



Houston Forensic Science Center, Inc.

Board of Directors
Public Meeting
~ Minutes ~

Friday, May 10, 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, May 10, 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 May 07, 2024.

2. ROLL CALL:

The following board members were present in-person:

Chairwoman Stacey Mitchell
Vice Chairwoman Vanessa Goodwin
Anna Vasquez
Philip Hilder
Joni Baird
Vicki Huff
Jessica Gooch

The following board members arrived late:

Jed Silverman (approx. 9:09am)

The following board members were absent:

Ellen Cohen
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 Vasquez, the board unanimously approved the March 08, 2024 meeting minutes.

5. ANNUAL APPOINTMENT OF CORPORATE OFFICERS:

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

President – Dr. Peter Stout
Vice President – Dr. Amy Castillo
Treasurer – David Leach
Board Secretary – Natalee Veazey

Director Hilder made a motion to approve the list as presented. Vice Chair Goodwin seconded the motion, and the board unanimously approved the slate of corporate officers.

6. CHAIRWOMAN MITCHELL’S REPORT:

Chairwoman Mitchell began by reminding everyone of the upcoming July 12th board meeting. Due to the meeting taking place during the summertime, reaching a quorum can be difficult. However, the upcoming meeting may be particularly important because it is possible Mayor Whitmire and Council will not have appointed three new board members by that time, to fill the upcoming board vacancies. Chairwoman Mitchell notified the board that she, along with Vice Chair Goodwin and Director Moore, would not be renewing their terms after June 30, 2024. She expressed her gratitude to the departing members and recounted their accomplishments over the years. Next, she reflected on her nine years of service and wished the Board well. During this time, other members and Dr. Stout acknowledged the service of those members who would not be returning. In continuing her update of board appointments, Chairwoman Mitchell noted that Directors Huff and Hilder would be seeking reappointment for another three-year term. In addition, Ex-Officio and Director Calabrese retired in late March, and Chairwoman Mitchell highlighted some of Ms. Calabrese’s accomplishments. As a result, Director Jessica Gooch was introduced to the board as the new Ex-Officio. Director Gooch has been with the City of Houston legal department since 2015, and she expressed her excitement about joining the board.

7. INTERIM VICE CHAIR SELECTION:

Pursuant to the corporation’s bylaws and board resolution 2020-001, each year the directors select a vice chair of the board. The vice chair shall hold said position until the next annual meeting of the board at the same meeting the corporate officers are appointed. However, this year, there will be a new chairperson appointed by the City of Houston once the position becomes vacant after June 30th. As a result, Chairwoman Mitchell proposed the appointment of an interim vice chair until the newly appointed chairperson can confirm the vice chair selection. Chairwoman Mitchell began the discussions with the nomination of Director Joni Baird to the interim vice chair appointment, indicating she was receptive to the appointment and agreed to serve if the board was also in favor of her selection.

Director Silverman made a motion to select Director Baird as interim vice chair, effective July 1, 2024. Director Hilder seconded the motion, and the board unanimously approved the selection.

8. PRESIDENT AND CEO DR. PETER STOUT’S REPORT:

To begin his report, Dr. Stout gave a broad overview of the organization. The forensic biology section (F.Bio) has seen a decrease in turnaround times with Signature Science, one of F.Bio’s outsourcing commercial labs. For sexual assault kits (SAKs) that have been with Signature Science for over 30 days, the number of pending cases decreased by 41% while for SAKs over 90 days decreased by 71%. The firearms (FA) section is experiencing a backlog in NIBIN (National Integrated Ballistic Information Network) processing due to NIBIN technicians undergoing training to become FA examiners. This training process is necessary because of HFSC’s staffing shortage in FA examiners, which in turn causes a shortage of NIBIN technicians. NIBIN requests have increased by 105% since the March board meeting. To resolve this issue, the section is utilizing its partnership with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to assist in processing NIBIN requests. Lastly, the latent prints (LP) section has been successful in clearing their backlog and maintaining requests. With that said, the section expanded by increasing the number of latent print cards accepted for testing while also automatically testing lift cards collected by HFSC’s crime scene investigators (CSIs). Next, Dr. Stout acknowledged and honored the large number of staff who are active in their professional organizations in their field. He stressed the importance of having staff involved in professional organizations, associations, boards, committees, and academies because it helps keep the lab current on the latest information in the forensic science industry. Understandably, staff’s external commitments cost time and money, which some labs are unable to absorb, while other labs may not see the benefits of allowing their staff to participate. Either way, isolation of staff usually leads to outdated thinking. Dr. Stout contends it is essential for staff to question lab process and management because it will create a better laboratory, with long-term sustainability. For the next update, Dr. Stout notified the board that the Texas Forensic Science Commission’s (TFSC) report on the complaint regarding firearms and tool marks will be released soon. This report is highly anticipated because the University of Colorado Law School Clinical Programs and the Innocence Project, who submitted the complaint on Nanon Williams’ behalf, requested the committee to consider and suggest appropriate limits on what conclusions firearms examiners can render and testify to in court. He shared some information as to why the complaint was filed before diving into why this specific report is significant and will serve as a guide to many labs across the nation. As a result, there will be new accreditation requirements and recommendations for Firearms and Tool Mark (FATM) laboratories in Texas, which will not significantly impact HFSC because many of the recommendations are already incorporated into the lab’s processes. Dr. Stout concluded his remarks about the report by explaining the various changes the document will provide, particularly in proficiency testing. In Dr. Stout’s last update, he discussed the changes in how HFSC handles consumption orders. Historically, the lab requested a court order before consuming evidence and notified all parties involved. In recent years, the Texas Court of Criminal Appeals ruled that district courts lack the jurisdiction to order the “State” to carry out or cease testing. Therefore, at the request of the Harris County District Attorney’s Office (HCDAO), when a prosecutor requests testing that would consume evidence, a court order will not be submitted to the court for consideration. However, HFSC will still notify both the assigned assistant district attorney (ADA) and defense attorney, giving them five days to object. Even if no response is received, HFSC is allowed to proceed with testing. This mostly impacts the toxicology (Tox.) and F.Bio sections. Directors Hilder and Silverman suggested HFSC wait ten days instead of five in order to give the defense sufficient time to catch the notification, and Ms. Akilah Mance, general counsel, agreed to workshop the suggestion with HFSC forensic section managers.

