,066,145	(401,391)	664,754
Fund balance / net position, end of year	<u>\$ 1,636,648</u>	<u>\$ (1,365,860</u> )	<u>\$ 270,788</u>

Notes to Financial Statements for the years ended June 30, 2023 and 2022

#### **NOTE 1 – ORGANIZATION**

<u>Organization</u> – Houston Forensic Science Center, Inc. (HFSC), a component unit of the City of Houston (the City), is a local government corporation created to provide independent forensic services to law enforcement agencies, primarily the Houston Police Department (HPD), and other judicial entities. The formation of HFSC was approved by City Council on June 26, 2012.

HFSC's Board of Directors are appointed by the Mayor of the City and approved by City Council. HFSC receives funding primarily from an interlocal agreement with the City in which funding is received subject to the City's approval of HFSC's annual budget. Funding received must be expended in accordance with the annual budget.

<u>Federal income tax status</u> – HFSC is a local government corporation created to accomplish a governmental purpose of the City and is not subject to federal income tax. Contributions to HFSC are deductible under 501(c)(3) of the Internal Revenue Code.

#### NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

<u>Basis of presentation</u> – These financial statements have been prepared in conformity with the accounting principles and reporting guidelines established by the Governmental Accounting Standards Board (GASB).

<u>Measurement focus and basis of accounting</u> – Measurement focus refers to *what* is being expressed in reporting financial position and performance, that is, *which* resources are being measured. The financial resources measurement focus measures only financial resources while the economic resources measurement focus measures both financial and capital resources. The measurement focus determines *whether* a fund balance sheet or statement of net position reports financial or economic resources. Basis of accounting refers to *when* those resources and commitments and uses of those resources should be recognized. It relates to the timing of the measurements made regardless of the measurement focus applied.

Governmental funds in the fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenue is recognized when it is measurable and available. *Measurable* means the amount of the transaction is known or reasonably estimable. *Available* refers to amounts collected in the current period or expected to be collected soon enough thereafter to be used to pay liabilities of the current period, generally within 60 days after year end. Expenditures are recognized when the related liability is incurred.

Governmental funds in the government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenue is recognized when it is earned and becomes measurable and expenses are recognized in the period incurred.

<u>Cash</u> consists of demand deposits. Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, HFSC will be unable to recover deposits. At June 30, 2023, the carrying amount and the bank balance of HFSC's demand deposit account were \$2,773,358 and

\$2,877,713, respectively. Amounts on deposit that are in excess of the Federal Deposit Insurance Corporation limit of \$250,000 are collateralized by a security agreement with the bank.

<u>Fund balance</u> is classified based upon the relative strength of spending constraints placed upon the purposes for which resources can be used, as follows:

- *Nonspendable fund balance* includes amounts that are either not in spendable form or are legally or contractually required to be maintained intact.
- *Restricted fund balance* includes amounts constrained to specific purposes by resource providers, through constitutional provisions, or by enabling legislation.
- Unassigned fund balance includes amounts that are available for HFSC's future use for any purpose.

<u>Net position</u> represents the difference between assets and liabilities. HFSC reports categories of net position, as follows:

- *Net investment in capital assets* consists of net capital assets reduced by related outstanding debt.
- *Restricted* is constrained to a particular purpose. Restrictions are imposed by external organizations such as City ordinances or grantors.
- *Unrestricted* is available for general use by HFSC.

<u>Capital assets</u> include lease assets, forensic science equipment, office equipment, vehicles, and leasehold improvements. HFSC capitalizes capital expenditures of \$5,000 or greater with an estimated useful life of more than one year. Purchased capital expenditures are carried at cost. Donated capital assets are recorded at fair value at the date of transfer. Depreciation expense is recognized using the straight-line method over estimated useful lives of 5 to 30 years.

<u>Lease assets and lease liabilities</u> – Lease assets include right-to-use assets from lease agreements that exceed one year. The right-to-use asset value equals the lease liability, which is the present value of future lease payments expected to be made during the lease term, plus any prepayments made for future periods and direct costs necessary to place the asset into service. Lease liabilities are reported based on the present value of future lease payments expected to be made during the lease term and includes fixed payments, variable payments based on rate or index, and other certain payments.

<u>Grants</u> – Under both the modified accrual and the accrual basis of accounting, receivables from grants are recognized, net of uncollectible amounts, when all applicable eligibility requirements are met provided the commitment is verifiable and the resources are measurable and probable of collection. Revenue recognized as receivable in advance of the time period during which eligibility requirements are met or resources are available, is deferred under the modified accrual basis of accounting, but is recognized as revenue under the accrual basis of accounting and reflected as restricted net position when eligibility requirements are met.

<u>Estimates</u> – Management must make estimates and assumptions to prepare financial statements in accordance with generally accepted accounting principles. These estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenue, expenditures and expenses and the allocation of expenses among various functions. Actual results could vary from the estimates that were used.

#### NOTE 3 – ACCOUNTABILITY AND COMPLIANCE

#### **New Accounting Standards**

The GASB has issued the following statements which will be effective in future years, as described below. HFSC has not yet determined the impact of implementing these new statements.

Statement No. 100, *Accounting for Changes and Error Corrections*, is effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter. This statement enhances accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability.

Statement No. 101, *Compensated Absences*, is effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. This statement updates the recognition and measurement guidance for compensated absences.

