



HFSC asks city's Office of Inspector General to investigate CSU allegations

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FOR IMMEDIATE RELEASE

The Houston Forensic Science Center has asked the City of Houston's Office of Inspector General to investigate allegations made against personnel in the crime scene unit.

The request and the subsequent investigation result from an anonymous letter received by members of the HFSC board of directors. HFSC's policies and past practices dictate that when such allegations surface the OIG is asked to conduct an independent investigation.

"We take all personnel matters seriously and the best way for to ascertain whether the allegations are substantiated is to have an independent, external investigation," said Dr. Peter Stout, HFSC's CEO and president.

"The OIG is experienced with such investigations and is in the best position to objectively handle this matter," he added.

HFSC's crime scene unit fully civilianized in 2018. The unit has since focused on improving quality and protocols while fully staffing a 24/7 team that meets the city's needs.

"These are our front-line folks and their transition to a fully civilian, independent entity has been the most difficult," Dr. Stout said. "We will continue doing everything in our power to ensure the staff have the resources they need to fulfill their duties and a healthy work environment."

HFSC is a local government corporation that provides forensic services to the City of Houston and other local agencies. HFSC is overseen by a Board of Directors appointed by the Mayor of Houston and confirmed by the Houston City Council. Its management structure is designed to be responsive to a 2009 recommendation by the National Academy of Sciences that called for crime laboratories to be independent of law enforcement and prosecutorial branches of government.

HFSC operates in seven forensic disciplines.

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To the Members of the HFSC Board,

This letter is a measure of last resort to correct existential systematic and unaddressed problems with the Crime Scene Unit (CSU) of the Houston Forensic Science Center (HFSC). Failure to address these concerns will result in detrimental outcomes not only for the organization but would be even worse for the citizens of Houston as violent crimes go unsolved. This is a choice between making what may be difficult personnel decisions and allowing crime scenes to go without forensic services provided by HFSC CSU.

The desired outcome of this letter is that the HFSC Board appoints an independent & impartial investigation into the issues raised below, and determine if there should be personnel changes in the senior leadership of the organization.

For the past five years, the CSU has seen a tangible and unequivocal degradation in the organization's performance, effectiveness, and morale. This degradation has been noticed at all levels of HFSC both in and out the CSU, despite repeated professional and good-faith efforts of the staff to have these problems addressed. In a large and complex organization, it is rare to be able to identify a singular cause of problems within the organization. Yet for HFSC, the existential problems can be traced directly to Director Jerry Peña and Deputy Director Domingo Villarreal and their toxic leadership creating pervasive problems across the organization.

Specific topics of toxicity are as follows:

- Creation of a hostile work environment for CSIs.
- Lack of flexibility by management to make productive change.
- Creation of a schedule disrupting investigator's ability to have a proper work-life balance.
- Targeting individual CSIs for harassment & retaliation.

The management of the unit has failed to accept that there is a problem and needs any form of remedy. The managers of CSU and Peter Stout have demonstrated a complete disregard for the obvious continual decline of the unit. It is without a doubt that Mr. Peña is to hold a significant amount of blame for the majority of issues that have arisen within the crime scene unit. He has slowly stifled all supervisors from any form of leadership responsibility or ability to make decisions. This is counter-intuitive in a job field that requires a significant amount of flexibility and independent operation. His behavior, insulting choice of words, and belligerent attitude has created numerous problems we wish to address.

The first major issue is the handling of the lack of morale in the unit due to an incredibly hostile working environment. In the past three years, the CSU has faced an incredible turnover rate with 22 investigators and 4 supervisors via termination, internal movement, or resignation due to issues with the unit. Many cited during their exit interview that they were leaving for "family reasons" as they fear reprisal from both Mr. Peña and Mr. Villarreal.

