



**Quality Division Use Only**

Quality Tracking #:	2021-IA-07	Classification:	Incident
Non-Conformance Level:	N/A	Section:	Biology/DNA
Date of Discovery:	05/28/21	Date of Incident:	05/28/21

Forensic Case Number(s), if applicable:	Agency Case Number(s), if applicable:
2019-09625	066424919
2019-07996	050774519
2019-04850	020248719
2019-12220	079676319

**Description of Non-conformance:**

During the internal audit it was discovered that the Ownership Review Checklist of case 2019-09625 was incomplete. Both the quality review portion and CODIS review portion of the checklist were blank.

**Additional Information/Follow-Up:**

The quality review portion of the electronic ownership review checklist for case 2019-09625 was found to be incomplete although the associated report had been issued on April 15, 2020. The quality review portion of the checklist is administrative in nature and requires the independent review of case file elements such as verification that the DNA profile was entered into CODIS correctly, updating the state-wide sexual assault kit tracking program if applicable and administrative verification of initials, case number, and page numbers. The CODIS review portion of the checklist was also blank, however this portion of the checklist was not applicable since no profiles had been entered into CODIS as part of this ownership review.

The foreign male DNA generated from evidence in the case was not entered into CODIS because it was consistent with a previously entered suspect profile in accordance with the Forensic Biology laboratory's practices. Although there was no CODIS entry, a review of the data and comparison to the suspect profile was still required and the quality review portion of the checklist should have been completed.

In addition, in instances when outsourced cases do not yield a CODIS eligible DNA profile, the analyst that conducts the technical review historically conducts the quality review, for efficiency purposes. The reviewing analyst then completes the administrative review milestones in Porter Lee LIMS. On April 15, 2020, the technical reviewer in this case was advised to complete the administrative milestones in LIMS and to cross out the "CODIS section" since it was not applicable. The administrative milestones in LIMS reflect this occurred on April 15, 2020, however, the technical reviewer inadvertently failed to cross out the CODIS review section and failed to complete the quality review section of the checklist because she didn't realize there were elements of the quality review that needed to be completed regardless of if there was a CODIS-eligible profile.



The date of this incident coincides with the timeframe when the Forensic Biology section was transitioning to virtual casework due to the COVID-19 pandemic. At the start of this transition most analysts were performing technical reviews on outsourced cases (OUTTs), and as analysts were comfortable returning to work on-site, some were transitioned out of performing OUTTs. By the end of August 2020, only three analysts were routinely performing OUTTs. By the end of October 2020 two of the three analysts transitioned out of completing OUTTs. The technical reviewer for case 2019-09625 did not often perform ownership reviews.

In addition, this was also a transition period between two Ownership Review Checklists. A revised Ownership Review Checklist was published on April 6, 2020, to allow for documentation of reviews conducted remotely as the Forensic Biology section transitioned to a virtual workflow as a result of the COVID-19 pandemic. The new Ownership Review Checklist introduced and reorganized some tasks from the CODIS review portion to the newly added quality review portion to allow more clarity around who performed which task. The CODIS review and quality review portions of the checklist were routinely completed by staff working on-site whereas the portions of the checklist completed by the analyst and the technical reviewer could be completed remotely. The checklist had been recently published when this oversight occurred.

The Forensic Biology section transitioned to a more virtual casework workflow on August 5, 2021.

**Summary of Root Cause Analysis:**

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

N/A



**Actions Taken:**

The technical review analyst completed the quality review portion and the CODIS section of the checklist at the time of discovery, during the 2021 internal audit.

The Quality Division conducted an audit of outsource cases that yielded no CODIS-eligible profiles between April and October 2020, since the fact that 2019-09625 didn't yield a CODIS-eligible profile contributed to the confusion which resulted in portions of the checklist being left blank. This time frame was chosen since this was the period in which most analysts started conducting remote casework because of the COVID-19 pandemic. A total of 50 cases were identified and reviewed. One case file (2019-07996) was identified as having an incomplete quality review in the Ownership Review Checklist, and it was completed by a forensic analyst upon discovery. A second case file (2019-04850) had the quality review section and the CODIS section in the Ownership Review Checklist crossed out. Upon interview with the forensic analyst that crossed out the quality review portion, she stated that she crossed out this portion of the checklist because the case did not have any CODIS-eligible profiles. A third case file (2019-12220) had a blank administrative section where page numbers were supposed to be documented. While this issue is not identical in nature, it was remediated upon discovery.

The Houston Forensic Science Center acknowledges there is a possibility of other cases having an incomplete quality review portion of the Ownership Review Checklist that may have not been reviewed during the audit of cases. Given the results, the audit demonstrated there was not a systemic issue with incomplete quality reviews, and that these instances were only identified in cases in which there was no CODIS-eligible DNA profile, therefore there is minimal impact to casework.

Courtney Head 05/04/22  
Section Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
Amy Castillo 05/04/22  
Division Director: \_\_\_\_\_ Date: \_\_\_\_\_

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

Cheron Maxwell 04/18/2022  
Technical Leader: \_\_\_\_\_ Date: \_\_\_\_\_  
Jennifer Clay 04/28/2022  
CODIS Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Erika Ziemak 05/09/22  
Quality Director: \_\_\_\_\_ Date Closed: \_\_\_\_\_