



TEXAS FORENSIC SCIENCE COMMISSION

*1700 North Congress Ave., Suite 445
Austin, Texas 78701*

August 23, 2023

Via email to jmorale@hfsctx.gov

Ms. Jackeline Morale
Houston Forensic Science Center
500 Jefferson Street, 13th Floor
Houston, TX 77002

Re: Texas Forensic Science Commission (“Commission”) Laboratory Self-disclosure No. 23.28;
Houston Forensic Science Center (Crime Scene Investigation)

Dear Mr. Stout:

At its July 21, 2023, quarterly meeting, the Commission voted to take no further action on the referenced self-disclosure given the root cause analysis and corrective actions by the laboratory.

Should the laboratory obtain new information that changes the core facts or corrective actions described in the disclosure, please update the Commission accordingly.

Thank you and please feel free to contact Commission staff with any questions or concerns.

Sincerely,

Leigh M. Tomlin

Leigh M. Tomlin
Associate General Counsel

cc: Peter Stout, via email to pstout@hfsctx.gov



Quality Division Use Only			
Quality Tracking #:	2022-057	Classification:	Corrective Action
Non-Conformance Level:	Class I	Section:	Crime Scene
Date of Discovery:	10/31/22	Date of Incident:	10/31/22

This report has been amended to update the following information:

The case packet for case number 018657320 (2020-01936) was located on May 23, 2023, after the corrective action was closed, therefore a technical report was able to be issued on June 20, 2023. Information was added to the additional information/follow up section of this quality report to update that the case packet was located. The actions taken section of this quality report was also updated regarding the administrative report being cancelled and a technical report issued. The updated information below is in *italics*.

Forensic Case Number(s), if applicable:	Agency Case Number(s), if applicable:
2020-01936	018657320
2022-03713	029066222
2021-28656	096959121

Description of Non-conformance:
 The original notes and worksheets referred to as "case packets" were not able to be located for three Crime Scene Unit cases.

Additional Information/Follow-Up:
 The three involved cases were identified in two different ways. The first two cases were identified using the outstanding reports dashboard in Power BI to check the status of pending cases as the unit was preparing for a project to close old pending cases. The third case was identified when a CSI was preparing to leave employment with HFSC and trying to close reports prior to departure.

For case 018657320, there is an associated review DUI in JusticeTrax from a former CSU Supervisor that indicates a review of the case packet was completed but the report was never released in JusticeTrax and was still sitting at draft complete. There is a separate quality report (2020-025) associated with this case that was closed August 10, 2020, and was documented as a personnel related instance that was handled by Human Resources (HR) and CSU Management. The CSU Technical Lead made multiple attempts to locate the case packet in the case file room including searching other cases files from the time that other reports were completed by the CSI as well as the time frame that the CSU Supervisor completed other technical and administrative reviews. A HR member was interviewed to determine if the case packet was used or retained in the personnel issue noted in the prior quality report. HR indicated that it would not use the case packet in its process and the CSU Section Manager during the occurrence is no longer employed by HFSC to interview. The investigator was notified on November 09, 2022, of the missing case information. The scene is from the Vehicle Examination Building and the processing of a vehicle.



Updated June 22, 2023: At the time this corrective action closed, a DVD of the photographs from the scene and a draft report from February 12, 2020, in JusticeTrax, were the only original documentation that was available for the request. Because there were no original notes to support the drafted report and the CSU SOP Section 4.1, 5th bullet point prohibits relying on photographs and memory to write case notes or reports, a technical laboratory report could not be issued. Because a report is required to be issued to notify the stakeholder of the work performed but the work could not, at the time, be reliably detailed without the original observations to substantiate it, an administrative report was issued referencing this Quality Report for more information. The original case packet was located on May 23, 2023. The case packet and DVD of photographs from the scene were used to create a technical report which was issued on June 20, 2023, and the administrative report was rescinded.

For case 029066222, there is no associated review DUI in JusticeTrax that the case packet was provided to anyone for review prior to the CSI trainee's departure from HFSC. The CSU Technical Lead attempted to locate the case packet from the previous CSI Trainee's desk, checking with the assigned Field Training Officer (FTO) assigned to the Trainee, and checking with peers on the squad that could have performed a peer review. The ADA was notified on November 09, 2022, of the missing case information. The scene is from the Vehicle Examination Building and the processing of a vehicle. A DVD of the photographs from this scene and a draft report in word are the only original documentation that remains for this request. Because there are no original notes to support the drafted report and the CSU SOP Section 4.1, 5th bullet point prohibits relying on photographs and memory to write case notes or reports, a typical laboratory report cannot be issued in this case. A report is required to be issued to notify the stakeholder of the work performed but since that work cannot be reliably detailed without original observations to substantiate it, an administrative report was issued referencing this Quality Report for more information.

