On March 2, 2019, the Houston Police Department (HPD) requested assistance from the HFSC Crime Scene Unit (CSU) to process a scene. Upon arrival at the scene, the crime scene investigators (CSIs) were told by the HPD homicide investigator on scene that a person was missing and was last seen at the scene location. The investigator further informed the CSIs that the scene had been searched and that no body had been located. CSIs were then requested to process the scene and collect evidence indicating a crime occurred in the condominium and locate/collect any suspected narcotics. On April 18, 2019, CSU was requested to return to the same scene after a cleaning crew located a body wrapped in a tarp under a bed in one of the bedrooms (referred to in the CSU case packet as the ‘east bedroom’).

Two CSIs responded to the initial scene on March 2. One acted as the lead CSI while the other was tasked primarily with measuring and sketching the scene. A CSU supervisor was also on-scene for a brief period. A third CSI arrived later to help sort through garbage bags located on the patio and to transport suspected drug evidence to the Narcotics Operation Command Center (NOCC). The location of the scene was a first-floor condominium in a multi-story building. The CSIs observed what appeared to be evidence of trauma at the scene. There was apparent blood in the living room, kitchen and on the patio and what appeared to be bloody clothing and a bloody sheet on the washer and dryer. A large rolling trash can was in the living room and a mop bucket with what appeared to be dark, bloody liquid was on the patio. The CSIs also reported that the scene smelled of bleach and it appeared as though an attempt had been made to clean. Suspected drugs were located and collected by the CSIs. The CSU case record contains additional scene details. The lead CSI photographed the scene and collected evidence, focusing on those areas of the condominium that were of evidentiary value based upon her training, experience, and communications with the on-scene HPD investigator. The second CSI sketched and measured the scene. The scene was processed in accordance with HFSC and CSU policy. While on scene, the CSIs entered the bedroom where the body was eventually located; however, neither CSI specifically looked under the bed while they were processing the scene. While it cannot conclusively be determined that the body was under the bed on March 2, HFSC recognizes this possibility. After the cleaning crew found the body wrapped in a tarp under the bed on April 18, a second CSU team was sent to the scene for additional processing. Several differences between the appearance of
the scene March 2 and April 18 were observed. Images from the initial scene show the interior of the condominium cluttered with personal belongings. The front areas of the house (living room, dining room, hallway, kitchen, laundry area) also contained numerous areas of and items with possible blood. The back rooms of the house were also highly cluttered but did not appear to have areas of or items with possible blood. Images from the second scene show that the front of the condominium had been cleared of much of the clutter but had not yet been ‘cleaned’. Images from the back bedroom where the body was found showed that some items of clutter had been removed. The bedding and mattress had been removed from the bed, leaving just the box spring on the bed frame. The feet and lower legs of the body were clearly visible at the end of the box spring. CSU management and the Quality Division investigated why the CSIs who responded to the scene on March 2 failed to locate the body. As part of the investigation, the CSU case record was reviewed. The review determined that no part of the body was visible in the scene photographs or the video. In addition, an HFSC Multimedia Unit analyst enhanced a photograph of the bed in an attempt to determine whether any part of the body was visible on March 2. The enhancement process was unable to provide any further clarity. Interviews with the CSIs who responded to the March 2 scene were also conducted. The lead CSI stated she used the information given to her by the HPD investigator to develop a plan for processing the scene. Important factors included: • Two HPD investigators had searched the scene and found no body. • The investigator still on scene stated there was no body on the scene. • The investigator directed the CSIs to process the scene for evidence, including drugs. The lead CSI explained that she took photographs of the bedroom but did not physically look under the bed. By contrast, because indications of a crime (possible blood) were observed in other parts of the condominium, the CSI did look under and around furniture in other parts of the home. The bedroom was diagrammed by the second CSI, who also acknowledged that she did not physically look under the bed.

Summary of Root Cause Analysis:
Note: Incidents are documented for tracking purposes and trend analysis. Root Cause Analysis is not required for incidents.

It is not known if the body was under the bed when the initial scene was processed on March 2. HFSC acknowledges the CSIs did not search under the bed. This root cause analysis is intended to address the possible reasons for that. It is possible that cognitive bias played a role because the lead CSI received information from the investigating officer that there was no body at the scene. The information relayed at the scene, as well as who the information came from, may have influenced the lead CSI’s decisions but the degree to which each were influential cannot be determined. The lead CSI was trained in part by the HPD investigator who was at the March 2nd crime scene. The HPD investigator was, as were numerous HPD investigators, a part of CSU even after HFSC became an independent criminal justice agency. HFSC acknowledges and accepts the risk that it is generally not realistic to collect every single item of evidence at a given scene. CSIs rely on their training, experience and the information provided at the scene to make decisions as to what items they believe have evidentiary value. Effective communication between HPD and HFSC is paramount for a successful working relationship. CSIs receive and rely on information from HPD investigators on-scene. Information provided by investigators is used by CSIs to determine the appropriate course of action as it pertains to each case and each item of evidence. On March 2, the bedroom where the body was ultimately located was processed in accordance with the information the CSIs were given and based on the observations the CSIs made at the scene.
Actions Taken:

On April 18, HFSC CSIs returned to the scene to capture a video recording and photographs of the bedroom and the body, and to collect additional evidence. The CSIs who responded to the scene on March 2 were not on duty when the call for assistance was received from HPD on April 18. Therefore, two different CSIs as well as a CSU supervisor responded to the scene on April 18. In reference to the March 2 crime scene, CSU management and Quality Division personnel reviewed the crime scene case packet, looked at scene photographs and the video and interviewed the two CSIs on April 22. Please see Additional Information for details. CSU management and the Quality Division also reviewed the CSU Training Manual, current SOP and the HPD case reports written by the two homicide investigators who were at the March 2 crime scene. The review determined the CSIs did not violate policy or intentionally mishandle the scene. The case record review conducted by CSU management and the Quality Division found defects in the original scene diagram and the lead CSI's report. Both have been amended. The lead CSI’s training record was also reviewed. She had been authorized to collect evidence at crime scenes since February 2016 and had crime scene experience at previous agency. She participated in the proficiency testing program, provided expert testimony in courts of law, attended advanced crime scene training and was considered proficient at her job by CSU management as well as her peers. The CSU SOP and training manual were revised to include information regarding searching crime scenes. The revised SOP also includes wording that addresses the risk associated with overlooking potential evidence at scenes. The details of this scene were shared with the entire CSU staff for the purpose of preventing a recurrence.

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Technical Leader: N/A

CODIS Administrator: N/A

Quality Director: Erika Ziemak

Date: 12/18/19

Date: 12/31/19

Incidents or Corrective Actions that involve the Biology/DNA section are reviewed by the Technical Leader and CODIS Administrator.

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