#### **NOTE 4 – RELATED PARTIES**

HFSC is a component unit of the City and receives appropriated funds from the City's general fund, an overhead allocation appropriation representing shared costs for the use of City/HPD facilities, and a facility appropriation to fund costs associated with HFSC's leased office space. HFSC's forensic functions are performed primarily to support HPD.

The City charged HFSC \$319,000 and \$516,000 for services provided to HFSC for fiscal years 2023 and 2022, respectively. The City provided \$1.5 million in facility appropriations representing HFSC's building lease payments in each of the fiscal years 2023 and 2022. The City also provided HFSC \$1.4 million of CARES grant funds to supplement support for expenses related to the COVID-19 pandemic. In fiscal years 2023 and 2022, the City appropriated \$27.0 million, for each year respectively, for general operations.

#### **NOTE 5 – CAPITAL ASSETS**

HFSC's investment in capital assets consists of the following:

	BALANCE AT JULY 1, 2022	ADDITIONS	COMPLETIONS/ DISPOSITIONS	BALANCE AT <u>june 30, 2023</u>
Lease assets: Building Forensic equipment Lease assets, at cost	\$ 31,166,895 <u>1,475,961</u> 32,642,856	<u>\$ 459,570</u> 459,570		\$ 31,166,895 <u>1,935,531</u> 33,102,426
Accumulated amortization	(4,020,935)	<u>(1,394,911</u> )		<u>(5,415,846</u> )
Total lease assets, net	28,621,921	(935,341)		27,686,580
Other capital assets: Scientific forensic equipment Furniture and office equipment Leasehold improvements Vehicles LIMS database Construction in progress	2,459,406 1,146,469 677,835 565,810 1,672,297	81,694 37,188 9,050 182,252 <u>1,194</u>	\$ (38,011)	2,541,100 1,183,657 686,885 710,051 1,672,297 1,194
Other capital assets, at cost Less accumulated depreciation	6,521,817 (3,242,425)	311,378 (673,752)	(38,011) 30,052	6,795,184 (3,886,125)
Other capital assets, net	3,279,392	(362,374)	(7,959)	2,909,059
Capital assets, net of depreciation and amortization	<u>\$ 31,901,313</u>	<u>\$ (1,297,715)</u>	<u>\$ (7,959)</u>	<u>\$ 30,595,639</u>

	BALANCE AT JULY 1, 2021	ADDITIONS	COMPLETIONS/ DISPOSITIONS	BALANCE AT JUNE 30, 2022
Lease assets:				
Building	\$ 31,166,895			\$ 31,166,895
Forensic equipment	1,302,274	<u>\$ 173,687</u>		1,475,961
Lease assets, at cost	32,469,169	173,687		32,642,856
Accumulated amortization	(2,688,411)	(1,332,524)		(4,020,935)
Total lease assets, net	29,780,758	(1,158,837)		28,621,921
Other capital assets:				
Scientific forensic equipment	2,399,831	59,575		2,459,406
Furniture and office equipment	1,108,088	38,381		1,146,469
Leasehold improvements	528,439	149,396		677,835
Vehicles	455,765	110,045		565,810
LIMS database	1,672,297	- ,		1,672,297
Other capital assets, at cost	6,164,420	357,397		6,521,817
Less accumulated depreciation	(2,556,138)	(686,287)		(3,242,425)
Other capital assets, net	3,608,282	(328,890)		3,279,392
Capital assets, net of depreciation and amortization	<u>\$ 33,389,040</u>	<u>\$ (1,487,727</u> )	<u>\$0</u>	<u>\$ 31,901,313</u>

#### NOTE 6 – LEASES

In May 2023, HFSC entered into a 5-year agreement to lease forensic equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 2.65% to calculate the reported lease liability, which is its estimated borrowing rate.

In May 2022, HFSC entered into a 3-year agreement to lease office equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 2.65% to calculate the reported lease liability, which is its estimated borrowing rate.

In December 2021, HFSC entered into a 5-year agreement to lease forensic equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 2.65% to calculate the reported lease liability, which is its estimated borrowing rate.

In May 2021, HFSC entered into a 3-year agreement to lease forensic equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 0.7% to calculate the reported lease liability, which is its estimated borrowing rate. In February 2021, HFSC entered into a 5-year agreement to lease forensic equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 0.7% to calculate the reported lease liability, which is its estimated borrowing rate of 0.7% to calculate the reported lease liability, which is its estimated borrowing rate.

In December 2019, HFSC entered into a 5-year agreement to lease forensic equipment. The agreement includes HFSC's commitment to pay predetermined monthly amounts. HFSC used a discount rate of 3.5% to calculate the reported lease liability, which is its estimated borrowing rate.

In April 2019, HFSC entered a 30-year lease agreement for the use of building space. The agreement includes HFSC's commitment to pay predetermined monthly rent, as well as operating expenses, which include operating expenses that are within the reasonable control of the landlord and are capped at 7% per annum. Operating expenses include costs and expenses such as repairs, landscaping, and other costs to maintain, manage, and ensure the building with HFSC's share set at 21.62% of the building's total operating expenses. HFSC used a discount rate of 3.4% to calculate the reported lease liability, which is its estimated borrowing rate.

The following schedule presents future minimum lease payments as of June 30, 2023.

