



UNIFIED FORENSIC LAB

Board of Directors Meeting of the Unified Forensic Laboratory

April 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 th 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)

BOARD MEMBERS	
A	Heather Morris , Chief, Aurora Police – <i>Chair (V)</i>
P	Mark Hildebrand , Division Chief, Aurora Police, Alternate
A	Darren Weekly , Sheriff, DCSO – <i>Vice Chair (V)</i>
A	Tyler Brown , Sheriff, Arapahoe County – <i>Secretary (V)</i>
P	Mike McIntosh , Bureau Chief, DCSO, Alternate for Sheriff Weekly (V)
P	John Kellner , DA 18 th Judicial District (V)
A	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	Kim Morrow , UFL Director, Arapahoe County (NV)
A	Pete Schulte , Attorney of Record for UFL (NV)

P=Present A=Absent

ADDITIONAL ATTENDEES
Wendy Wales, Support Specialist UFL
Diane Romero, DCSO
Kathy Stafford APD
Olga Fajaros ACSO
Tracey Montano, Deputy Director, UFL

Dan Avery, DCSO
Ethan Snow, APD
Undersheriff David Walcher, DCSO
Carey Alvarez Bacha UFL/APD
Shane Williams, UFL/DCSO
Amanda High, UFL/ACSO
Kiana Valenti, UFL/ACSO
Miranda Cales, UFL/APD
Darla McCarley-Celentano UFL/APD
Janette Guscott UFL/APD
Alex Luby UFL/18 th
Ray Perez UFL/APD
Christine Spiegel UFL/APD
Chanel Ewing, UFL/APD
Mary Schleicher UFL/ACSO
Omar Felix UFL/ACSO
Kelsey Peters UFL/APD
Yohana Ostorga UFL/APD

1. **Call to order:** The meeting was called to order by Division Chief Hildebrand at 1.34 pm.
2. **Roll call / Confirm Quorum:** A roll call was conducted by Undersheriff Walcher and confirmed a quorum was present. Undersheriff Walcher requested the attendees introduce themselves.
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 01-24-2024 was presented by Commissioner Thomas 2nd by DA Kellner. Undersheriff Walcher abstained from the vote as he wasn't present at the Quarter 1, 2024 meeting. Motion passed.
5. **Meeting notice:** Notice of the meeting was posted on the UFL website on Monday 4-22-24.
6. **Open ongoing items:**

a) 2023 Budget Closure and 2025 Budget Approval – Manager John Schneebeck

Kathy Stafford Senior Accountant APD, speaking for John Schneebeck, said the numbers haven't changed since it was presented in January, Quarter 1 meeting.

Kathy would like to point out a couple of items.

Listed under Future Equipment & Grants. The Grant numbers for Aurora don't include requested numbers for the year 2025 even though Grants are still being applied for.

Aurora has two positions in the Lab that are unfunded, they are listed below.

- NIBIN Technician
- Questioned Document Examiner

Maintenance for the CADRE system Qiagen robotic system were both purchased on Grants, both of which are ending. Moving forward those costs will be allocated to the budget based on the discussion at the January 24 meeting.

No questions were presented to Kathy.

A motion to approve the budget was presented by Commissioner Baker, 2nd by Dan Avery (Douglas County).

Commissioner Thomas asked Dan Avery if the budget was as discussed in the January meeting. Commissioner Thomas asked to hold the confirming of the budget until after the IGA positions discussion had taken place. The motion was placed on hold

DC Hildebrand stated in the original IGA Aurora provided 11 positions and are currently staffing 16.

Deputy Director Montano said there have been a lot of changes to the positions as the requirements for the Lab have changed over the last five years.

DC Hildebrand asked Kathy if the IGA staffing document presented today is correct. Kathy replied, it is.

Commissioner Thomas asked if according to the document, is Douglas County short one person? Director Morrow said the position not currently filled is a Latent Print position that has not been filled at the Lab since 2019. The individual recently resigned from Douglas County Sheriff's Office.

Diane Romero responded to Commissioner Thomas DCSO should have 5 Lab related positions as well as a facilities employee.

Director Morrow apologized for accidentally leaving the building maintenance position off the IGA employee list. She said the original list shows, 1 person in drugs, 2 in latent prints, 1 supervisor 1 deputy director, 1 DNA analyst. Director Morrow stated the original IGA shows 6 including building maintenance, DCSO currently stands at 5 including building maintenance.