For case 096959121, there is no associated review DUI in JusticeTrax that the case packet was provided to anyone for review prior to the CSI's departure from HFSC. A digital copy of the case packet was found in the attachments section for the case in the JusticeTrax LIMS. This packet was scanned in its entirety and can be used for review of the case. The original documentation could not be located but the report is supported by the scanned version of the original observations and was reviewed by authorized personnel. The report was released on March 21, 2023.

Summary of Root Cause Analysis:

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

The process used by CSU for the movement of case packets around the unit from draft to review to completion was inefficient and presented risks for the loss of original observations.



Actions Taken:

Individual Cases:

For 018657320, an administrative report was released containing the following wording: "A report containing the synopsis, crime scene summary, processing and results, evidence collected, disposition, and remarks cannot be created due to lack of original observations and necessary technical detail to produce an accurate and reliable report for this request in this case. Please reference Quality Report 2022-057 for more information. A quality report also relates to this request in this case regarding evidence collection. Please reference Quality Report 2020-025. Updated June 22, 2023: The administrative report was rescinded and a technical report was created and released on June 20, 2023, containing the following header: "This technical report is being issued to replace the administrative report issued on March 29, 2023. The administrative report is available at HFSC upon request. Please reference Quality Report 2022-057 for more information. There is another quality report associated with this request regarding evidence collection. Please reference Quality Report 2020-025 for more information."

For 029066222, an administrative report was released containing the following wording: "A report containing the synopsis, crime scene summary, processing and results, evidence collected, disposition, and remarks cannot be created due to lack of original observations and necessary technical detail to produce an accurate and reliable report for this request in this case. Please reference Quality Report 2022-057 for more information. The original CSI that performed the work was not available to author this report and as such, the CSU Technical Lead prepared this report." Due to the original CSI no longer being employed by HFSC, the CSU Technical Lead authored and signed the new report. A copy of the draft report created from the original CSI Trainee's word document was uploaded to the case attachments in JusticeTrax with a watermark that states: "Draft report. Reference Quality Report 2022-057 for more information."

Overall:

Annually during internal audits, a sampling of casefiles is reviewed, and the contents verified. There have been no documented instances of missing case packets resulting from the audits in 2021 nor 2022. This practice will continue.

Around September 2022, CSU initiated a project to reduce the amount of time between a scene being worked and the casefile being reviewed and stored in the HFSC casefile room. The project ended in February 2023 with a significant reduction in the backlog of unreviewed reports. This reduction in time ensures that casefiles contain the required case packets, notes, and original observations in a timelier fashion. All case packets involved in the turnaround time reduction project were accounted for, reviewed, and reports released. In January 2023, CSU updated the CSU SOP to direct the user to the CSU Administrative Manual to address casefile movement throughout the unit.

In February 2023, CSU initiated a new casefile movement policy project that will be implemented in three phases. The first phase of the project was initiated with a color-coding system to monitor the progress of case packets through the report writing and review process. CSU implemented a designated area for the storage of case packets, notes, peer reviews, corrections to define where the casefile is located during each step of the process and the folder color associated with each step. The policy creates a more organized work area and allows CSIs and CSU Management to locate casefiles more efficiently. In addition to the color coding, CSU began adding an inventory page to each casefile. This inventory page indicates the number of packets expected to be in the casefile in addition to who a case packet request was assigned to. CSIs document the date when they put their case packet into the casefile on the inventory sheet. Throughout the review process, the inventory form then indicates if



corrections were requested, when the CSI was given the packet back for the corrections and the date the CSI returned the packet to the reviewer prior to the report being released.

In March 2023, the second phase of the policy which assigns due dates for each step of the casefile movement process was implemented. CSU started a shared calendar to assist CSIs in completing the case packets on time according to the casefile movement policy. The final phase of this project is to implement an electronic tracking system for the case packets/casefiles. Currently CSU Management is in the planning phase of this project, once it tests and implements this process, the CSU Administrative Manual will be updated denoting the complete process and staff members expectations. A follow-up report will be completed when the process is successfully implemented.

Section Manager: Carina Haynes

Date: 05/12/23

Division Director: Carina Haynes

Date: 05/12/23

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

Technical Leader: Nicole Teele

Date: 05/11/2023

CODIS Administrator: N/A

Date: N/A

Quality Director: Jackeline Moral

Date Closed: 05/12/23

Amended Quality Report Approval:

Division Director:  Jun 23, 2023

Technical Leader:  Jun 22, 2023
Nicole Teele (Jun 22, 2023 10:27 CDT)

Quality Director:  Jun 23, 2023