		PRINCIPAL		<b>INTEREST</b>		TOTAL
2024	\$	841,283	\$	1,041,052	\$	1,882,335
2025		694,132		1,020,576		1,714,708
2026		600,892		1,003,841		1,604,733
2027		571,257		987,871		1,559,128
2028		539,631		972,786		1,512,417
2029-2033		3,998,465		4,507,234		8,505,699
2034-2038		4,974,287		3,733,135		8,707,422
2039-2043		8,033,949		2,662,089		10,696,038
2044-2048		9,878,356		1,123,622		11,001,978
2049-2051		1,448,402		18,528		1,466,930
Total	<u>\$</u> .	31,580,654	<u>\$</u>	17,070,734	<u>\$</u>	48,651,388

#### **NOTE 7 – GOVERNMENT GRANTS**

HFSC is party to contracts with federal governmental agencies and the City. Should these contracts not be renewed, a replacement for this source of support may not be forthcoming and related expenses may not be incurred. Funding sources of government grants include amounts from the U. S. Department of Justice totaling approximately \$2,000,000 and \$1,900,000 during fiscal years 2023 and 2022, respectively, and \$1,400,000 from the Department of the Treasury in fiscal year 2023.

Government grants require fulfillment of certain conditions as set forth in the contracts and are subject to review and audit by the awarding agencies. Such reviews and audits could result in the discovery of unallowable activities and unallowable costs. Consequently, any of the funding sources may, at their discretion, request reimbursement for expenses or return of funds as a result of noncompliance by HFSC with the terms of the contracts. Management believes such disallowances, if any, would not be material to HFSC's financial position or changes in net position.

#### NOTE 8 – EMPLOYEE BENEFIT PLANS

HFSC has both a deferred compensation plan and a defined contribution retirement plan covering substantially all full-time employees. Under the terms of the deferred compensation plan, HFSC matches an amount up to 5% of each participant's annual salary. Under the terms of the defined contribution retirement plan, HFSC contributes an amount equal to 2% of each participant's annual salary. HFSC's contributions to these plans were approximately \$1 million in 2023 and 2022.

#### NOTE 9 – ADJUSTMENTS BETWEEN THE GOVERNMENTAL FUND STATEMENTS AND THE GOVERNMENT-WIDE STATEMENT OF NET POSITION AND STATEMENT OF ACTIVITIES

Total fund balance reported in the governmental fund balance sheet differs from net position reported in the government-wide statement of net position. Differences occur because of the current financial resources focus of the governmental fund statements and the long-term economic focus of the government-wide statement of net position and statement of activities. The provisions of GASB Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, imposed this change in focus. The adjustments below show the difference between the statements that result from this difference in measurement focus.

Adjustments reported in the statements of net position from the governmental fund balance sheet consist of the following:

	<u>2023</u>	<u>2022</u>
Capital assets, including lease assets used in governmental activities are not current financial resources; therefore, are not reported in the fund financial statements.	\$ 30,595,639	\$ 31,901,313
Long-term liabilities, including lease liabilities, are not due and payable in the current period; therefore, are not reported in the fund financial statements.	(31,580,654)	(31,863,940)
Long-term liabilities, including compensated absences, are not due and payable in the current period; therefore, are not reported in the fund financial statements.	(1,359,391)	(1,403,233)
Net adjustment to fund balance to net position of governmental activities	<u>\$ (2,344,406</u> )	<u>\$ (1,365,860</u> )

Adjustments reported in the statements of activities from the governmental fund statements of revenue, expenditures, and changes in fund balance consist of the following:

	<u>2023</u>	<u>2022</u>
Governmental funds report outlays for capital assets as expenditures because such outlays use current financial resources. The statements of activities recognizes the cost of outlays allocated overestimated useful lives as depreciation expense. Capital outlay Depreciation expense Amortization expense		\$ 531,084 (686,287) (1,332,524)
Governmental funds report resources from long-term debt as current financial resources, while the repayment of the principal of long-term debt consumes current financial resources. This amount is the net effect of this difference in the treatment of long-term debt.	273,051	468,554
Expenditures, including compensated absences that are not payable in the current fiscal year, do not require the use of current financial resources; therefore, are not reported as expenditures in the fund financial statements.	46,119	54,704
Net adjustment to decrease net changes in fund balance to change in net position of governmental activities	<u>\$ (978,546</u> )	<u>\$ (964,469</u> )

Schedule of Expenditures of Federal Awards for the year ended June 30, 2023

FEDERAL GRANTOR Pass-through Grantor Program Title & Period	Listing	tract Number	Award <u>Amount</u>	Allowable Federal Expenditures Subrecipients
U. S. DEPARTMENT O	F JUSTICE			
Direct Funding: DNA Backlog Reduction #1 10/20 – 09/22 #2 10/21 – 09/23 #3 10/22 – 09/24	16.741 2020-	-DN-BX-0096 1GG03193DNAX 2GG01692DNAX	\$1,728,033 \$1,806,581 \$2,427,393	\$ 93,164 1,396,978 <u>480,884</u>
Subtotal				1,971,026
Total U. S. Department o	f Justice			1,971,026
DEPARTMENT OF THE TREASURY Passed through City of Houston: COVID-19 – Coronavirus State and Local Fiscal Recovery Funds ARPA – Staff Training, Overtime and Toxicology #4 08/22 – 05/24 21.027 N/A \$4,950,000 <u>1,391,270</u> Total Department of the Treasury <u>1,391,270</u> TOTAL FEDERAL AWARDS <u>\$ 3,362,296 \$ 0</u>				
				<u>* • • • • • • • • • • • • • • • • • • •</u>

See accompanying note to schedule of expenditures of federal awards.

