



UNIFIED FORENSIC LAB

Board of Directors Meeting of the Unified Metropolitan Forensic Crime Laboratory

July 26, 2023 Agenda

1pm-3pm

**The meeting will be at the UFL
8555 Double Helix Court
Englewood, CO 80112**

BOARD MEMBERS	
P	Art Acevedo , Chief, Aurora Police – Chair (V)
P	Mark Hildebrand , Deputy Chief, Aurora Police, Alternate
P	Darren Weekly , Sheriff, DCSO – Vice Chair (V)
P	Tyler Brown , Sheriff, Arapahoe County – Secretary (V)
	Mike McIntosh , Bureau Chief, DCSO, Alternate for Sheriff Weekly (V)
P	John Kellner , DA 18 th Judicial District (V)
P	Tom Byrnes , Chief Deputy DA 18 th Judicial District, Alternate (V)
P	Mike Coffman , Mayor, City of Aurora (V)
P	Jeff Baker , Commissioner, Arapahoe County (V)
P	Lora Thomas , Commissioner, Douglas County (V)
P	Phil Rathbun , UMFCL Acting Director, Aurora Police Department (NV)
A	Linda Michow , Attorney of Record for UMFCL (NV)

P=Present A=Absent

ADDITIONAL ATTENDEES
Kimberly Morrow Deputy Director
Kelsey Peters UFL
Janette Guscott UFL
Darla McCarley-Celentano UFL
Wendy Wales UFL
Melissa Grass UFL
Tracey Montano Deputy Director
Mary Schleicher UFL DNA Supervisor
Mark Hildebrand
John Schneebeck

Pete Schulte
Shane Williams UFL
Amanda High UFL
Alex Sucheka UFL

1. **Call to Order:** Chief Acevedo called the meeting to order at 1.08pm
2. **Roll call/confirm Quorum:** Chief Acevedo conducts a role call and confirms a quorum is present.
3. **Executive Session:** No executive session was required.
4. **Approval of minutes:** A motion to approve the minutes of the last meeting 4/26/23 presented by Chief Acevedo. Motion to approve the minutes accepted by Commissioner Thomas, second by Sheriff Weekly. Motion approved.
5. **Meeting notice:** Notice of the meeting was posted on the UFL website on Monday 7/24/23.
6. **Open ongoing items:** Lt. Rathbun
 - Weather event. There was an incident in the Latent Print Lab in June where a storm drain came loose. The storm caused a collapse in part of the ceiling releasing thousands of gallons of water, flooding the lab space and part of the hallway. The firearms lab was also affected.

Sheriff Brown asked why the drain was not sufficient. Commissioner Thomas explained the weight of the hail was too much for drainpipes causing a collapse of the ceiling which resulted in significant water damage.

On the north side of the building, we have some drainage issues that occurred when the building settled. Facilities are taking the lead with the builder to have the issues resolved. They put in a temporary fix until they can fix it permanently.

- The staff did a great job of mitigating damage by moving equipment out of harm's way. ServPro completed the water cleanup efforts. As of today, the repairs have been completed and the Latent Print Lab is operational. Lt. Rathbun would like to send a special thank you to Douglas County Facilities for the fantastic job they have done with coordinating the cleanup efforts.
- Vacancies: Hiring – Since the last Board meeting we had 2 vacancies for NIBIN, 2 vacancies for LP Examiners and 1 vacancy for Latent Prints Technical Lead. We have filled the 2 NIBIN Tech positions with both successful candidates starting in their new

positions. We have hired for 1 Latent Print position, but also lost one employee, still leaving us with 3 Latent Prints vacancies, all for Aurora.

Aurora has offered signing bonuses for all three positions as well as a relocations bonus for the Technical Lead position if needed. As of now, we have not received any qualified applicants.

After some research, it was discovered that some applications were not making it to HR. HR is in the process of reaching out to those applicants to see if they still have interest in the positions.

Conversations are taking place to discuss the two Latent Prints Examiner positions. We are looking at the possibility of hiring new graduates without experience, with the intent of sending them to Ron Smith Academy in Mississippi for 6 months of intense training. Hiring new graduates instead of Crim2 Examiners would give us vacancy savings which in turn would help to pay for the Ron Smith Academy.

- The name change has passed through the Counties and the City of Aurora, and the official resolution is ready to be signed off on. Douglas County has changed the name on the building and the signs. With the signing of the resolution, #2023-02, work will begin changing all the UMFCL names to UFL.
- Motion for Resolution #2023-02 to officially change the name from Unified Metropolitan Forensic Crime Lab to Unified Forensic Lab presented. Motion to accept by Sheriff Brown, Second by Commissioner Baker. Motion passed unanimously.
- Lab efficiency/power automate. Looking at the review of our Lab processes and in follow up to the internal review completed by Michelle Crawford, Aurora has taken a proactive approach to helping with automation of some of our Lab processes. We are trying to get all the efficiency we can through our administrative processes. This involves some business systems analysis which is headed by Vanessa Mulqueen from Aurora IT. Thank you to Aurora for paying for power automate training, which is being put to good use.
- The Lab is receiving an increase in rush case requests for investigative leads for DNA. Our DNA turnaround time is creeping up. We are currently at 110-day turnaround time. We are accepting 82 cases a month and putting out 72 cases a month, meaning our caseload is quickly increasing. With the current number of cases, we are relying on overtime to keep up. We need more DNA analysts; our backlog is going to continue to increase. It is a double-edged sword, the increase of rush requests is great, investigators are seeing return on investment, but we are falling behind on other cases. Every hit requires additional work from the analysts and pushes non-urgent cases to the backburner. If we want DNA for investigative purposes we need to look at adding my analysts as the current caseload is not sustainable.
- Chief Acevedo posed a question to DA Kellner. Have we talked about using rapid DNA? DA Kellner stated it is expensive and the question remains, would a confirmatory sample be needed to move forward to Court? Deputy Director Morrow added, rapid DNA is not currently suitable as it can't be used to generate investigative leads.

