



# UNIFIED FORENSIC LAB

## Board of Directors Meeting of the Unified Forensic Laboratory

January 24, 2024 Agenda

1:30pm-3:30

The meeting will be at the UFL

8555 Double Helix Court

Englewood, CO 80112

### Members

DC Sheriff Darren Weekly (V) – Vice Chair	AC Sheriff Tyler Brown (V) - Secretary	Aurora Interim Chief Heather Morris (V) – Chair	18 <sup>th</sup> Jud. District Attorney John Kellner (V)
Alternate Bureau Chief Mike McIntosh	Alternate – Chief Ken McClem	Alternate Dep. Chief Mark Hildebrand	Chief Dep. Tom Byrnes
Aurora -Mayor Mike Coffman, (V)	AC Commissioner Jeff Baker, (V)	DC Commissioner Lora Thomas, (V)	Lab Director Kimberly Morrow (NV)

<b>BOARD MEMBERS</b>	
P	<b>Heather Morris</b> , Chief, Aurora Police – <i>Chair (V)</i>
P	<b>Mark Hildebrand</b> , Division Chief, Aurora Police, Alternate
P	<b>Darren Weekly</b> , Sheriff, DCSO – <i>Vice Chair (V)</i>
P	<b>Tyler Brown</b> , Sheriff, Arapahoe County – <i>Secretary (V)</i>
A	<b>Mike McIntosh</b> , Bureau Chief, DCSO, Alternate for Sheriff Weekly ( <i>V</i> )
P	<b>John Kellner</b> , DA 18 <sup>th</sup> Judicial District ( <i>V</i> ) ( <i>virtual</i> )
A	<b>Tom Byrnes</b> , Chief Deputy DA 18 <sup>th</sup> Judicial District, Alternate ( <i>V</i> )
P	<b>Mike Coffman</b> , Mayor, City of Aurora ( <i>V</i> )
P	<b>Jeff Baker</b> , Commissioner, Arapahoe County ( <i>V</i> ) ( <i>virtual</i> )
P	<b>Lora Thomas</b> , Commissioner, Douglas County ( <i>V</i> )
P	<b>Kim Morrow</b> , UFL Director, Arapahoe County ( <i>NV</i> )
P	<b>Pete Schulte</b> , Attorney of Record for UFL ( <i>NV</i> )

**P=Present A=Absent**

<b>ADDITIONAL ATTENDEES</b>
Wendy Wales, Support Specialist UFL
John Schneebeck APD
Kathy Stafford APD
Ken McKlem ACSO
Olga Fujaros ACSO

Joel White DCSO
Darla McCarley-Celentano APD-UFL
Christine Spiegel APD-UFL
Kiana Valenti ACSO – UFL
Amanda High ACSO – UFL
Mary Schleicher – ACSO – UFL
Kelsey Peters APD – UFL
Shane Williams DCSO – UFL
Amy McCowen ACSO – UFL
Chanel Ewing – APD – UFL
Aleksandra Suchecka – APD – UFL
Melissa Grass ACSO - UFL
Tracey Montano – Deputy Director DCSO - UFL
Diane Romero – DCSO (virtual)

1. **Call to order:** Chief Morris called the meeting to order at 1.32pm.
2. **Roll call / Confirm Quorum:** Chief Morris conducted a role call and confirmed a quorum was present.
3. **Executive Session:** No executive session was required.
4. **Approval of minutes from last meeting:** A motion to approve the minutes of the last meeting 10-25-2023 was presented. Commissioner Thomas provided two changes to the minutes. The motion to approve the amended minutes by Sheriff Brown, seconded by Pete Schulte. Motion passed.
5. **Meeting notice:** Notice of the meeting was posted on the UFL website on Monday 1/22/24.
6. **Open ongoing items:**

**Vacancies and hiring updates – Director Morrow**

We have had a lot of movement with our vacancies. We have completed hiring two Latent Print Examiners (positions with APD), one is attending Ron Smith Academy in Mississippi. Thank you to the Chief’s Office for coordinating all the travel. Our second Latent Print Analyst has started training in the building. The Latent Print Unit is fully staffed with seven personnel. The Technical Leader is back from leave.