Note to Schedule of Expenditures of Federal Awards for the year ended June 30, 2023

#### **NOTE 1 – SIGNIFICANT ACCOUNTING POLICIES**

<u>Basis of presentation</u> – The schedule of expenditures of federal awards (the schedule) is prepared on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of Title 2 U. S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Federal expenses include allowable expenses funded by federal grants. Allowable costs are subject to the cost principles of the Uniform Guidance and the U. S. Department of the Treasury guidelines, and include both costs that are capitalized and costs that are recognized as expenses in HFSC's financial statements in conformity with generally accepted accounting principles.

HFSC uses the 10% de minimus rate for indirect costs.

Because the schedule presents only a selected portion of the operations of HFSC, it is not intended to, and does not present the net position or changes in net position of HFSC.



#### Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With *Government Auditing Standards*

To the Board of Directors of Houston Forensic Science Center, Inc.:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Houston Forensic Science Center, Inc. (HFSC), which comprise the governmental activities and the major fund as of and for the year ended June 30, 2023, and the related notes to the financial statements, and have issued our report thereon dated September 14, 2023.

#### **Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered HFSC's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of HFSC's internal control. Accordingly, we do not express an opinion on the effectiveness of HFSC's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control such that there are be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We identified a deficiency in internal control, described in the accompanying schedule of findings and questioned costs as item #2023-001 that we consider to be a significant deficiency.

#### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether HFSC's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

#### **Purpose of This Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Blazek & Vetterling

September 14, 2023



#### Independent Auditors' Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance Required by the Uniform Guidance

To the Board of Directors of Houston Forensic Science Center, Inc.:

#### **Report on Compliance for Each Major Federal Program**

#### **Opinion on Each Major Federal Program**

We have audited Houston Forensic Science Center, Inc.'s (HFSC) compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of HFSC's major federal programs for the year ended June 30, 2023. HFSC's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, HFSC complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2023.

#### Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the *Auditors' Responsibilities for the Audit of Compliance* section of our report.

We are required to be independent of HFSC and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of HFSC's compliance with the compliance requirements referred to above.

#### **Responsibilities of Management for Compliance**

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to HFSC's federal programs.

#### Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on HFSC's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about HFSC's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding HFSC's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of HFSC's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of HFSC's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

#### **Report on Internal Control Over Compliance**

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiency, or a combination of deficiency, or a combination of deficiency with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the *Auditors' Responsibilities for the Audit of Compliance* section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not

identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Blazek & Vetterling

September 14, 2023

Schedule of Findings and Questioned Costs for the year ended June 30, 2023

#### Section I – Summary of Auditors' Results

#### Financial Statements

Type of auditors' report issued:	🛛 unmodified 🗌 qualified	adverse	disclaimer
<ul> <li>Internal control over financial reporting:</li> <li>Material weakness(es) identified?</li> <li>Significant deficiency(ies) identified that</li> </ul>		🗌 yes	🖂 no
are not considered to be materia		🛛 yes	none reported
Noncompliance material to the finar	cial statements noted?	yes	🛛 no
Federal Awards			
<ul> <li>Internal control over major program</li> <li>Material weakness(es) identified</li> <li>Significant deficiency(ies) ident</li> </ul>	?	🗌 yes	🛛 no
are not considered to be materia		yes	none reported
Type of auditors' report issued on compliance for major programs:	🛛 unmodified 🗌 qualified	adverse	disclaimer
Any audit findings disclosed that are reported in accordance with 2 CFR §		🗌 yes	🔀 no
Identification of major programs:			
Assistance Listing Number N	ame of Federal Program or Cluster		
21.027 C	OVID-19 – Coronavirus State and I	Local Fiscal Re	ecovery Funds
Dollar threshold used to distinguish between Type A and Type B programs: \$750,000			\$750,000
Auditee qualified as a low-risk auditee?		🛛 yes	no no

#### Section II – Financial Statement Findings

Finding #2023-001 – Significant Deficiency

*Criteria:* The management of HFSC is responsible for establishing a system of internal control over financial reporting.

*Condition and context:* As a result of the audit, it was determined that 2 out of 50 non-payroll disbursements tested were recorded in the improper period. Expenses totaling approximately \$19,000 related to fiscal year 2022 were recorded in fiscal year 2023.

*Cause:* HFSC's control procedures designed to ensure proper cut-off of disbursement transactions were not sufficient to ensure that all outstanding liabilities were accrued.

*Effect:* Failure to adequately establish and maintain a system of internal control over the financial reporting of disbursements adversely affects HFSC's ability to prepare financial statements in accordance with generally accepted accounting principles (GAAP).

*Recommendation:* Strengthen procedures to consistently accrue disbursements in accordance with GAAP.

*Views of responsible officials and planned corrective actions:* Management agrees with the finding. See the Corrective Action Plan.

#### Section III – Federal Award Findings and Questioned Costs

There were no findings for federal awards required to be reported in accordance with 2 CFR §200.516(a).



HOUSTON FORENSIC SCIENCE CENTER 500 Jefferson Street, 13<sup>th</sup> Floor Houston, Texas 77002 (713) 929-6760

#### CORRECTIVE ACTION PLAN

September 14, 2023

#### DEPARTMENT OF THE TREASURY

Houston Forensic Science Center, Inc. respectfully submits the following corrective action plan for the year ended June 30, 2023. The audit was performed by: Blazek & Vetterling, 2900 Weslayan, Suite 200, Houston, Texas, 77027.

The finding from the June 30, 2023 schedule of findings and questioned costs is discussed below.