Diane Romero DCSO said the positions all line up with how DCSO has positions listed in the IGA.

DA Kellner asked what it means in the document when it says the 18th is not in the IGA. Director Morrow confirmed the 18th participation in the Lab is through an MOP and not through the IGA. Through that agreement they do provide a position.

DA Kellner asked for the distinction between a NIBIN Technician and a Firearms Examiner. Director Morrow explained, a NIBIN Technician can do processing, but a Firearms Examiner is trained at a much higher level. They are two different positions. The employee from the 18th started as a NIBIN Technician but has now completed all the training and is going to be fully signed off as a Firearms Examiner at the conclusion of today's meeting.

DC Hildebrand asked if this discussion is speaking to the vacancies and hiring questions listed later in the agenda. Should we address those questions now since it is already being discussed?

Commissioner Thomas said she is shocked DCSO is not fully staffed. She stated according to the minutes of the last BOD meeting, once we have filled the positions currently open, we would be fully staffed for the first time in 5 years. Latent Print and Chemist positions were identified as dual roles, as listed in the IGA. They were initially part-time but are now full-time at the Lab but still on call with DCSO.

Deputy Director Montano said there is some confusion about the two Latent Print positions as well as the Chemist position funded through Douglas County. They were identified as dual roles and stationed here; those positions are still on call with DCSO.

Commissioner Thomas asked if we need to fill the position. Undersheriff Walcher stated if DCSO has a vacancy we need to fill it.

Director Morrow stated, we will always want/need new people, presently we don't have the capacity to train another person. We currently have two trainees in our Latent Print Unit for ground up training. We won't have the capability to train any other people in that unit. When everyone in the unit is fully trained, we will be able to keep up with the demand. Director Morrow said, the position Commissioner Thomas is referring to hasn't been filled since 2019 and the Lab assumed the position wasn't being funded any longer.

Deputy Director Montano said it is important to note we started five years ago with thirty-one positions, and we are still at thirty-one positions with two additional NIBIN Technicians.

DC Hildebrand asked the Board if they were ready to vote on the budget which was tabled earlier in the meeting.

Commissioner Baker presented a motion to approve the budget. Chief McKlem 2nd. all in favor. The vote for the 2025 budget was approved.

b) Vacancies and Hiring Updates – Director Morrow

We have had a DNA Analyst from APD resign and our DNA Technical Leader from ACSO has submitted her resignation. Her last week of work will be the 1st week of June. Thank you to the HR Department for both agencies for posting those jobs quickly, we are reviewing applications and have a great pool of applicants. The applicant pool will be kept wide as two other labs in the Denver area are also hiring.

The DNA Unit will be down for a while as the Technical Leader position will need to be filled temporarily with a DNA analyst, which will leave us short of one analyst.

DA Kellner asked the question how many staff we have in the DNA Unit? The Lab currently has 3 DNA Analysts and a Technical Leader (vacant) from Arapahoe County, 2 Analyst positions from Aurora (one is vacant) and 1 DNA Analyst from Douglas County. Hopefully the positions will be filled by end of summer.

Deputy Director, Celina Oropeza (APD) has completed her DNA background check. She is currently deployed overseas but will be back in the country June 1st and will start at the Lab on June 10th.

Evidence Technician (ACSO) is in the final stages of background. Should be at the lab shortly.

c) Contract Quality Assurance Administrator and Board discussion on payment breakdown – Director Morrow

In the January Board meeting the Board approved hiring via contract a QA Administrator whilst tabling how to pay for the position. The selected candidate, Anja Einseln's resume is in the folder. She is a QA Administrator of the highest caliber. Director Morrow has personally attended a risk management course she taught. We are excited to have her as an online contract employee. We will have a better understanding of the hours needed for the position after the first few months of the contract. Given the current situation in forensics right now, we are grateful to have such a great addition to our team.

The conversation that was tabled in January was the decision on how the funds would be divided between the agencies. Director Morrow will now turn the discussion over to the Board.

DA Kellner asked Director Morrow to refresh his memory on the length of time for the contract.

Director Morrow stated this is a remote position with the QA Administrator onsite three times in the 1st year. She wants to meet the staff, be in attendance for the internal audit and as well as the external accreditation with ANAB. She will handle proficiency tests, corrective actions, non-conforming work, protocol management and assuring compliance with the lab. We have the right to terminate the contract at any time if we are not happy with the service. We are guaranteed the pricing for three years.