Several CSIs stated they feared having their reputation destroyed, as was the case with the Termination of Tammy Barrette. Upon her firing, a national “burn notice” was issued by HFSC, effectively ending her forensic career. Other CSIs notice this and feared the same retaliation if they voiced their issues with CSU management upon exiting. Every CSI has expressed their disgust and hatred for the unit’s toxic and hostile work environment before their resignation. All four supervisors left telling the unit that the main reason they left was due to the ineptitude of Mr. Peña. He repeatedly insulted them and referred to the CSIs as “whiny children.” For all the investigators that have quit, only a few remain in forensics. The rest ceased pursuing a career in forensics as they found this place has ruined their desire to continue.

This atrociously hostile and toxic work environment is not a secret anymore as people in other agencies have voiced their concern about HFSC CSU. This means future recruitment to achieve Mr. Peña’s 5-year plan of a 50 CSI unit is nothing short of a pipe dream. Under the management of Mr. Peña and Mr. Villarreal, the CSU has never been able to sustain the original staffing number of 28. Numerous new hires were rapidly brought in to fill the constant loss of CSIs. These new investigators are barely a year or less with the unit and have voiced they are exceptionally unhappy with the workplace and are looking to leave. The veteran CSIs constantly arrive to work with the fear that they may be next for termination. One CSI stated, “I come to work every day wondering if I will open an email saying I’m getting fired.” A third-party survey of HFSC morale was performed in 2019. The results were presented in a company meeting and CSU was ranked at the absolute bottom. An HR investigation with each CSI was held to further investigate the abysmal morale. Nothing significant resulted from this investigation beyond Mr. Peña ordering the CSU to attend communications training. Mr. Peña received word that we complained about the lack of communication in the unit by management to the CSIs. He interpreted this as we have a communication problem as CSIs. This impromptu training was to be his solution and it simply consisted of Mrs. Plushnick-Masti’s attempt to address our report writing. A topic that was of no concern during the 3rd party survey or HR interviews. Further erratic behavior could be recently seen when Mr. Peña took down the unit’s photographs. Once a pride to show off during tours, Mr. Peña took them down in a fit because he was upset former supervisor Mike Fulton could not photograph everyone without devoting personal time and money. The turnover rate has gotten so bad that investigator photographs are taken off the wall faster than they can be taken and framed.

The second issue is the lack of flexibility and willingness to adapt to the management of CSU. This job field is rapidly evolving with new technology and methods of investigation. As the director of CSU, Mr. Peña should be readily open to input and criticism as this is a crucial aspect of improvement. On the contrary, Mr. Peña will aggressively respond to any form of input as a personal attack. His behavior is at best childish. The four previous supervisors all stated this was a huge problem while attempting to improve the CSU. The supervisors were tasked with presenting an on-call supervisor schedule to Mr. Peña. Former supervisor Alison Hutchens stated that several schedules were presented that were accepted by all the supervisors. Mr. Peña refused all of them, despite them not affecting his schedule in any

way. Another example was the scheduling of a unit meeting to address the results of a third-party survey. The supervisors opted to schedule unit meetings at 4:00 PM to better accommodate night shift squads. This allowed the night shift to have an uninterrupted sleep schedule. Mr. Peña refused this and moved the meetings to 2:00 PM instead. This meeting was scheduled with only a two-day notice. Mr. Peña was aware he would be completely disrupting the sleep of oncoming night shift squads. The last example was former supervisor Jon Griner and his attempt to address the toxic workplace. Jon Griner presented a comprehensive plan to Mr. Peña with hopes to improve the unit. Despite his efforts, Mr. Peña did not even consider his ideas and refused to adopt any change.