#### FINDINGS – FINANCIAL STATEMENT FINDINGS

Finding #2023-001 - Significant Deficiency

Recommendation: Strengthen procedures to consistently accrue disbursements in accordance with GAAP.

Views of responsible officials and planned corrective actions: Management has immediately implemented the following procedures:

- During the months of May through July following year end, instructions will be provided to all HFSC employees responsible for purchasing goods and services reminding them to forward all invoices to the accounting and finance department.
- HFSC will send notices to vendors to submit invoices for all goods and services provided but not yet . invoiced to HFSC's accounting and finance department by the first week of July following year end.
- HFSC will send notices to all vendors requiring invoices to be sent directly to the Accounts Payable email address.

Responsible officer: David Leach CPA, CIA, Chief Financial Officer and Treasurer

Estimated completion date: Immediately

If the DEPARTMENT OF THE TREASURY has questions regarding this plan, please call David Leach, CPA, CIA at (832) 993-1928.

Sincerely,

Arif here Digitally signed by David David Leach Leach Date: 2023.09.26 06:05:37 05'00' David Leach

Chief Financial Officer and Treasurer

# HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

Agenda Action Item No.:	<ul> <li>11. Consider approval of board resolution 2023-001, relating to the corporation's stated interest in obtaining cooperative purchasing services from Region 8 Education Service Center through the interlocal purchasing system ("TIPS"), and related action.</li> <li>12. Consider approval of an Interlocal Agreement between Region 8 Education Service Center and the corporation, relating to participation in TIPS to obtain cooperative purchasing services, and related action.</li> </ul>
Subject:	Consider approval of a board resolution expressing the corporation's intent to participate in TIPS and the required Interlocal Agreement to contract with Region 8 for the desired services.
Background:	The Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes governmental entities to contract with each other to perform governmental functions and services. Region 8 Education Services Center is a governmental entity which provides a purchasing cooperative for governmental entities and has successfully done so for over a decade. Region 8 houses and manages The Interlocal Purchasing System, a national purchasing cooperative that offers access to competitively procured purchasing contracts to its membership.
	Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. Cooperative Purchasing Services are extended to all Texas State, City and County Government Agencies. As such, HFSC is an eligible governmental entity to participate in the cooperative purchasing program.

Executive	To participate in TPIS and begin procuring the necessary services, Region 8
Summary:	Education Service Center requires HFSC to execute a board resolution
	affirming HFSC's intentions as well as an Interlocal Agreement describing
	the services provided. TPIS provides access to several services offered by
	vendors at a competitive price, including information technology and
	technology solutions, software, maintenance, equipment, supplies, etc.
	HFSC previously utilized these services through an existing agreement with
	the Houston Police Department; however, HFSC now finds it necessary to
	enter into a separate agreement with Region 8 Education Service Center to
	continue benefitting from the competitively procured services offered.
Fiscal Impact:	Anticipated costs will fit within existing budget line items.
Staff	Staff recommends approval.
<b>Recommendation:</b>	
By:	Dr. Peter Stout, President and CEO; Mr. David Leach, Treasurer and CFO
	Approved as to form by General Counsel
1	

### HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

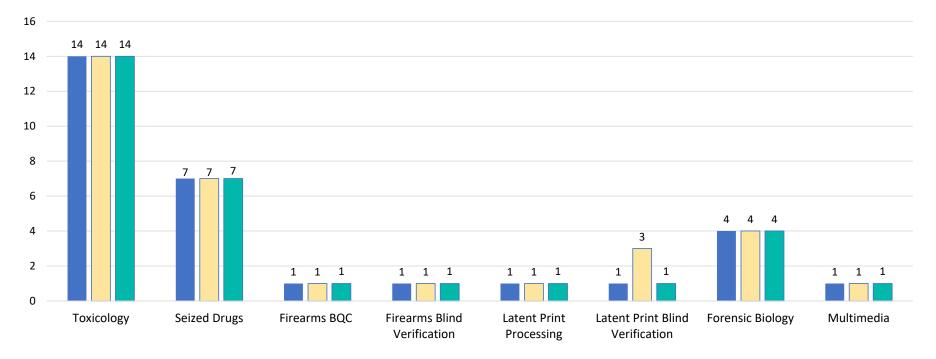
Agondo Action	12 Consider delegating outherity to Dr. Stout to repeating and enter inter
Agenda Action Item No.:	<b>13.</b> Consider delegating authority to Dr. Stout to negotiate and enter into a contract between Cadre Forensics and the corporation for the purchase of a
	3D Scope for use in the firearms section and related services, total budget not to exceed \$420,008.00, and related action.
Subject:	Update on previously delegated authority to Dr. Stout to procure equipment needed for firearms examination. (non-voting item)
Background:	On May 13, 2022, the Board approved an agreement between the City of Houston and HFSC to provide the corporation with \$1,500,000 of American Rescue Plan Act funding. The agreement provided a budget for toxicology outsourcing, overtime pay in the crime scene unit ("CSU") and firearms section, staff training, as well as the purchase of two 3D microscopes for use in the firearms section. On this same date, the board approved a motion to delegate authority to Dr. Stout to procure and select two 3D microscopes, to be funded by the corporation's subrecipient agreement with the city, total budget not to exceed \$500,000.00
Executive Summary:	HFSC is purchasing two 3D microscopes to allow the firearms section to implement necessary technology to address growing challenges to traditional comparison methods in the discipline. HFSC seeks to implement 3D scanning/imaging technology for comparison of firearms-related evidence (i.e., bullets and/or cartridge cases) to meet the public safety needs of the city. 3D scopes allow for a more automated set up for comparisons and more robust database efforts, which will in turn help the discipline work towards statistical support for firearms examination conclusions.
	HFSC issued a Request for Proposals in August 2023 for two 3D scopes and related services for training and validation. After a competitive procurement process, HSFC selected vendor Cadre Forensics as the successful respondent. Pursuant to the Board's previous vote in May 2022, Dr. Stout will conclude contract negotiations with Cadre Forensics for a contract amount of \$420,008.00.
Fiscal Impact:	Anticipated costs will fit within existing budget line items.