DA Kellner addressed the Board saying with the fall out of the CBI Investigation, in terms of money and credibility for many years. We don't want the Lab to have any of those problems.

Director Morrow said for a Lab the size of UFL, the Quality Assurance position wouldn't be a full-time position, this contract position will allow us to have a dedicated higher value Quality Assurance Administrator. This is the most economic outcome where we will have a highly sort after Quality Assurance Administrator that we wouldn't be able to afford as a full-time employee.

DA Kellner is fully on board with the Lab hiring for Quality Assurance assistance.

Director Morrow stated with her acting as the Quality Assurance Administrator, we have no checks and balances. It is very important that we employ a Quality Assurance Administrator as quickly as possible. The contract will mean we won't need to pay for benefits and will give us a higher quality applicant than we would likely get if we hired. If after a year or six months, we can end the contract, for three years there would be no increase in cost of services.

Undersheriff Walcher feels this should be done in perpetuity as a contractual agent not an employee. What does the IGA say about the expenditure and how it should be paid for? Director Morrow doesn't believe costs like a contract Quality Assurance Administrator are covered by the IGA. As far as most costs, most items are based on cost and usage. Personnel costs are not addressed in the IGA.

DC Hildebrand mentioned at the January meeting a 33% across the Board split of costs had been mentioned as well as dividing the cost per agency use. Arapahoe County originally had the Quality Assurance Administrator position, but with (Deputy) Director Morrow taking on the position with the exit of the Quality Assurance Administrator, it was never filled. In exchange for the position Arapahoe County gave the Lab a full-time Latent Prints Examiner as well as upgrading a Latent Prints Examiner to a Latent Prints Technical Leader position, so their costs increased.

Deputy Director Montano said at the time it was manageable but with Director Morrow being appointed to the Director roll as well as taking on DNA Supervisor responsibilities, as well as the Quality Assurance Administrator position, it has become more than two jobs. We didn't foresee the changes that have happened in the Lab and scrutiny from the outside has become more significant with quality assurance issues appearing in other labs, we want to have the correct checks and balances in place.

DC Hildebrand stated APD has provided extra positions and is over budget on positions funding. DC Hilderbrand feels that working out by cost per case would give APD the largest cost of funding the Quality Assurance Administrator but there are arguments against that. He would like the Board to consider what is a fair and equitable way to pay for the position.

Commissioner Baker likes the contract option of filling the position as it increases the quality of person we would get. The resume presented is impressive. Commissioner Baker feels it is important to have a distance between the individual operating at the Quality Assurance Administrator and the Lab to maintain the checks and balances of a disinterested party.

Director Morrow estimates the cost of the contract will be around \$67,000 per year for the first year and perhaps less moving forward.

Mayor Coffman asked for a five-minute recess for the Agencies to individually discuss the cost of the Quality Assurance Administrator and how they feel the funds should be provided. Each agency went into a huddle to discuss with their teams.

Meeting paused 2:10pm

Meeting reconvened 2:17pm

A motion was presented by Undersheriff Walcher to proceed with the cost of the Quality Assurance Administrator with each agency contributing an equal 33.3% share. Mayor Coffman 2nd the motion. All in favor. The motion passed.

DA Kellner would like to be kept apprised of how the money is spent and have an update provided to the board. Director Morrow replied, she will keep the BOD notified by providing regular reports.

A motion was presented to adjust the 2025 budget. Kathy Stafford was asked to update the budget. Motion presented by Commissioner Baker to amend the original motion and add the addition of the Quality Assurance Administrator to the 2025 Budget, 2nd by Chief McKlem. All in favor. The motion passed.

Undersheriff Walcher spoke of the conception of the Lab and the initial conversations with Sheriff Spurlock and Chief Metz, about the IGA and trying to estimate staffing levels that produced a fair operation that would last for a significant amount of time. DCSO came to the table with \$17 million. APD provided extra staff and ACSO provided extra equipment. The IGA is now based on conversations that took place five to seven years ago.

Undersheriff Walcher feels it is time to revise the IGA to meet the current demands of the Lab with its growing caseload and responsibilities and to make it fair for all agencies looking towards the future. He feels this should be done by an independent party. We have outgrown the original IGA, and we have an obligation to our community to make sure the money is being fiscally managed. This third party could do an analysis of the Lab and make recommendations for updating the IGA as well as looking at staffing level to be sure we are adequately providing the best service we can.

