



Quality Division Use Only

Quality Tracking #:	<input type="text" value="2017-053"/>	Date Quality Division Notified:	<input type="text" value="6/30/2017"/>
Non-Conformance Level:	<input type="text" value="Class I"/>	Date Submitted to Management for Review:	<input type="text" value="8/1/2017"/>
Date Submitted to Quality for Review:	<input type="text" value="8/1/2017"/>	Dated Closed:	<input type="text" value="8/1/2017"/>

Date of Discovery:	<input type="text" value="6/30/2017"/>	Division:	<input type="text" value="Administrative Division"/>
Date of Incident:	<input type="text" value="6/30/2017"/>	Section:	<input type="text" value="Houston Forensic Science Center"/>

Forensic Case Number(s), if applicable:	Agency Case Number(s), if applicable:
L98-13625	147228398

Description of Discrepancy/Non-conformance. Do not include analysts' names unless otherwise instructed by the Section Manager or Division Director(s):

On June 30, 2017, HFSC staff discovered evidence in items that had been removed from an HFSC office. The DHL packing slip found inside the outer shipping container indicates the evidence had been returned to the Houston Police Department Crime Laboratory in 2005 from an outsource laboratory. The chain of custody had not been updated to reflect the return of the evidence and the evidence was not placed into an appropriate evidence storage location.

Actions Taken:

On June 30, upon discovery of the evidence, the package was opened and the contents were inventoried. The evidence was then transferred to the Biology walk-in freezer for storage. The case record and chain of custody were updated to reflect the actions taken.

HFSC notified the Harris County District Attorney's Office and the Texas Forensic Science Commission of this nonconformance.



See Additional Information for more details.

Summary of Root Cause Analysis:

The purpose of a corrective action is to determine the root cause of the nonconformance. However, since this is a single occurrence and the involved staff member is no longer affiliated with HFSC, it is not possible to determine the cause.

This nonconformance is not likely to recur because HFSC now has a laboratory information management system (LIMS) in place to track evidence chains of custody. In addition, case records are stored in LIMS, making their whereabouts more visible to staff. Evidence handling policies and procedures have also been improved since 2005. HFSC expects to continue making improvements in evidence and record handling processes through the use of RFID engineering controls.

Additional Information/Follow-Up:

On June 30 the Client Services/Case Management Supervisor and a CS/CM Specialist were sorting through documents/boxes that had been removed from the office of the former director of the Comparative and Analytical Division. The items had been moved from the former director's office to another empty room in HFSC in order to separate business-related items from personal items. After the office contents were moved to another room, the cleanup process still included separating these items. The personal items were returned to the former staff member. At approximately 2:15pm, the CS/CM Specialist encountered an opened, plastic DHL package inside one of the boxes. Inside of the DHL package were chain of custody documents and an unopened white envelope. After inspecting the package and its contents, the CS/CM Specialist realized the packing slip was dated 2005-04-27 and noted "Evidence, COC and report" on the center portion of the packing slip. The CS/CM Specialist immediately informed the CS/CM Supervisor and handed over the package.

That same day the envelope was opened and the contents were inventoried by the Client Services/Case Management supervisor and the Biology technical leader. Contents included the following items:

- one sealed envelope said to contain known blood stain from [REDACTED]
- one sealed envelope said to contain known blood from Warren Brown
- one sealed envelope said to contain anal smear
- one sealed plastic bag containing nine DNA extract tubes

The LIMS chain of custody was updated and the evidence was placed into the Biology walk-in freezer. On July 17, the evidence was retrieved from the freezer, photographed as part of this corrective action, and then returned to the freezer.

The CS/CM Supervisor contacted DHL in an attempt to obtain the receipt signature information. DHL no longer has those records due to the length of time since the delivery of the package.



No other evidence was found in this office.

It is clear from a supplemental report written by a former HPD crime laboratory administrative employee that the laboratory was in receipt of the outsource laboratory's report (dated April 22, 2005) on April 29, 2005. The outsource report was dated April 22, 2005. However, it is less clear when the laboratory actually received the evidence. Reports do not specifically state the date the evidence was received. In addition, the package containing the evidence was addressed to a former Houston Police Department captain. That captain's name was struck through and the name of the former director of HFSC's Comparative and Analytical Division was handwritten instead. At that time, this staff member would have been the director of HPD's crime laboratory.

On June 26, 2009, the Houston Police Department Crime Laboratory completed an evidence record affidavit as requested by the Harris County District Attorney's Office. Because there was no record of receiving this evidence and the evidence itself was not stored in a recognized evidence storage location, the evidence items were not included on the affidavit's detailed list of evidence stored by the laboratory.

Since notifying the HCDAO of this occurrence, HFSC has received two Property Inquiry requests on this case. The Property Inquiry Request form has since been completed in lieu of the Evidence Record Affidavit. A request form, which will include the evidence discussed in this corrective action, will be released to the DAO courier on the next regularly scheduled mail run on August 2.

Section Manager: Courtney Head

Date: 8/1/2017

Division Director: Peter Stout

Date: 8/1/2017

Quality Director: Lori Wilson

Date: 8/1/2017