Staff Recommendation:	Staff recommends approval.
By:	Dr. Peter Stout, President and CEO Legal review by General Counsel

# Quality Division Report November 17, 2023



# Blind Quality Controls Submitted in September and October



Monthly Goal Submitted in September Submitted in October

# **BQC & Quality Updates**



- Implementation of a Blind Quality Control Program in a Forensic Laboratory
- Selected by the Editors of the Journal of Forensic Sciences as article to be featured in the special JFS Virtual Issue compiled to celebrate National Forensic Science Week September 17-23, 2023.



### Researchers Visit HFSC

- Dr. Stephanie Madon and Dr. Max Guyll
  - Professors and researchers in the field of psychology conducting research to help demonstrate the validity of firearms examination.
- Presented on latest publication "Validity of forensic cartridge-case comparisons" published on Proceedings of the National Academy of Sciences (PNAS)
  - Extended invite to all Forensic Laboratories and HCDAO
  - ~70 total attendees (both virtual and in-person)
  - Session was recorded



### Safety, Security and Facilities Internal Audit

Audit was conducted by the Quality Division from October 2<sup>nd</sup> – October 9<sup>th</sup>, 2023.

Nonconformance:

Safety: Two analysts were not fit tested during the 2022 respiratory fit testing session.

**Opportunities for Improvement:** 

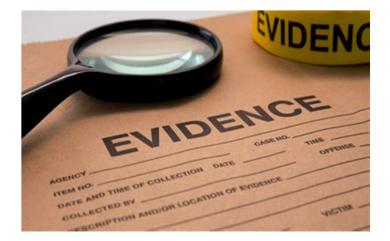
Security: One Safety: Four Facilities: None





### CS/CM Internal Audit

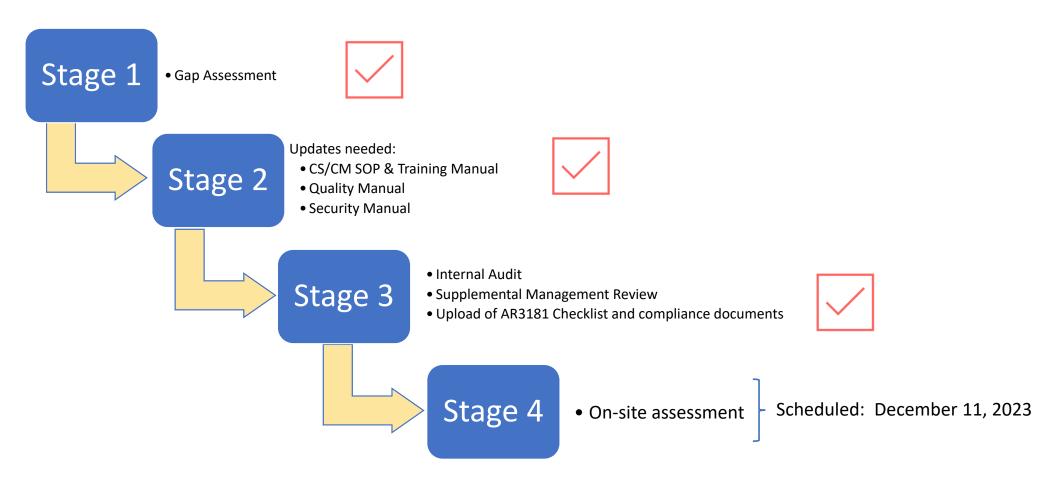
- In preparation for ANAB's Property & Evidence Accreditation Program AR3181
- Audit was conducted by the Quality Division from October 2<sup>nd</sup> – October 9<sup>th</sup>, 2023.
- No nonconformances noted