The IGA says it should be periodically reviewed and five years since the start of the Lab is a great time to review the agreement.

Director Morrow agrees but we don't have legal counsel present. Director Morrow mentioned she was told by legal counsel; a motion can't be made if an item is not listed on the posted meeting agenda. The item can be added to the agenda for the next meeting.

Commissioner Thomas would like to address it sooner than July.

Commissioner would like to present a motion based on the suggestion of Undersheriff Walcher to review the IGA. Rather than go to an independent party, Commissioner Thomas would like to involve a representative from each of the parties listed under the IGA, Aurora, Douglas County and Arapahoe County. The individuals from each agency would meet to see if they can come together with something that works and if not bring it back to the BOD in the July meeting.

A request was made to add the addition of an independent panel to look at the IGA and see if it still works with the needs of the Lab to the July agenda.

Mayor Coffman suggests having each entity provide a representative to see if they can come to some agreement, then take it to mediation. Mayor Coffman would support a motion to do that.

Commissioner Thomas would like to see a representative of each Agency get together and see if they can come up with something that works. Commissioner Thomas

appreciates the original IGA but can see how the needs have changed over the years and needs reviewing.

Commissioner Baker is not opposed to getting a committee together to discuss reworking the IGA. We can't take a motion, but we can give staff guidance on starting discussions for adjusting the IGA.

DC Hildebrand feels since the IGA is on the agenda, a motion could be presented on reevaluating the IGA. DC Hildebrand presented a motion to gather a committee from each agency to make recommendations to the Board to make changes to the IGA based on the needs of the Lab. Motion was 2nd by Commissioner Thomas. All in favor. Motion passed.

Director Morrow will reach out to the rep presented by each agency. Undersheriff Walcher offered to have someone write an RFP analysis of the operations of the Lab and the financial obligations, using the data we now have to make a fair method for all the agency contributions.

Mayor Coffman would like Director Morrow to facilitate the scheduling of a conversation with the representatives from each agency. The following people were suggested from each agency:

Diane Romero DCSO

Dan Avery DCSO

John Schneebeck APD

Olga Fujaros ACSO

The item for reevaluating the IGA will be added as an item for the July Board of Directors meeting.

d) IGA positions to include the possibility of the 23rd Judicial District joining the Board - requested by Commissioner Thomas

DA Kellner stated the 23rd Judicial District as created by the legislature in 2020 will begin operation January 14, 2025. This new district consists of Douglas, Elbert, and Lincoln Counties, which were previously part of the 18th Judicial District.

The question becomes what is the new DA of the 23rd Judicial District going to provide in relation to the Lab? Are they going to be a voting member or non-voting member? Where does the new DA fall into that? The 18th Judicial District doesn't provide official funding for the Lab, but they do provide an employee by way of an

MOP. This discussion is perfect timing with the 23rd coming into the Lab. Do they need to provide another person?

Commissioner Thomas stated she has never understood why the 18th Judicial District is funding an employee when they are not apart of the IGA.

Director Morrow replied, the Board is determined by the IGA and the DA for the 18th sits on the BOD. We have an MOP which states in exchange for services they will provide “something”. The 18th Judicial District made the decision to provide resources in the form of an employee (NIBIN Technician) in the Firearms Unit. That position has now been upgraded to a firearms technician after the employee has completed all the relevant training to obtain that position.

These are all discussions for the Board to decide. It is months before the 23rd will join the Lab and they can’t commit someone before the entity exists. This is something for the Board to consider with IGA changes, if the Board wants to be redefined this would be the time to do it. Can’t commit someone to an entity before it exists.

DC Hildebrand asked the question; If the 18th Judicial District wanted to be a part of the BOD, did they need to provide something to the Lab. Director Morrow responded, yes, and they provided an employee by means of the MOP. DC Hilderbrand asked, if the 23rd Judicial District wanted to be a voting member would they need to provide some sort of services for the benefit of the Lab. Director Morrow said that would be a decision of the current BOD to vote on.

Undersheriff Walcher explained how the 18th Judicial District became a voting member on the BOD. Commissioner Baker noted as well as supporting the funding of an employee, they also pay any legal fees for the Lab. The agreement came about through a discussion between the original representatives of the agencies and the DA of the 18th.