ACSO graciously allowed us to promote from within for our Technical Leader and that position is held by Arapahoe County.

Chemistry Unit is staffed with three staff members.

Firearms and NIBIN are staffed with 5 members.

Questioned Documents has two staff members.

DNA Unit. We moved one position from the Latent Prints unit that we were unable to fill with experienced staff into a DNA position. The position has been filled and the successful candidate will start training January 29<sup>th</sup>. Staffing in the DNA Unit stands at seven employees. This position was an internal, cross agency promotion. The promotion leaves a vacancy in our Evidence Unit which we will be filling shortly.

We want to send special thanks to Aurora HR and Amy Oh particularly, for helping organize and narrow down our application pool. We will be holding two in person interviews on February 5<sup>th</sup> and 7<sup>th</sup>. Hopefully in a few weeks we will be putting a candidate into background. Filling that position will leave us with no vacancies and we will be fully staffed for the first time in 5 years. We appreciate the support of the Agencies assisting in getting us fully staffed.

An item of old business that was previously brought up by previous Acting Director, Lt. Rathbun was the need for additional DNA positions. With the approval of the Board, we were able to move a Latent Print position to DNA, which is very helpful for now. Starting in 2025, to keep up with the trends, we are going to be requesting one additional DNA position be considered by the Board for the 2025 Budget. It is listed in the packet you have been presented with today. We are looking for this position to be an FTE position.

## 7. **New Business:**

### **Formal proposal for adding Quality Assurance Support back to the UFL – Director Morrow.**

The proposal provides two options:

Director Morrow would like to present the two options to the Board members for consideration.

As previously discussed in the last meeting, the Deputy Director position held the responsibility of the Quality Assurance Manager. With the move from four Management positions back to three and the distribution of workloads and growing staff, it is no longer sustainable for the QA Manager position to be rolled into the Director position. There are not enough checks and balances to assure that nothing is being overlooked. We don't believe this is a full-time position with the Lab, but the responsibilities have become too great for the Director or Deputy Directors to continue to take on.

Full-time Quality Assurance Administrator, this is not a management position, the candidate would maintain QA tasks and other duties would be assigned. This position would be reporting to and work under direct supervision of the Director. The cost would be around \$100,000.

Contract services for Quality Assurance Support - This would be a contract position for “as needed” hours, the cost would be around \$60,000-\$65,000 and the responsibilities would be quality support. They would take on many of the tasks that are time-consuming in quality assurance but aren’t necessarily a manager’s role.

Compared to a full-time Quality Assurance employee, the work quality would be the same except they would only do QA work, a full-time employee would also, under the direction of the Director, work on grants and other projects. In the event we went with a contractor, they would travel for Audits. Having someone to take over the QA responsibilities would allow the director to concentrate on the director’s position instead of wearing two hats.

**A discussion was started amongst the Board Members.**

Sheriff Brown said quality assurance is something we are passionate about and is important to ensure we maintain our accreditation. We need to make sure we are functioning at the highest level possible. Sheriff Brown asked, would it be best to share the cost three ways, or do we go back to the IGA? Arapahoe County budget is very tight, and everyone benefits equally so the cost should be shared equally. He does believe having a quality assurance person is paramount in maintaining quality work.

Commissioner Thomas would prefer not to split the funds and stick with the percentage split that is currently in place. On behalf of Douglas County Commissioner Thomas feels we should follow the IGA as it is written. She stated the Board should pick which of the options they would like to go with and then decide how the funds should be split. Sheriff Weekly agreed stating the IGA was created for a reason and he would prefer to stick with what is already in the IGA.

Mr. John Schneebeck speaking for Aurora believes a contracted employee would be more attainably cost-wise for Aurora. Mr. Schneebeck stated, not everything has been an equitable split, there have been multiple instances where Aurora has taken on the cost of hiring. Ultimately, it would be a Board decision to vote on how to fund Quality Assurance.

Chief Morris asked if the difference in cost between FTE and contract positions would mean a difference in productivity? Director Morrow replied the cost would not affect the quality of work, but a contract position would allow that person to work only on quality assurance tasks. The proposal does lay out very specific items, with the person being available for internal and external audits including travel for the audits. All quality tasks would be taken care of allowing Management to work on managerial tasks.