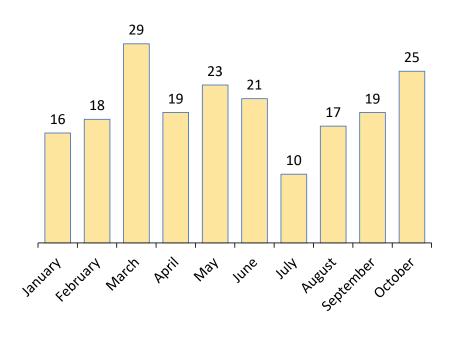


# ANAB Property & Evidence accreditation

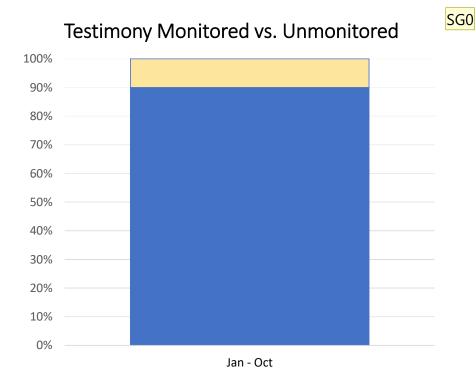




# 2023 Testimony Monitoring



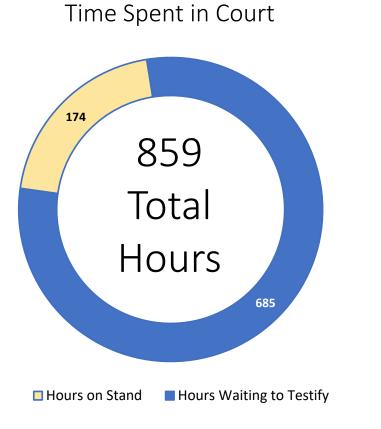
Testimonies by Month

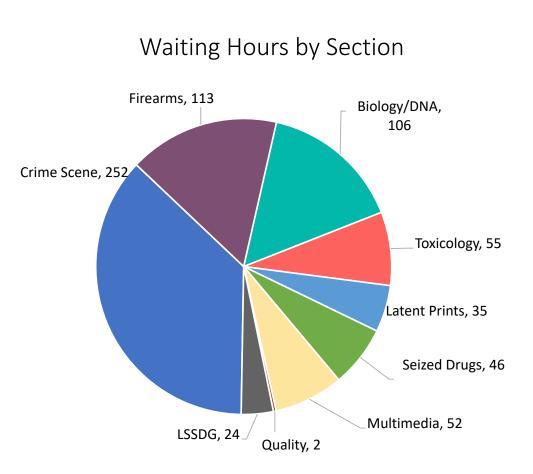


SG0 [@Jackeline Moral] 2 staff members that were not monitored are no longer employed at HFSC. I wasn't sure how you would like me to depict that here. Stephanie Galioto, 2023-11-02T17:39:21.114



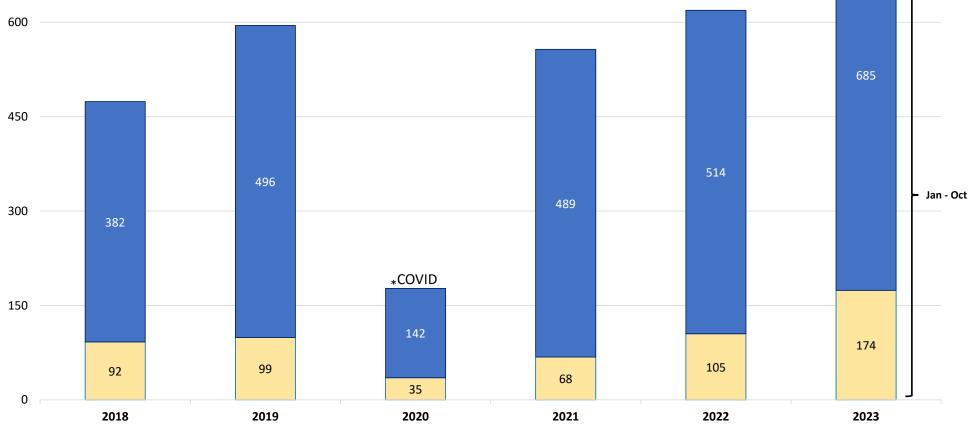
## 2023 Testimony Data







#### Testimony data throughout the years



Time on Stand (Hrs) Time spent Waiting (Hrs)

# Detailed Data

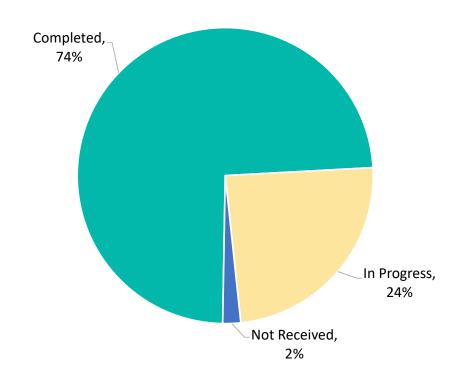


### Blind Quality Controls Completed

Forensic Discipline	September	October	
Toxicology	5 (BAC) 5 (Drugs)	17 (BAC) 1 (Drugs)	
Seized Drugs	6	8	
Biology	0 (DNA) 3 (screening)	3 (DNA) 3 (screening)	
Firearms	1	0	
Firearms Blind Verification	0	2	
Latent Print Processing	0	3	
Latent Print Comparison	1	0	
Latent Print Blind Verification	3	2	
Multimedia	0	0	



### 2023 Proficiency Testing



#### Slide 13

- **SG0** [@Jackeline Moral] Not sure if you want to include the non-consensus PTs from FBIO as "under investigation". The PTs are "satisfactory" but we are investigating the review process for the CTS portal entry. Stephanie Galioto, 2023-11-02T16:13:58.700
- **SG0 0** [@Annalivia Harris] do the recent tox non-consensus PTs need to be included in the comments here? Stephanie Galioto, 2023-11-09T20:02:01.001
- AH0 1 [@Stephanie Galioto]Sorry, I don't know how non-consensus results are normally provided to the board. There are actually 2, the investigations are complete, they did not obtain consensus results, but the manager considers the results satisfactory. For one tox did a screening test and would not have reported results; the other sample had a lower than expected level of THC, but the sample was not analyzed quickly because Tox had to make new calibrators. THC levels are known to decrease with time. Annalivia Harris, 2023-11-09T21:01:28.946

