



Houston Forensic Science Center, Inc.

Board of Directors

Public Meeting

~ Minutes ~

Friday, November 8, 2024

www.hfctx.gov

1. CALL TO ORDER:

At 9:03 a.m., Chairwoman Ellen Cohen 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, November 8, 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 November 5, 2024.

2. ROLL CALL:

The following board members were present in-person:

Chairwoman Ellen Cohen
Interim Vice Chairwoman Joni Baird
Sonia Corrales
Jorn Yu
Vicki Huff
Jessica Gooch

The following board members arrived late:

Asma Mirza (approx. 9:04am)

The following board members were absent:

Anna Vasquez
Philip Hilder
Jed Silverman

Chairwoman Cohen declared a quorum was present.

3. CHAIRWOMAN COHEN’S REPORT:

Chairwoman Cohen began her report by expressing gratitude for her appointment as Board Chairwoman and welcoming the three new board members, Directors Mirza, Yu, and Corrales. She then had each board member and officer give a brief introduction.

4. PUBLIC COMMENT:

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

5. REVIEW AND APPROVAL OF MINUTES FROM PRIOR MEETING:

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

6. VICE CHAIR SELECTION:

Chairwoman Cohen reminded the Board of former Chairwoman Mitchell's suggestion to have the Board select an interim vice chair in order to allow the current board an opportunity to make the final decision about who would serve in this role for the remainder of the annual term. Now that all board vacancies have been filled, Chairwoman Cohen nominated Director Baird to continue serving in the role of vice chair until the annual meeting held in May, when officers are appointed. Director Baird graciously agreed to continue serving in this role, if the Board approves her nomination.

Director Huff made a motion to select Director Baird as vice chair, effective November 8, 2024. Director Yu seconded the motion, and the Board unanimously approved the selection.

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

Before starting his presentation, Dr. Stout stressed the importance of HFSC being transparent to the public and board members. Following the reminder, he gave a broad overview of the organization. Firearms' (FA) backlog is still a major issue for the lab, but it's holding steady with about 350 cases. HFSC continues to meet weekly with the Houston Police Department (HPD) and Harris County District Attorney's office (HCDAO) to help determine which cases need to be prioritized for testing. Keep in mind that the FA backlog is a nationwide challenge. As for the other sections, the backlogs have been reduced. For instance, Seized Drugs' (SD) jail cases now have a turnaround time of under 30 days. In Forensic Biology (F.Bio), the DNA backlog is steadily decreasing. The commercial laboratories used for the DNA cases are still maintaining an average turnaround time of 60 days. There are roughly a dozen complex sexual assault kit (SAK) cases that are pushing the 90-day limit set by the state. As mentioned in previous board meetings, training is a major factor in helping tackle backlogs in the long term. Currently, HFSC has 15 employees in DNA training, five for FA examination training, and six for SD training.

On another subject, HFSC now has the permit for the loading dock again and construction will begin shortly. The construction plan permit for the storage areas is still pending. However, construction on the 12th floor has already begun and will be completed soon.

Next, Dr. Stout explained the improved performance evaluation process to the new board members, as well as the recent company-level evaluation results, since this was covered in the July board meeting. Dr. Castillo further broke down on how sectional goals are created and achieved for each section, tailored to their respective challenges.

Lastly, the key topics of the upcoming 89th legislative session were discussed. The biggest interest the state has is the idea of a workforce development for the forensic science industry, specifically in the state-funded apprenticeship program concept. This will help off-set the long training periods each crime lab faces when hiring new analysts. Dr. Stout has already testified on this concept to the Senate Criminal Justice Committee. Essentially, the state funds the apprentices' salaries and benefits, and if the apprentice stays in a Texas public lab for five years, their funding will be forgiven, AKA "forgivable loan." The Texas Forensic Science Commission (TFSC) will have oversight on which labs qualify and how to distribute the apprentices. University partners, such as University of North Texas and Sam Houston State University, will manage the application process. For the pilot, the program will start with roughly 25-50