The third major matter to mention is the schedule. The crime scene unit transitioned from the HPD schedule in 2018 as we began the final stages of separation. At the time, Alison Hutchens and Carina Haynes, the CSU supervisors, asked the unit about possible schedule ideas. Several schedules were proposed to management by the CSIs. We, as CSIs, understand CSU is a 24-hour operation and continuous coverage is necessary. Despite this, the schedule was decided by Mr. Peña to be a rotating schedule requiring all CSIs to rotate through days, nights, and evenings every four months. A schedule that is very exhausting and detrimental to the CSIs. Most of the unit was against this, but Mr. Peña refused to change. Several CSIs presented data opposing this rotating schedule as it would result in major sleep issues and personal life disruptions. This information was ignored by management. Multiple CSIs left due to the schedule disrupting their lives. This resulted in a major drain in manpower and many squads were left understaffed. Mr. Peña then enacted a new schedule where our days off rotate as well as our sleep period. This has made the personal and work lives of investigators turbulent and unstable, resulting in a gradual exodus. Several CSIs during a unit meeting mentioned that this constant schedule shifting will result in more resignations. Supervisor Carina Haynes stated that they were aware and expected more people to quit. Rather than acknowledge that the unit is very unhappy with the schedule, management refused any input to improve it. Most recently, we have asked about the new schedule slated to be effective February 6, 2021, and Mr. Peña stated that he will not address any further questions about the schedule. We are a month away from the effective date of the new schedule and we know nothing. CSU Management continues to keep the unit in the dark and threatens to punish anyone that asks for more information.

The last major issue to address is the habit of management to target investigators for termination or harassment. Mr. Peña and Mr. Villarreal have both blatantly targeted CSIs with the goal of termination of employment. The first example was the deliberate targeting of CSI Amanda Guszak for termination. Management told her supervisor to develop a reason to fire her so that HR could terminate her employment. Her supervisor refused this request and received negative backlash from Mr. Peña. Another example is former CSI Monica Yourgal over a claim that she submitted a different amount of note pages than what was counted by Supervisor Carina Haynes. Monica Yourgal was placed on suspension pending investigation for this matter until she quit, realizing she was being set up for termination. Inversely, former CSIs Christine Stobaugh and Morgan Schilhab failed to find a body at a homicide scene. This resulted in several HPD homicide investigators being reprimanded and

punished heavily. Yet in CSU, they faced no suspension, no official punishment, or public burn notice. Leaving behind evidence is a major infraction according to the SOP, as it is a failure to process a scene. Despite it being a major issue, they received far better treatment than other investigators. It can be argued that Mr. Peña would never punish Christine Stobaugh as he already has a well-documented incident showing up on a scene impaired and inappropriately touching her. Christine Stobaugh received far better treatment than other investigators since the incident as noted by many CSIs that worked with her. The incidents of preferential treatment and targeting are not isolated as nearly all CSIs, past and present, can attest to this behavior and would extend this letter beyond acceptable length.

The blame does not fall simply on Mr. Peña and Mr. Villarreal for this toxic workplace. Dr. Stout also has a significant share of the blame for this continuing failure of leadership. Since the beginning, Dr. Stout has stood watch and has either been oblivious of the chaos or indifferent to the misery. Each supervisor, upon quitting, addressed Dr. Stout about the issues that plagued the unit. Despite receiving direct word from the supervisors about the problems within CSU, Dr. Stout ignored them entirely. Three supervisors informed the CSU during their exit that the issues caused by Mr. Peña and Mr. Villarreal were well known and that Dr. Stout is aware of this problem. Despite their efforts to bring this problem to light, Dr. Stout has yet to address any of these matters.

We, as CSIs, were selected supposedly for our intelligence, experience, and potential as HFSC touts itself as the cutting edge of forensics. To our dismay, we faced a unit stifled in archaic practices, inflexible leadership, and threats to our careers. This agency was forged with a great amount of potential and is still salvageable if action is taken rapidly. We urge the board to investigate this matter thoroughly. The CSU openly welcomes any inquiry that the board presents and is willing to discuss our situation directly. Until the failed management is addressed or removed, HFSC will eventually have to face the total collapse of the CSU. The unit is not even at an acceptable manpower level currently to address the gradual increase in crime scenes. Many of the current CSIs are seeking new employment to escape this toxic work environment and management is struggling to find replacements. A further loss of CSIs will result in an incapacitated unit unable to address the growing needs of Houston. If this behavior continues, eventually there will be nobody to respond to the next homicide scene.

Very respectfully,

The past and present investigators of HFSC CSU