#### SG0 2 Thanks, Llv!

Stephanie Galioto, 2023-11-09T22:20:59.142



#### **Quality Division Notifications**

Corrective Actions, Incidents, and Preventive Actions

Quality Tracking Number	Section	Classification	Notification Date	Summary of Notification
2023-034	Biology/DNA	10/2/2023	Incident	While processing a large rake with two swabs, a screening analyst inadvertently broke one of the swabs causing the swab to fall onto the floor.
2023-038	Biology/DNA	10/11/2023	Incident	An evidence item yielded a mixture with an unknown DNA profile when analyzed by the Forensic Biology section. The unknown profile was compared to the HFSC elimination database and was consistent with the screening analyst who processed the evidence.
2023-039	Biology/DNA	10/31/2023	Incident	One Forensic Biology proficiency test item yielded a non-consensus Y Screening result caused from the incorrect transcription of the result into the proficiency test provider submission portal.
2023-036	Crime Scene	9/27/2023	Incident	Two completed latent print cards were discovered in the storage closet of the Vehicle Examination Building. These cards were appropriately completed and labeled and were submitted to the requesting agency under the appropriate case number.
2023-037	Crime Scene	10/12/2023	Incident	After the completion of a homicide scene, it was determined that the CSI trainee was unable to process a crime scene utilizing the skills and standards set forth in the CSU SOP.
2023-PAR8	Crime Scene	10/31/2023	Preventive Action	The Crime Scene Unit implemented the use of waterproof paper and pens to be used during times of inclement weather to prevent the risk of damage and/or degradation to notes taken while processing a scene.
2023-PAR9	Crime Scene	10/31/2023	Preventive Action	The Crime Scene Unit created a Testimony Guide specific to the discipline, initiated a self-review of testimony transcripts that were requested for monitoring purposes, and created a Testimony Resources folder on SharePoint to prevent potential testimony inaccuracies and lower concerns associated with going to court.
2023-PAR10	Crime Scene	10/31/2023	Preventive Action	The Crime Scene Unit transitioned to an electronic case file tracking system that provides the ability to efficiently locate case packets throughout the report writing and review processes and will prevent case packets from getting misplaced.

HFSC'S Quality Division investigates nonconforming work and helps develop solutions in compliance with accreditation and legal standards. For the purposes of this board report, Quality tracking numbers associated to nonconformances are subject to re-assignment based upon further investigation and/or risk assessment.



#### **Quality Division Notifications**

Corrective Actions, Incidents, and Preventive Actions

Quality Tracking Number	Section	Classification	Notification Date	Summary of Notification
2023-IA-03	Logistics and Equipment	10/26/2023	Incident	During the 2023 Security, Safety, and Facilities internal audit, two analysts were not fit tested during the 2022 respirator fit testing session as required per the Health and Safety manual.
2023-035	Multimedia	10/5/2023	Incident	Due to a miscommunication, a technical review was completed on the computer analysis portion of a call out case by an analyst that was in the process of being authorized to conduct this type of casework. An authorized analyst completed a technical review and confirmed that were no technical concerns in the previously released report or case notes.
2023-PAR6	Seized Drugs	9/13/2023	Preventive Action	The Seized Drugs section implemented a visual verification system to denote when gas chromatography mass spectrometer instruments have passed all the required quality control startup criteria/requirements and are ready to run casework samples.

HFSC'S Quality Division investigates nonconforming work and helps develop solutions in compliance with accreditation and legal standards. For the purposes of this board report, Quality tracking numbers associated to nonconformances are subject to re-assignment based upon further investigation and/or risk assessment.

#### HOUSTON FORENSIC SCIENCE CENTER, INC.

Regular Meeting of the Board of Directors

November 17, 2023 at 9:00 a.m.

Agenda Action Item No.:	<b>16.</b> Reconvene into open meeting and consider any action deemed			
Item INU	necessary as a result of the closed meeting, relating to personnel matters,			
	and possible related action.			
Subject:	Consider any action as a result of the closed meeting, including action			
	relating to the President and CEO's annual performance evaluation.			
Background:	Pursuant to Dr. Stout's agreement of employment, the President and CEO			
	shall submit an annual list of corporate priorities and performance objectives			
	to the Board, in consultation with the Board Chair, and shall be evaluated by			
	the Board on or before December 1st of each year. Progress towards these			
	priorities and objectives shall be among the criteria by which the Board			
	reasonably evaluates Stout's annual performance. However, in no event shall			
	Stout's annual performance evaluation occur later than December 1st each			
	year. In consultation with the Board Chair, the date of the annual evaluation			
	each year shall be set and notice given to the Board regarding the same.			
Executive	Pursuant to the employment agreement, the annual performance evaluation			
Summary:	and assessment shall:			
	(a) Be related to the President and CEO's duties as described in the			
	Job Description;			
	(b) Consider the fulfillment or progress towards the approved annual			
	corporate priorities for the review period; and			
	(c) Consider Stout's fulfillment or progress towards the approved			
	annual performance objectives during the review period.			
	During the September 0, 2022 Roard meeting the Reard enproved Dr.			
	During the September 9, 2022 Board meeting, the Board approved Dr. Stout's annual corporate priorities for the 2022-2023 evaluation year.			
	Additionally, during the November 18, 2022 Board meeting, the Board			
	approved three performance objectives for Dr. Stout during the 2022-2023			
	evaluation year. As required, Dr. Stout's fulfillment or progress towards the			
	approved priorities and objectives shall be considered by the Board.			
Fiscal Impact:	No anticipated additional fiscal impact.			
Staff	No recommendation.			
<b>Recommendation:</b>				
By:	Dr. Stacey Mitchell, Board Chair			
	Legal review by General Counsel			