



Houston Forensic Science Center, Inc.

Board of Directors

Public Meeting

~ Minutes ~

Friday, March 08, 2024

www.hfsctx.gov

1. CALL TO ORDER:

At 9:01 a.m., Chairwoman Stacey Mitchell called the meeting to order.

The Houston Forensic Science Center, Inc. (“HFSC” and/or the “corporation”) board of directors (the “board”) convened this in-person meeting on Friday, March 08, 2024, 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 March 05, 2024.

2. ROLL CALL:

The following board members were present in-person:

Chairwoman Stacey Mitchell
Anna Vasquez
Ellen Cohen
Joni Baird
Vicki Huff
Tracy Calabrese

The following board members were absent:

Vice Chairwoman Vanessa Goodwin
Philip Hilder
Jed Silverman
Lois Moore

Chairwoman Mitchell declared a quorum was present.

3. PUBLIC COMMENT:

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

4. REVIEW AND APPROVAL OF MINUTES FROM PRIOR MEETING:

Following a motion by Director Baird, seconded by Director Huff, the board unanimously approved the January 12, 2024 meeting minutes.

5. CHAIRWOMAN MITCHELL'S REPORT:

Chairwoman Mitchell had little to report for today's meeting. She acknowledged individuals who were out for spring break and thanked Directors Baird and Calabrese for attending the virtual HFSC company meeting earlier that week. She reminded the board of the standing invitation for them to attend internal company meetings and strongly encouraged them to attend and learn more about HFSC. In addition, she notified the board of a budget amendment she recently approved for an existing grant-funded contract with Signature Science, originally approved during the January 2023 board meeting. In that particular board meeting, the board authorized the Chair to approve any time-sensitive amendments related to the grant-funded contract without waiting for the next board meeting. Chairwoman Mitchell thanked Dr. Castillo and her team for the hard work they put into completing and executing the amendment.

6. PRESIDENT AND CEO DR. PETER STOUT'S REPORT:

To begin his report, Dr. Stout gave a broad overview of the organization. Currently, there are 30 staff members in training, which is about 15 percent of the organization. The HR department has been hiring more people recently to help expand each section. He noted that other labs are also struggling with the process of hiring and training new analysts in order to reduce backlogs. Once new hires are trained, their work significantly impacts the section's backlog reduction efforts. Both the latent print (LP) and digital multimedia evidence (DME) sections cleared their historic backlogs. HFSC's outsourcing DNA lab is also improving its staff training, which in return will reduce their turn around time of sexual assault kits to 60 days by May 2024. In firearms (FA), the section is putting a pause on trigger pull measurements for about six months, which is a test primarily used for officer involved shootings (OIS). After reading the ANSI/ASB BPR 107 recommendations, HFSC has decided to re-evaluate this measurement due to the method's high variability and unreproducible results. There is no set data for "intent" comparison in order to prove intent in addition to the large variation between weapons. The use of the measurements is often used inappropriately as evidence in court, despite HFSC examiners not testifying to the "intent" related to trigger pressure. An examiner cannot differentiate between intentional and unintentional by reading the measurements. In the meantime, FA has been reaching out to various labs asking for their opinions on other methods and equipment. However, the section will continue to evaluate weapon functionality.

In terms of the proposed budget for fiscal year 2025, the mayor's office approved and supports HFSC's request for more funds in order to make actual progress in resolving the remaining backlog and in expanding HFSC. The American Rescue Plan Act of 2021 (ARPA) funding will be removed from HFSC's budget; therefore, the overall proposed budget will increase by 22 percent to help recover the loss of APRA funds and make actual progress in HFSC's expansion and new property room management project. For example, the forensic biology (F.Bio) section plans to hire four more analysts over the course of five years, which in return should reduce their outsourcing needs. Currently, federal funds aren't enough to cover all F.Bio's outsourcing needs. Additionally, HFSC needs to add more FA examiners as well as more support functions within quality, research & development (R&D), client services/case management (CS/CM), legal, IT, and facilities, in anticipation of increased caseload, court demands, and security measures. The toxicology section will receive the quadrupole time-of-flight mass spectrometry (QTOF), which is a liquid chromatography tandem spectrometry that allows analysts to screen more drugs, specifically for driving cases and sexual assault kits. For CSU, the section will be implementing two CSU academy classes, each teaching seven CSIs, to help increase the unit's expansion. On a side note, Dr. Stout announced that he was nominated to the National Academy of Sciences study committee entitled, *Advancing the Field of Forensic Pathology: Lessons Learned from Death in Custody Investigations*. This topic has become a major challenge in the toxicology field, and HFSC is honored that Dr. Stout was invited to be on the committee.

7. CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CORPORATION AND TARRANT COUNTY, TEXAS MEDICAL EXAMINER’S OFFICE FOR FIREARMS EVIDENCE COPMARISON OUTSOURCING SERVICES:

Chairwoman Mitchell reminded the board that this outsourcing agreement will assist the FA section with their growing backlog by sending the county specific cases. The total allocated budget will not exceed \$100,000. HFSC does not have many options for FA outsourcing that meet HFSC’s standards. Dr. Stout added that, currently, the county has two FA examiners who are willing to help. One potential challenge in outsourcing to this lab is court testimony and the need for examiners to travel from Dallas to Houston for trial.

Following a motion by Director Cohen, seconded by Director Vasquez, the board unanimously approved the Interlocal Agreement between Tarrant County, TX, Medical Examiner’s Office and HFSC and authorized Dr. Stout to execute the agreement on the board’s behalf.

