

Houston Forensic Science Center, Inc.

MEETING OF BOARD OF DIRECTORS  
MINUTES

October 10, 2014

The undersigned, being the duly appointed Secretary of the Houston Forensic Science Center, Inc., (the "Corporation"), hereby certifies that the following are true and correct minutes of the October 10, 2014 meeting of the Board of Directors (the "Board"), of the Corporation.

- A. In a manner permitted by the Corporation's Bylaws, the meeting was called by providing all Directors with notice of the date, time, place, and purposes of the meeting more than three days before the date of the meeting.
- B. In Accordance with Chapter 551, Texas Government Code, which Chapter is made applicable to the Corporation by Section 431.004, Texas Transportation Code, a notice of the meeting was duly filed on October 6, 2014, in the same manner and location as required by law of the City of Houston, Texas (the "City").
- C. The meeting was called to order by Scott Hochberg, Chairman of the Board, at 9:03 a.m. on Friday, October 10, 2014, in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Ms. Wieringa called the roll. The following Directors were present: Scott Hochberg, Carolyn Hanahan, Dr. Enrique V. Barrera, Hiram A. "Art" Contreras, Judge Willie E. B. Blackmon, Sandra Guerra Thompson, and Tom P. Allen (ex-officio).

The following Directors were absent: Nicole B. Cásarez and Anthony T. Robinson.

Mr. Hochberg announced that a quorum of the Directors was present.

- E. Mr. Hochberg discussed the status of Board member reappointments, noting that the reappointments of Dr. Barrera, Judge Blackmon, and Ms. Cásarez were to be grouped with a fourth appointment to replace Ms. Lamboley in July 2014. Mr. Hochberg reported that these reappointments have not yet been completed. With advice from counsel, Mr. Hochberg reported that when the Board is fully constituted a ratification motion would be presented for consideration indicating that all action had been done with the full support of all Board members. Mr. Hochberg reported that he would complete a Corrective and Preventative Action (CAPA) report, and he requested that the Board Secretary collaborate with personnel to create a calendar of Board requirements. Mr. Hochberg noted that he fully intends to recognize Dr. Barrera, Judge Blackmon, and Ms. Cásarez as members of the Board except that those members will be unable to vote or make a motion until reappointed. Mr. Hochberg reported that he had been assured that this would be resolved before the next Board meeting.
- F. Mr. Hochberg noted that a draft of the minutes of the Corporation's meeting on September 12, 2014 had been distributed to the Board. Ms. Hanahan made a motion to approve the minutes of the September 12, 2014 minutes, and the motion was seconded by Mr. Contreras. The motion

passed unanimously, and the minutes of the September 12, 2014 meeting were adopted.

- G. Mr. Hochberg asked if any members of the public wished to address the Board. Mr. Hochberg noted that no one asked to address the Board, and the meeting continued.
- H. President and CEO, Dr. Daniel Garner, provided a President's report to the Board. Dr. Garner provided a personnel report, including internal changes and current staffing updates. He noted that the new Scientific Training Director would be joining, and he reported that Mr. William Arnold would transition from Acting IT Director to IT Director of the Corporation on November 3<sup>rd</sup>.

Dr. Garner discussed case metrics. Mr. Hochberg noted that it would be helpful to provide three months' worth of data as opposed to percentage change columns on the case metrics report. Based on the case metrics report data, Mr. Hochberg requested that all Board members receive the pending request age report.

Dr. Barrera suggested that the Corporation advertise job openings on television. Dr. Garner provided a report on technology updates, noting that job openings are posted on the Houston Forensic Science Center (HFSC) website and that approved Board member biographies would be posted on the website.

Dr. Garner provided a report on media updates. He noted that a presentation would be conducted at the Defense Bar Association on October 10<sup>th</sup> and State Representative Dr. Zerwas would be touring the laboratory on October 23<sup>rd</sup>. Dr. Garner provided a report on new business opportunities. He noted that the opportunity with Pasadena Police Department is progressing and any arrangement would be presented to the Board.

Dr. Garner provided a training report, noting that City Attorney David Feldman would be presenting ethics training on October 21<sup>st</sup>. He noted that the HFSC would be conducting trainings for ISO 17025 accreditation, Crime Scene Unit (CSU), and forensic digital imaging and enhancement. Dr. Garner provided a report on planned initiatives and noted that the Corporation would be submitting a proposal to compete for the "Forensics Science Center of Excellence" award with assistance from Dr. Clifford Spiegelman, a member of the Technical Advisory Group (TAG). Dr. Barrera also offered to assist Dr. Garner and the HFSC with these efforts.