- The only real-life application of rapid DNA is in jurisdictions that allow immediate database entry from booking station, which Colorado doesn't have, as there needs to be a probable cause hearing. In Deputy Morrow's opinion it is not worth the investment until there are legal changes. As far as the actual case work, crime scene samples are not suitable for this type of testing. DA Kellner stated, if probable cause hasn't been found by a judge, there would need to be a change of statute. It would be a useful tool to have in jails in the future. CBI destroys ¼ - 1/3 of samples they receive from booking stations because they don't have probable cause.
- Chief Acevedo asked if the Board would like to consider directing staff at the Lab to start working on a proposal for DNA rapid testing. Motion presented by DA Kellner, 2nd by Sheriff Brown. Motion passed. DA Kellner's Office will help draft a proposal.
- Deputy Director, Kim Morrow presented the audit schedule for the upcoming internal audit September 11-15, 2023, and the ANAB full technical audit, the last week of February 2024. ANAB will pick the assessors who will represent the Audit team. This audit will be a full technical assessment of every unit.

7) **OLD Business**

- Lt. Rathbun spoke of the cost estimates from each of the agencies for a DNA Analyst. We were provided with cost estimates from each of the agencies to fund an analyst. Along with breakdowns we look at minimizing start-up costs by using grant funds. It appears most start-up costs would be covered under grants including set up, training, licensing. We reviewed the processes within the lab to be sure the lab space is conducive to adding personnel without having to add equipment. We could accommodate two people and increase our workload and efficiency utilizing the current space and equipment. The estimates from the three agencies were all in the same ballpark, from \$109 in Douglas County, \$115 Arapahoe County \$115 in Aurora. There are still questions about consumable costs. We would require more consumables but would also have more efficiency. Aurora IT said it is too late to add items to the budget currently.
- DA Kellner stated the problem is not the staff. Staff are working at maximum capacity; we need those positions. Without relying on other labs to pick up on our excess casework, it is less expensive for us to add analysts to the lab. Lt. Rathbun stated we are a victim of our own Lab success.
- The question was posed to DA Kellner; What does 110 days vs 60 days turnaround time mean in terms of court appearances? Kellner spoke of the tangible costs or court time. Lt. Rathbun stated we are getting more responses when the turnaround time is quicker, as well as having cases pleaded before going to court.
- Chief Acevedo asked for thoughts on putting together a formal proposal. Commissioner Thomas asked about the breaking down of funding for the additional analysts.
- Aurora took on the two NIBIN positions and reallocated them, so we added two contract positions. Lt. Rathbun explained whilst the cost for equipment is based on a percentage split, the cost of consumables is a three-way split, and the personnel cost is held by the

agency holding the position. The number is going to constantly shift as it relies on CODIS hits which are growing exponentially. Two more analysts could make the 60-day turnaround time attainable.

- Sheriff Brown stated we need to have an appropriate number of personnel to get the cases going. Can we move to start putting together a formal ask? Commissioner Thomas noted with \$10,000,000 in property taxes concession given to DC residents the County is facing a shortfall heading into next year. Commissioner Thomas is unsure if they could make the budget work when already working with a shortfall.
- Commissioner Baker stated collective bargaining could be an issue in future years. AC prepared three different budgets in anticipation of budget shortfalls. They would not be able to decide until after November.
- Chief Acevedo would like to present a motion to start a discussion. Motion presented by Commissioner Baker to start the discussion for adding 2, 3 and 4 analysts to the DNA Unit, second by Sheriff Brown. Motion passed.
- Douglas County NIBIN processing. Douglas County had a surplus of guns that they wanted to be processed through NIBIN. We have worked with the Consortium to formulate a plan to have the guns processed.
- Ron Smith & Associates update. Deputy Director Morrow sent 78 cases to RS&A. These cases were at no risk of overrunning statute violations. RS&A is working on them and will let us know when they have an update. Thanks to Aurora for offering \$75,000 to help work the backlog.
- Legal Representation. There were no applications for the RFP. What do we need to do for legal representation moving forward and who should be taking the lead on negotiations with interested parties. The contract is worth \$30,000 per year.
- Lab Director. The vacancy was posted yesterday. It will be posted for 30 days. Is there anything in the bylaws about the hiring process? A conditional offer would be made to the successful candidate and the agencies would need to approve. Chief Acevedo polled the board to see who would like to participate in the interviews. DA Kellner, Commissioner Thomas, Sheriff Weekly, Sheriff Brown would like to sit on the interview panel.
- Chief Acevedo would like to thank the Lab staff for the great work they do and would like to BBQ for the Lab to show appreciation. Sheriff Weekly and Sheriff Brown agreed and would like to also participate.
- **Adjournment** Motion to adjourned at 2.07 pm by Chief Acevedo, second Sheriff Brown. Next meeting of the UFL Board will be 1:00pm, October 26, 2023, at the Unified Forensic Lab.