8. CONSIDER APPROVAL OF THE PURCHASE OF DNA PROCESSING EQUIPMENT FROM QIAGEN, LLC TO BE FUNDED BY THE FY2023 BUREAU OF JUSTICE ASSISTANCE (BJA) COMPETITIVE DNA CAPACITY ENHANCEMENT AND BACKLOG REDUCTION (CEBR) FEDERAL GRANT:

Chairwoman Mitchell reminded the board that HFSC was recently awarded this grant (\$527,090) to replace the aging DNA extraction processing equipment, which will no longer be serviceable. This is a priority as the equipment is heavily used for sexual assault kits. Due to the purchase amount, the board needs to approve.

With Director Huff’s motion, followed by Director Baird’s motion, the board unanimously approved the purchase of the DNA processing equipment from Qiagen, LLC, as well as authorized Dr. Stout to execute the agreement on behalf of the board.

9. TREASURER AND CFO DAVID LEACH’S PRESENTATION ON PROPOSED FISCAL YEAR 2025 BUDGET AND CONSIDER APPROVAL OF THE PROPOSED BUDGET:

Mr. Leach began by explaining how he calculated the numbers presented, which is a combination of seven months of actual budget mixed with the projected budget. Employment, vacancy positions, health insurance, and outsourcing costs are all considered when determining the new budget proposal. The only change between the 2024 and 2025 fiscal years is the loss of ARPA funding. Besides that, the typical cost percentages remain the same. HFSC is designed to run out of cash at the end of each fiscal year. If leftover cash is available, then the executive team decides where to allocate the extra funds. Year after year, costs increase some in all aspects, so Mr. Leach needs to request enough funds in order to ensure HFSC will survive the upcoming year. As Dr. Stout mentioned, HFSC is asking for 6.5 million dollars, which is an overall 22 percent increase for 2025. Mr. Leach explained the cash flow, growth initiatives, and overview of increased spending before presenting various charts that show a more detailed breakdown of how the funds would be spent. Currently, HFSC plans to have 250 employees by the end of the 2025 fiscal year, which will increase the employee costs, wages, & benefits. In addition, there will be an increase in service costs and capital spendings, but the supply costs will remain the same.

Director Cohen made a motion to approve the proposed fiscal year 2025 budget. Director Vasquez seconded the motion, and the board unanimously approved the motion.

10. QUALITY DIRECTOR JACKELINE MORAL’S REPORT:

To begin, Mrs. Moral announced that the Quality division met their blind quality control submission goals in January and February in all seven sections. CS/CM was officially accredited on January 24th with the ANSI National Accrediting Board’s (ANAB) Property and Evidence accreditation. HFSC is the first lab to obtain this

accreditation. She also provided an update regarding the FA scope of accreditation in which the trigger pull testing is halted until a comprehensive risk assessment is completed. ANAB has been notified of this decision since it falls within the purview of the accreditation review. It is a requirement to notify ANAB of when items on the scope list are removed, and ANAB has updated the scope list to not include the trigger pull measurement. In the meantime, HFSC cannot offer this service until an ultimate decision is made regarding the continuation of this particular test. Furthermore, the internal audit season has arrived, and as a reminder, the audit's purpose is to demonstrate the sections' compliance to all accreditation standards, HFSC's quality manual, OSAC registry standards, and section specific standard operating procedures (SOP). CS/CM is now added to the audit season schedule due to being recently accredited. As for updates from the Texas Forensic Science Commission (TFSC) meeting, TFSC decided that HFSC took all appropriate measures and sufficient steps to resolve the issue relating to the FBI's AFIS system glitch, specific to palm prints when the area/location filter was selected when entered into the system. Because of the glitch, 92 cases were affected, of which 20 cases had new hits after re-searching the palm prints. HPD and HCDAO were both notified of this incident. Even though this was not HFSC's fault, the LP section and their assigned quality specialist designed a new process to help minimize the effects of future AFIS system glitches. No further actions are needed. The second TFSC update is that TFSC was unable to close an action relating to F.Bio. F.Bio identified an inherent subtlety in the probabilistic genotyping software that could cause a reporting issue. An audit was performed on all cases since the software was implemented in December of 2019. Out of the 8,359 calculations from 1,153 cases, only five cases needed a supplemental report to be issued. TFSC needs more time to review this matter before deeming that HFSC sufficiently remediated the issue.

11. EXECUTIVE SESSION TO DELIBERATE OR HEAR PERSONNEL MATTERS RELATED TO DR. PETER STOUT, PRESIDENT AND CEO:

- At this time, the HFSC board of directors proceeded into a closed meeting, also known as an executive session, as permitted by the Texas Open Meeting Act (Texas Government Code Sections 551.071), to discuss personnel matters related to Dr. Stout. Chairwoman Mitchell paused the open meeting at 10:07am then reconvened at 10:50am.

12. RECONVENE INTO OPEN MEETING AND CONSIDER ANY ACTION DEEMED NECESSARY AS A RESULT OF THE CLOSED MEETING.

No action was taken as a result of the closed session.

13. ADJOURNMENT:

Director Vasquez made a motion to adjourn the meeting. Director Baird seconded the motion. The meeting adjourned at 10:51am.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the March 08, 2024 public meeting of the board.

By: Natalee Veazey
Natalee Veazey
Board Secretary