two-year apprenticeships. Another major topic to be discussed at the legislature is the property and evidence disposition, focusing on what changes are needed to help manage the expansion of property inventories. This is a looming problem for the Harris County labs, mostly with the DUI toxicology blood tubes. Between the Department of Public Safety (DPS), the Institute of Forensic Science (IFS), and HFSC/HPD, there are over 150,000 blood tubes in the property rooms, all of which are mostly misdemeanor DUI's. The average age is more than eight years old, the oldest being 35 years old, which does not hold significant value due to the degraded blood sample. This is an issue because the costs of maintenance, expansion, and security are steadily increasing as more blood tubes and other kinds of evidence are added to the property rooms and warehouses. For the last key issue, the legislature will further investigate the hemp/THC cannabis regulation, which has become a continuous topic. There are clear evidence of system abuses and exploitation of the "legal gray areas," causing a problem for all aspects of the criminal justice system, specifically by the products' terms such as "semisynthetic THC's" and "impairing hemp products." Dr. Stout is uncertain of this topic's outcome.

8. CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CORPORATION AND TARRANT COUNTY, TEXAS, MEDICAL EXAMINER'S OFFICE:

The Board signed an agreement with Tarrant County in March for forensic services in the FA section, to build capacity. This particular agreement will allow FA to continue sending cases to the laboratory at the Tarrant County Medical Examiner's Office, due to the previous agreement expiring. Because this contract is an interlocal agreement, the Board must approve the agreement, just as the Tarrant County Commissioner's Court has done. Dr. Castillo provided additional information regarding the agreement.

Director Huff made first motion to approve the interlocal agreement between Tarrant County's Medical Examiner's office and HFSC for FA outsourcing services, budget not to exceed \$88,140.00. Director Baird seconded the motion, and the Board unanimously authorized Dr. Stout to execute the agreement on the Board's behalf.

9. CONSIDER DELEGATING AUTHORITY TO DR. STOUT TO NEGOTIATE AND ENTER INTO ONE-YEAR CONTRACT BETWEEN BODE CELLMARK FORENSICS, INC. AND THE CORPORATION:

HFSC received an additional \$2,600,000.00 in its fiscal year 2024 budget allocation from the City of Houston to begin implementing the long-term plan to build capacity in F.Bio. In October of this year, Dr. Castillo and her team issued a Request for Proposals for DNA outsourcing services. Two successful vendors were selected, Bode Cellmark and Signature Science. Dr. Castillo provided supplemental information regarding both vendors and their respective contracts.

With Director Corrales' motion, seconded by Director Mirza, the Board unanimously approved the one-year contract between Bode Cellmark Forensics, INC and HFSC for DNA outsourcing of non-SAK cases, budget not to exceed \$550,000.00. The Board authorized Dr. Stout to execute the agreement on the Board's behalf.

10. CONSIDER DELEGATING AUTHORITY TO DR. STOUT TO NEGOTIATE AND ENTER INTO A ONE-YEAR CONTRACT BETWEEN SIGNATURE SCIENCE LLC. AND THE CORPORATION:

As stated during the discussion regarding agenda item 9, the second successful vendor selected for DNA outsourcing services was Signature Science LLC; thus, the Board considered an additional voting item related to the execution of the contract for services. Following a motion by Director Corrales, seconded by Director Baird, the Board unanimously approved the one-year contract between Signature Science LLC. and HFSC for DNA outsourcing of SAK cases, total budget not to exceed \$2,050,000.00, authorizing Dr. Stout to execute the agreement on the Board's behalf.

11. PRESENTATION FROM MR. DAVID LEACH, TREASURER AND CFO, OF YEAR-END REVIEW FOR FISCAL YEAR 2024:

Looking at data during the period of July 1, 2023 through June 30, 2024, Mr. Leach explained the numbers to the Board. Recently, HFSC has seen a spike in ARPA (American Recovery Plan Act) and grant funds as well as approved revenue given by the City of Houston (the City). HFSC received an additional \$600,000 from the City and \$3,000,000 from ARPA/grants for fiscal year 2024, most of which were put towards outsourcing, temporary labor, upgrades, and training. In correlation, HFSC had a spike in outsourcing costs under the service sector, which were covered by the extra funds. Payroll, supplies, non-capital, and capital costs all remained consistent. In comparison to previous fiscal years, the expense percentages remain similar. The only slight difference was found in payroll due to outsourcing having increased, which dropped payroll from the usual 68-70% to 64%. Despite this, he expects the cost percentages to continue being consistent in the future. Next, he gave a detailed view of departmental spendings. The technical sections represent about 70% of the costs with F.Bio and the crime scene unit (CSU) as the leading spenders since they have more staff in their respective section. For the non-technical sections, the IT department is the biggest spender. These ratios are standard and indicative of HFSC processing high volume of cases. Then he showed the headcount for each department, stating that HFSC currently has 208 employees and a 7.4% turnover rate. The turnover rate is moving in a downward trend and hopefully will continue to do so. Lastly, he showed a detailed chart of revenues/expenses for each category.