- I. Mr. Robinson joined the October 10<sup>th</sup> meeting at approximately 9:23 a.m.
- J. CFO and Treasurer, Ms. Linda Harvey, provided a Treasurer's report. Ms. Harvey reported that Ms. Cindy Weaver resigned from her position as Manager of Financial Accounting and Reporting. She reported that the HFSC received and paid HPD billings for July and August and will receive the HPD billings for September at the end of October. Ms. Harvey reported that a budget meeting with City of Houston Finance was held and the Corporation expects to hear back on the approved budget. The Board requested that the HPD billings and AP aging report be provided. Ms. Harvey reviewed the various charts and graphs provided including the HFSC YTD Expenditures vs. Budget, HFSC Monthly Expenditures Total Expenditures, Expenses vs. Quarterly Budget Usage, Expenses vs. Annual Budget Usage, Quarterly Expenses vs. Quarterly Budget Usage, and FY15 Expenses vs. Annual Budget Usage. Ms. Harvey reviewed the

Comparative Statement of Net Position and the Comparative Statement of Activities. Ms. Harvey reported that QuickBooks is fully implemented. Mr. Hochberg requested that Ms. Harvey provide a proposal of budget variation guidelines at the next Board meeting. Ms. Harvey noted that she would provide a renewed budget for Board approval as well. Ms. Harvey reviewed the financial statements for the year ending June 20, 2014 and provided a report on the financial audit recently conducted. Ms. Harvey reported that directors and officers insurance is in place and noted that reports would be provided to all members accordingly.

- K. CFO and Treasurer, Ms. Linda Harvey, presented a discussion of the first NIJ grant directly to the HFSC. Mr. Hochberg requested that the Board of Directors receive notification of grants that are applied for from the Board Secretary and that the Board Secretary keep a record of such notifications. Mr. Hochberg requested that Ms. Harvey present grants that have been approved to the Board and seek expenditure authority to the extent that it is required under the budget variation guidelines. Dr. Garner discussed incoming funds; Mr. Hochberg noted that the Board will need to approve the expenditure of those funds.
- L. Quality Director, Ms. Lori Wilson, provided a quality assurance report. She reviewed the Quality Division Update for September 2014. Ms. Wilson explained the process of conducting proficiency tests and noted that the quality division is in the process of developing a checklist that will allow for proficiency observations within CSU. Mr. Hochberg noted that it would be helpful if the quality report indicated how many employees received a proficiency test. Ms. Wilson reviewed the audits and inspections portion of the quality report and referred to the evidence audit from June. She noted that the quality division would be conducting another evidence audit. Ms. Wilson noted that the quality division is revamping the customer service satisfaction survey which will be available on the website once complete. Ms. Wilson reviewed the accreditation timelines noting that a timeline for the Corporation's advancement toward ISO 9001 certification would be included as well.
- M. Director of Human Resources, Ms. Caresse Young, presented a follow-up discussion regarding current staff benefits. She reported that with Board approval, the Corporation implemented benefits in March 2014 and noted that the Board requested a follow-up report six months after implementation. Ms. Young reported that staff benefits went into effect on April 1, 2014. Ms. Young noted the results were better than anticipated and the Corporation is paying less per person than if the HFSC employees were on the City of Houston benefits plan. Per Mr. Hochberg's request, Ms. Young provided a report on the status of the directors and officers insurance; Ms. Harvey noted that documentation would be provided.
- N. Director of the Forensic Analysis Division, Ms. Irma Rios, presented the discussion on an investigation by the Texas Forensic Science Commission (TFSC) regarding an alleged failure to follow standard operating procedure regarding handling of evidence submitted to the HFSC with erroneous documentation. Ms. Rios provided a synopsis of the incidents involving a former DNA technician. After reviewing the event and related procedures, the Board requested that the Corporation contact the Executive Assistant Chief of the Houston Police Department, or his designate, regarding officers' evidence discrepancies. Likewise, the Board requested that the Corporation establish a process by which notification of evidence discrepancies are communicated to the District Attorney's office. Mr. Allen provided a report on the actions the TFSC has taken thus far with regards to the investigation, including a report on the meeting held

in Austin on October 7th. Mr. Hochberg noted that Dr. Garner requested an investigation from the Office of the Inspector General on this incident.

Ms. Young provided information on the status of the Progressive Correction Action Policy for the HFSC which has been collectively drafted by Ms. Young, Mr. Allen, and the Office of Inspector General. Mr. Hochberg requested that Ms. Hanahan work with Ms. Young, Dr. Garner, and Ms. Rios to develop a policy for written notifications to employees of the HFSC. Those participants discussed the need to create documentation training for supervisors in relationship to the Progressive Correction Action Policy.

- O. Mr. Hochberg provided a brief summary on the planned agenda item regarding a report from the Office of Inspector General concerning a report of an alleged failure to follow standard operating procedure regarding completeness of analysis report. He suggested that this topic be deferred to the next Board meeting agenda for further discussion.
- P. There being no other business, the meeting was ADJOURNED at 12:18 p.m.

Houston Forensic Science Center, Inc.

By: Ashley Wieringa

Ashley Wieringa

Secretary