DC Hildebrand feels having a person independent of the Lab is in the best interest of all the agencies. From a quality assurance standpoint, having oversight and someone to come in and look at processes isn't about the quantity of the work each agency brings to the Lab, catching mistakes and eliminating them can only benefit every agency equally. If one error is caught, it is going to call into question the quality of work in all agencies. He believes the cost should be split evenly between the agencies.

Sheriff Brown agrees the Lab should be passionate about quality assurance and is the cost of maintaining our accreditation. He feels the best option is to contract a QA service but would like funding to be split three ways since all Agencies benefit from the QA manager onboard.

Commissioner Thomas followed up by saying Douglas County put \$17,000,000 into the land and building on the understanding that they would get a break on the expenses of the Lab, and she feels the Board should stick with the costs splits originally laid out through the IGA.

DA Kellner suggested, considering recent findings, affecting over 400+ cases by an analyst at CBI, it is very important to be represented by a QA manager, so we have quality control in place. This is an opportunity for the UFL to learn from what happened at CBI and ensure it is not repeated here at our Lab.

Chief Morris asked the question; Is there anyone who would get behind an FTE? No hands were raised. She feels it is important to not get behind, getting behind makes it very difficult to catch back up. It would be very expensive if we were to get behind on quality assurance and would cost more money in the long run.

After the discussion, the Board feels a contract option would be best for the Lab. It is an investment to pay to have a QA person represent the Lab. A motion to choose the contract option for the Lab was presented by Chief Morris. The discussion for funding the position will be tabled for a later meeting.

Mr. Schneebeck was asked by Chief Morris if the APD budget could absorb the cost of \$44,520.00? He advised it is a long-term expense that would have to be added on the budget shortfall. Mr. Schneebeck advised APD already has a contract for a NIBIN Tech as well as a Questioned Documents Examiner and is using a large portion of the budget for those two positions. He does feel the Lab should move forward with the position and work out how to pay for it in a later meeting.

Mayor Coffman would like to know the equity of the split as Aurora would have the preponderance of the cost of the contract. It was recommended for Director Morrow to explore the cost of the contract and bring the proposed numbers back to the next Board of Directors meeting.

Sheriff Brown made the motion to decide on using a contractor for QA support. The motion was second by Mayor Coffman. Motion passed.

### **UFL/FBI NIBIN project. – Director Morrow**

The Firearms unit has been working on project with the local FBI office. The FBI office has been under orders for the NIBIN project but have not had the capability of completing it. Our Lab is helping them out. The project is fully funded by a federal overtime grant. They have around 200 entries that have needed to be entered into NIBIN; we have done 100 so far. We were able to general an association between Pueblo and Thornton to a federal case. Our firearms team and tech lead have been working very closely with the FBI office to get a test fire program started. It is a good demonstration of how sub agencies could benefit to expand our NIBIN services to help the agencies that are overlapping with our home agencies.

Expanding into sub agencies could potentially help some of our smaller agencies. There is currently a homicide in Lonetree, nothing has been entered into NIBIN, but it is very likely there is an association there. We would like to move forward with overtime funding to help on some of these projects knowing it isn't affecting our current turnaround time or casework.

This work would not have been done without our firearms unit. FBI reached out to all the agencies in the local area and the UFL is the only Agency to help them. assists on overtime. FBI reached out the all the agencies and the UFL is the only agency that has helped. On I25 corridor, beneficial to our home agencies. Did this without any impact to the home agencies. Still able to make a difference.

Mayor Coffman asked if the agencies we are helping are outside the IGA. Director Morrow said they are, although some are sub-agencies of the larger agencies. i.e. Greenwood Village were grandfathered in to receive Latent Prints because they received those services under Arapahoe County before the Lab.

Mayor Coffman asked if this is a service we are going to expand and is there a fee being charged? Director Morrow stated the work is only being done when time allows and using federal overtime funds. There is no impact on agency casework.

Sheriff Brown asked what would the FBI be willing to pay to have us complete the project for them, if we were implementing pay for service?