12. PRESENTATION FROM MR. DAVID LEACH OF AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR 2024:

Mr. Leach informed the Board that Blazek & Vetterling performed an audit of HFSC's financial statements and grant funds. As a result, there were no non-conformances found. They did find one issue; however, it wasn't necessarily considered a non-conformance but more of a reminder. When spending over \$150,000 of ARPA funds, one is supposed to publicize a proposal bid in the media in order to make the process fair. In this instance, HFSC found roughly 20 universities and companies who could appropriately train the new hires without putting a public notice in the media, even though only three businesses responded to the internal inquiry. HFSC management selected a final candidate and used the ARPA funds to pay for their training services. The auditors recommended making future proposal bids public next time. Besides that, HFSC passed the audit.

13. QUALITY DIRECTOR JACKELINE MORAL'S REPORT:

To begin, Mrs. Moral announced that the Quality division met their blind quality control submission goals for September and October. For the Safety, Security, and Facilities internal audit held in October, there was a nonconformance found both in the safety and security areas. These nonconformances are in the process of being remedied. The goal of this audit is to ensure HFSC is following its processes and procedures listed in the safety and security manual as well as ensuring the facilities' safeguards implemented are functioning properly. Typically, the audit is performed by the Quality division and/or the Safety Committee, but for this year, the Quality division allowed other staff members to participate in the audit. For the last update, Mrs. Moral informed the Board that ANAB (ANSI National Accreditation Board) will perform the AR 3181 Surveillance Document Review of the Client Services/ Case Management division (CS/CM) during the week of December 9th. This will be conducted remotely since the on-site assessment for CS/CM occurred in 2023, which was when they obtained their initial accreditation. At the moment, the Quality division is creating a conformance file to submit for review by ANAB, due by December 2nd. The results will be announced in the January 2025 board meeting. Dr. Stout informed the new Board members of the fact that there has never been an accreditation process for evidence management in the past, so it was a major milestone that HFSC was the first lab to have its property/evidence management be accredited.

14. EXECUTIVE SESSION TO CONDUCT DR. STOUT’S ANNUAL EVALUATION:

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 Dr. Stout’s annual evaluation. Chairwoman Cohen closed the open meeting at 10:20am, then convened the executive session at 12:00pm.

15. CONSIDER APPROVAL OF DR. STOUT’S ANNUAL EVALUATION:

The Board considered two motions related to the executive session.

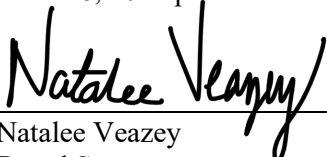
The motion to approve a two and half percent increase in Dr. Stout’s salary, effective on the first day of the next HFSC pay period was made by Director Mirza, seconded by Director Huff. The Board unanimously approved Dr. Stout’s salary raise. The directors made remarks about Dr. Stout’s job performance and thanked him for his service.

Director Baird made a motion to approve the following performance objectives for Dr. Stout during the 2024-2025 review period: continue to expand HFSC’s visibility on statewide and national levels, as well as continuing to expand HFSC and its leaders’ visibility on a local level, and to continue the long-term goal of creating and establishing a statewide forensic science workforce development program. Director Corrales seconded the motion, and the Board unanimously approved the performance objectives for Dr. Stout.

16. ADJOURNMENT:

Director Corrales made a motion to adjourn the meeting. Director Yu seconded the motion. The meeting adjourned at 12:05 pm.

The undersigned secretary of the board hereby certifies the following are true and correct minutes of the November 8, 2024 public meeting of the board.

By: 
Natalie Veazey
Board Secretary