



Quality Division Use Only

Quality Tracking #:	2023-004	Classification:	Incident
Non-Conformance Level:	N/A	Section:	Crime Scene
Date of Discovery:	01/10/23	Date of Incident:	08/24/22

Forensic Case Number(s), if applicable:	Agency Case Number(s), if applicable:
2019-07119	042583019
2019-13587	103614619
2019-04987	022883219

Description of Non-conformance:

A Crime Scene Investigator (CSI) was not monitored by the end of 2022 as required in the Quality Manual.

This first CSI completed a Testimony Tracking and Monitoring workflow, and Crime Scene Unit (CSU) Management proactively requested the transcript the day after the CSI testified, and notified the Quality Division, knowing that the CSI needed to be monitored to meet the annual requirement. The testimony transcript was not received by the end of the year in 2022 due to the short time span between the testimony date and the end of the year. The transcript was received in January 2023 and reviewed in the same month. The Quality Division recognizes that CSU Management did everything they could to obtain the transcript and perform a review of the testimony as required in the Quality Manual but were not able to complete it on time. Due to the circumstances being out of their control, and the intent to meet the Quality Manual requirement by CSU Management, the Quality Division agreed to close the workflow as no action needed.

While waiting on the transcript for the instance above, as an action taken, the CSU Technical Lead sent an email to the section in January 2023 to ensure all CSIs that testified during 2022 were monitored. In response to the email, a CSI notified CSU Management that they had testified in Fort Bend County in August 2022, but their testimony was not monitored. The testimony was provided on a day off. This second CSI forgot to notify CSU Management of the testimony and did not complete a Testimony Tracking and Monitoring workflow upon return to work. This was the only testimony for the CSI for the year and needed to be monitored.

In the interim of the above events, it was identified by CSU Management that a third CSI had not completed a Testimony Tracking and Monitoring workflow for a testimony provided on a day off in August 2022. The CSI did not complete the workflow because they had already been monitored earlier in the year.



**Additional Information/Follow-Up:**

The Quality Division reviewed the Quality Manual when notified of the first instance at the end of the year in 2022 and noted that the clause regarding testimony reviews does not provide flexibility to sections to have time to review transcripts of testimonies provided at the end of the year that were not able to be monitored in person. The wording of the Quality Manual requirement prohibited CSU from being able to maintain compliance even with the best efforts in the instance of the first CSI.

CSU continues to be short-staffed thereby making it difficult to have available CSIs to accompany testifying CSIs to court for the sole purpose of monitoring testimony. In addition, even if CSU was at adequate staffing levels, multiple CSIs typically respond to the same crime scene for different tasks, and as such, must testify in the same court cases making them ineligible to monitor another CSI testifying in the same case. When multiple CSIs are called to court at the same time, the remaining shift CSIs must remain available to take active crime scene call outs prohibiting them from attending court to monitor testimony. Due to this, CSU tends to rely on requesting transcripts for the required monitoring activities.

As part of the actions taken in a previous quality report related to testimony monitoring, a CSU Technical Lead position was created in May 2022 and held the responsibility for tracking testimony and requesting transcripts. The CSU Technical Lead created a spreadsheet and was tracking and monitoring testimony as planned. Two of the three nonconformances stemmed from the CSIs testifying on their day off and not notifying anyone of the testimony provided. Without the notification from the CSI, the information could not be added to the spreadsheet, nor did anyone know to check for a Testimony Tracking and Monitoring workflow.

**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 transcript that was requested at the end of 2022 but not received until 2023 was reviewed and was deemed acceptable.

The transcript of the testimony that was not monitored in August 2022 was requested and reviewed in 2023 and acceptable and a Testimony Tracking and Monitoring workflow was completed.

A Testimony Tracking and Monitoring workflow was completed for the other testimony that was not previously documented in August 2022. Transcripts for this testimony were also requested (even though not required), reviewed, and found acceptable.

The Quality Manual will be revised to include the language "HFSC recognizes that transcripts may not be available from the courts within the calendar year, therefore the Quality Division may accept transcript reviews that occur after the end of the calendar year if the transcript was requested prior to the end of the year."

CSIs were instructed in squad briefings to send an all-CSU Supervisor email when they are scheduled to testify in court so that more than one person can have knowledge of when court testimony is being provided.

CSU Management continues to maintain an excel spreadsheet containing information related to expected Testimony Tracking and Monitoring workflows.

In January 2023, the CSU Technical Lead began a quarterly check-in with the section to ensure more frequent reminders to CSIs to document testimony whether monitored or not.

In February 2023, CSU Supervisors were instructed to verify and ensure Testimony Tracking and Monitoring workflows were entered when approving court time in payroll submitted by CSIs. This information is also noted in the CSU Supervisor Handbook.

In March 2023, the Quality Division began monitoring information collected in the Testimony Tracking and Monitoring workflow related to time tracking. The data collected links the amount of time spent out of the office for court testimony (waiting at the courthouse) and the amount of time spent on the witness stand providing the testimony. Early data substantiates a significant impact on the CSU section. The quality division will continue to monitor the information collected and inform HFSC Executive Management of the impact to the laboratory.

In April 2023, the CSU TL sent an email to all CSU staff reminding them to submit any testimony for the first quarter whether they had already been monitored or not and indicating the staff she already had Qualtrax workflows for in the year. This email event will continue to occur quarterly.

Section Manager: Carina Haynes

Date: 06/27/23

Division Director: Carina Haynes

Date: 06/27/23



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

Technical Leader: Nicole Teele

Date: 06/22/2023

CODIS Administrator: N/A

Date: N/A

Quality Director: Jackeline Moral

Date Closed: 07/12/23