9. CONSIDER APPROVAL OF A CONTRACT BETWEEN THE CORPORATION AND QUIISITIVE TECHNOLOGY SOLUTIONS FOR THE REDESIGN AND MAINTENANCE OF THE CORPORATION’S ELECTRONIC DISCOVERY (e-DISCOVERY) WEBSITE, TOTAL BUDGET TO NOT EXCEED \$490,993.00, FUNDED BY THE AMERICAN RESCUE PLAN ACT (ARPA):

Chairwoman Mitchell reiterated the importance of discovery compliance at HFSC because the corporation is committed to transparency with its records. The staff does an amazing job of ensuring compliance with discovery requests every day, which in turn has made the HFSC e-discovery website one of the most robust

of any lab in the U.S. This agreement will allow the organization to continue their efforts to expand and improve the site by making it more user-friendly and functional for staff who are uploading documents.

Following a motion by Director Hilder, seconded by Vice Chair Goodwin, the board unanimously approved the contract between Quisitive and HFSC, authorizing Dr. Stout to execute the agreement on the board's behalf.

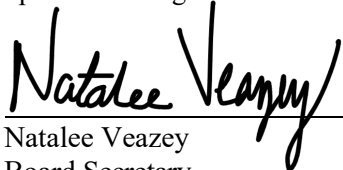
10. QUALITY DIRECTOR JACKELINE MORAL'S REPORT:

To begin, Mrs. Moral announced that the Quality division met their blind quality control submission goals for March and April. Recently, Quality received two certificates from Wiley publishers for the "Blind Testing in Firearms" paper. One for being ranked as top 10% of downloaded papers and the other for being recognized as one of the 10 most-cited papers in the *Journal of Forensic Sciences* for articles published between January 2022 to December 2022. The data from the HFSC paper was also used in a manuscript where the authors collaborated with Dr. Nick Scurich and Dr. Thomas Albright to draft the paper titled, "On the Need for Test-Blind Studies in Forensics: Evidence of Strategic Behavior in Studies of Firearms and Toolmark Examiners." Additionally, the data was used in TFSC's Investigative Report regarding the firearms complaint mentioned in Dr. Stout's presentation. As for the 2024 Internal Audit updates, Quality concluded the FA, crime scene unit (CSU), multimedia, Tox., and LPs' audits. Of those audits, only CSU and multimedia were found with one nonconformance each. F.Bio and seized drugs audits will be concluded soon, and results will be shared at the next board meeting. The client services/case management audit will begin in August. In addition, ANAB will visit HFSC in July to perform its surveillance visit to verify HFSC is conforming to its accreditation requirements, specifically Tox. and Quality will be reviewed for this year's visit. They will also perform a QAS external assessment of F.Bio. Next, TFSC closed two previous HFSC disclosures. The first one was in F.Bio, where the section identified an inherent subtlety in the probabilistic genotyping software that could cause a reporting issue. This disclosure was discussed in the last board meeting. TFSC determined that no further actions were needed. The second disclosure was in CSU, where a trainee shredded the original case form but claimed a reproduced form was the original copy. This disclosure was also discussed during a previous board meeting, and recently, TFSC determined no further action was needed. Currently, a new disclosure in F.Bio. will be reviewed in the upcoming TFSC July meeting. In this instance, a DNA analyst mistakenly handled the wrong proficiency test sample and processed a different sample. The analyst did not follow the verification process, despite being involved in a previous proficiency test which resulted in improvements to the verification process. The analyst was terminated. Lastly, Mrs. Moral provided updates on 2024 testimony monitoring. She reiterated how the monitoring program works and its purpose.

11. ADJOURNMENT:

Director Hilder made a motion to adjourn the meeting. Director Silverman seconded the motion. The meeting adjourned at 10:36 am.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the May 10, 2024 public meeting of the board.

By:  _____
Natalee Veazey
Board Secretary