The Recovery of Houston

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Remember in 2003

March 11, 2003

Worst Crime Lab in the Country
Or is Houston Typical?

By ADAM LIPTAK

When Josiah Sutton went on trial for rape in 1999, prosecutors in Houston had little to build a case on: the woman was the only eyewitness, and her recollection was faulty. But they did have the rapist's DNA, and the Houston police crime laboratory told the jury that it was a solid match.

That was enough to persuade the jurors to convict Mr. Sutton and send him to prison for 25 years.

But new testing has conclusively demonstrated that the DNA was not Mr. Sutton's, the Houston Police said yesterday.
Forensic laboratories nationally vs. HFSC

<table>
<thead>
<tr>
<th>National*</th>
<th>HFSC</th>
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<tr>
<td>409 labs, 12 labs with over 100 employees</td>
<td>200 employees, one of the largest in the country</td>
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<td>Approximately 1,000,000 backlogged requests</td>
<td>Currently less than 4,000 in FBIO, latent and firearms</td>
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<td>“Average” lab receives 9,000 requests/ year</td>
<td>Receives about 30,000 requests/ year</td>
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<tr>
<td>67% of municipal labs are accredited</td>
<td>Fully accredited to ISO 17025 (pending)</td>
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*Census of Publicly Funded Crime Labs, November 2016
https://www.bjs.gov/index.cfm?ty=dcdetail&iid=244
National backlogs increasing despite $500M federal investment
The cost of risk from a crime lab

Wrong

$9M
- George Rodriguez decision against the city. Ultimately, from a lab error.

$279B
- Annual potential risk exposure from WRONG

30,000
- Approximate requests per year received in the lab.

Late

$14M*
- Estimated cost of a homicide including investigation, prosecution, lost wages social harm etc

300
- Approximate number of homicides in Houston annually.

2
- Preventing 2 homicides equals the labs annual budget

From the start of HFSC

- 67%* in Avg TOTAL turnaround (TAT) time
- 68% in backlogged requests

* Total turnaround time calculation affected by latent print backlog, values presented with and without latent prints TAT
Average Turnaround Time for August 2018

- Biology: 192 days
- Crime Scene Unit: 68 days
- Digital and Multimedia: 64 days
- Firearms: 17 days
- Latent Prints: 67 days
- Seized Drugs: 8 days
- Toxicology: 29 days

Requests Completed by Section

- Biology: 169
- Crime Scene Unit: 263
- Digital and Multimedia: 115
- Seized Drugs: 632
- Firearms: 699
- Latent Prints: 256
- Toxicology: 497

Turnaround Time - Days
- 40

Completed Requests
- 2631

This data is current as of 8/31/2018.
Challenges the lab reacts to

• Biological/DNA evidence in death penalty cases (TSC 38.43(i))
  • Lucky Ward case
  • 1,000’s of items or roughly $2M worth of testing

• Changes in national requirements
  • DNA chemistry changes mandated by FBI
  • 2 years of validation and work to implement

• Retesting drug cases
  • Retesting old cases for HCDAO to authorize HPD to destroy
  • 300+ tested so far or about $100,000 worth of work
HFSC’s backlog: requests over 30 days old

**Biology—925**
316 sexual assault requests oldest is 165 days

**Gun database—697**
Current turnaround time is 2 days

**Latent prints—1,349**
Violent crime against person and burglary less than 30 days
Changes in the labor pool

• HFSC average 27% less than COH per FTE
• In April of 2014
  • 5 HFSC employees & 131 COH
• In August 2018
  • 192 HFSC
  • 16 COH/classified and civilians
• Direct wage for HFSC 10% higher than COH
Crime Scene

Transition to Civilian Training
CSU accomplishments

• **Civilianized**
  • Allowed HFSC to align with national quality trends in crime scene
  • More cost effective

• **Accredited**
  • Improved quality
CSU: Impacts on HFSC (fingerprints)

**# of cases processed and lifts collected by CSU by year**

- **Number of cases**: 0, 50, 100, 150, 200, 250, 300
- **Number of lifts collected**: 70, 22, 27, 200, 57, 85, 93

**Number of lifts reported to HPD in the past 6 months**

- **March 18**: 11
- **April 18**: 19
- **May 18**: 27
- **June 18**: 22
- **July 18**: 33
- **August 18**: 31

**AFIS hits collected by CSU**

- **March 18**: 25
- **April 18**: 39
- **May 18**: 55
- **June 18**: 57
- **July 18**: 93
- **August 18**: 85

Date: 9/11/2018
What improved CSU performance does to latent prints – saturates capacity

Comparison Backlog

Requests older than 30 days

- Nov-17
- Dec-17
- Jan-18
- Feb-18
- Mar-18
- Apr-18
- May-18
- Jun-18
- Jul-18
- Aug-18
- Sep-18
- Oct-18
- Nov-18
- Dec-18
eDiscovery

• “Radical transparency”
  • Increased reporting
  • Increased access
  • Approximately 4,500 documents all public
HFSC’S BLIND TESTING PROGRAM
HFSC’s blind testing program

• HFSC’s quality division creates mock cases or “tests” that mimic actual work and introduce them into the workflow as all other work comes through the door
• Tests the ENTIRE system
• Target of 5% of the work as blind tests or about 1,000 per year
Forensic Disciplines

Implementation Date:

<table>
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<tr>
<th>Discipline</th>
<th>Date</th>
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<tbody>
<tr>
<td>Toxicology</td>
<td>September 2015</td>
</tr>
<tr>
<td>Firearms</td>
<td>December 2015</td>
</tr>
<tr>
<td>Controlled Substances</td>
<td>December 2015</td>
</tr>
<tr>
<td>Biology</td>
<td>October 2016</td>
</tr>
<tr>
<td>Latent Prints</td>
<td>November 2017</td>
</tr>
<tr>
<td>Forensic Multimedia</td>
<td>November 2017</td>
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The answer to these problems may well already exist, and in a rather surprising place: the city of Houston, Texas. "For years," says Chu, "its crime lab was notoriously the worst in the country. After millions of dollars spent to hire outside companies, the public had had enough. It's since changed its culture entirely. The laboratory is a public/private partnership funded by the city, governed by a board, and operates with complete transparency."
NOT
THE END OF
THE ROAD