Chief Morris asked if the overtime in the Firearms unit needed to be used for a specific purpose. Are we using funds for the FBI testing that could be used on home agencies cases? In response Tracey Montano said the Firearms unit is not being forced to work overtime, the NIBIN Techs want to work the overtime. The firearms examiners are not completing the work, it is solely being undertaken by the NIBIN Techs. There are no other overtime funds

from the Agencies, except through federal funds. None of the overtime has any impact on the home agency cases. The Lab's NIBIN cases are current.

Deputy Director Montano said, the FBI does have the ability to work NIBIN cases, but they would need to send them back to the west coast to be worked, which is why they asked the Lab to help. It does show that if we could work these cases for sub agencies, which in turn may benefit the Lab's cases.

Chief Morris asked Director Morrow if the overtime is affecting the lab's case workload? Director Morrow stated there is nobody working these cases that would have otherwise been working a home agency case. This is strictly NIBIN Techs, working NIBIN cases when their NIBIN work is done for the day, and they have no other agency casework.

Sheriff Weekly asked a question about doing casework for smaller agencies for a flat rate fee schedule, should be charging? Sheriff Weekly said these other agencies do have money and we are not a nonprofit. Should we be charging for doing work outside the Agencies who entered the IGA? Right now, we are doing work for free. Sheriff Weekly feels they want case work processed; they should pay for that service. Can we create a matrix for services and implement it? The IGA does allow for funds for service.

If the Board pleases, Director Morrow will present a proposal for the next meeting for a fee for service. These services would only be provided. Commissioner Thomas stated she has been waiting for the conversation to come up and believes sub agencies should be paying for services.

Chief Morris would like to acknowledge the success of the Lab and thank everyone for the being done. Chief Morris said NIBIN connections can absolutely have an impact on home agency cases, we know it's important.

### **2025 budget request presented by John Schneebeck and Kathy Stafford.**

In January we bring to attention the budget request for next year, along with some requests from the Lab director.

The budget presented today is the expected budget for the 2025 year. This is an opportunity for the Board to take the budget back to their agencies to go over. At April's Board Meeting the budget will be formalized, according to the rules of the IGA. The budget also provides the splits for 2025 for general expenses verses DNA.

Commissioner Thomas asked about the funds for the 18<sup>th</sup> District of \$132,778.00, in 2025 Arapahoe will be the 18<sup>th</sup> and Douglas, Elbert and Lincoln Counties will be the 23<sup>rd</sup> District. Do we need to figure out how that split is going to happen?

Mr. Schneebeck stated we do need to figure out how we are going to work out the split with the impending changes. Commissioner Thomas asked for it to be put on a future agenda if the 23<sup>rd</sup> will be adding a seat on the Board, which would put an even number of people on the Board.

Mr. Schulte said with the addition of the 23<sup>rd</sup>, we will have to look at the IGA. Director Morrow stated we currently have MOP, and the IGA covers the main three agencies. Commissioner Thomas asked if the 18<sup>th</sup> was a party to the IGA and Director Morrow said they needed to participate through an MOP or MOU. Commissioner Thomas stated it is concerning to have an even number on the Board. This would be a problem if the 23<sup>rd</sup> is added to the IGA. Mr. Schulte said depending on how the Board decides to handle the addition, there may be an amendment added to the IGA.

Commissioner Thomas stated she would speak with DA Kellner and Mr. Schulte to see how the split is going to work.

Director Morrow would like to bring to the attention the significant increase in DNA consumables as analysts come out of training and start casework. With the increase in split for Douglas County up to 19% for general and 19% for DNA the additional splits will be pushing above the \$8,700.00 and \$60,000. This is not an additional ask beyond consumables.

Commissioner Thomas thanked Mr. Schneebeck for putting the budget together and to give them a chance to go through it before the April meeting.

Mr. Schulte said if there are any issues someone seeing with the proposed budget a special meeting would need to be called as it needs to be approved before May 1<sup>st</sup>, as stated in the IGA.

8. Motion to adjourn presented by Chief Morris, seconded by Commissioner Thomas.

Meeting adjourned 2:20pm

9. Next Meeting – April 24, 2024 / 1:30pm – 3:30pm @ UFL