Mayor Coffman asked why the 17th Judicial District wasn’t included as a voting member. At the time the DA from the 17th was willing to let the 18th Judicial District have cases north of Colfax and chose not to participate in the Lab.

DA Kellner responded the 18th offered a position because they wanted to support the Lab.

Potentially if someone was added from the 17 and 23 we would add 2 members to the BOD. Commissioner Baker stated that would solve the problem of there being an even number of Board members.

Commissioner Thomas attended the Douglas County Commissioner's Meeting in 2016 where the Lab Director was a voting member. That position was exchanged for the DA from the 18th Judicial District, leaving the Lab Director as a non-voting member so there would be an uneven number of members on the BOD.

Mayor Coffman asked if the 17th joining the Lab should be revisited?

DA Kellner talked about adding the 17th would also bring another county commissioner to the Board. Are we looking to add another Commissioner? What is the 10-year plan for the Lab?

Director Morrow noted Adams County currently has their own Crime Scene Unit as well as a DNA Unit. They are hiring right now for DNA positions. Their plan is to expand their Lab to include both Latent Prints and Firearms Units. The agreement is if APD handles a case, it comes to the Lab and if Adams County handles a case it goes to their Lab.

DA Kellner replied, we don't prosecute their cases. DA Kellner feels it should just be the 23rd that is being focused on as they are joining the Lab in January.

Commissioner Thomas asked if we would be adding Elbert and Lincoln Counties? The Commissioner feels they would have to contribute.

Mayor Coffman asked if they contribute right now.

DA Kellner said they are already included in the 18th.

Deputy Montano said we already provide services for Elbert and Lincoln Counties for certain disciplines, if they already had those services provided to them by a founding Agency prior to the conception of the Lab.

DC Hildebrand said this should be explored at the next meeting when the Sheriff Brown, Sheriff Weekly and Chief Morris are in attendance. Director Morrow will add the discussion to the agenda of the next meeting.

e) Evidence Unit Remodel – Deputy Director Montano

We started the project in March, we are 95 % done. There are a couple of things that need to be done and then fire and building inspection need to be completed. We are hoping to move back into the evidence unit at the end of next week.

Thanks to DC Facilities for organizing the transformation of the space. It is more functional and appealing. We will have hardwired internet as well as room for agencies to complete evidence consults or repackage evidence as needed. Before the

remodel any vendor coming into the loading dock could see all the evidence. Everything is much more contained, cleaner and it looks fantastic.

The original design didn't think about how the space would be used. You plan for what you think you're going to have but then you use it, and it is not as functional. If you would like a tour we can provide one at the end of the meeting. Once the space is filled with evidence, we won't be able to provide tours.

f) **UFL Fee for Service proposal - Commissioner Thomas.**

Director Morrow provided the BOD with the Fee for Service proposal for review.

This is a rough draft. If we decide to pursue fee for service these are the two options.

Option 1 – This will be an hourly rate for work. Agencies can submit cases. They won't know ahead of time how long their cases will take. We can give time estimates but not guarantees. The caveat would be the lab work is batched; they would be charged for reagents. Reagents are the most expensive part of testing. The fee would include the case from start to finish, testing, analysis and report writing. We would come up with an hourly rate and that is what would be charged.

Option 2 – This would be potential cost per item, per case or whatever unit of measurement the Lab decides. Director Morrow has worked the proposal using Foresight 2021-2022 data. This cost is based on overhead costs with instrument maintenance and time used to complete the work. The data was produced in conjunction with the Technical Leaders.

Chemistry Unit: This would be per sample or case.

\$200 per sample tested

\$600 per case for test to weight thresholds for up to three individuals

Latent Print Unit:

Processing (includes the chemical and/or physical processing of the item and any documentation of friction ridge detail)

\$200 per item processed, \$50 per DNA swab/collection requested

Latent Prints – Exam (includes all the work under the ACE-V process. This will include analysis, all database entries, all relevant comparisons, and verification)

\$300 per lift card or “area” determined in Processing

Latent Prints – Processing and Exam combined (This cost is an up-front option, including the processing of the item and any follow up examination including unlimited areas documented or lifts taken from processing)

\$600 per item processed and resulting evaluation

Firearms Unit: NIBIN

\$100 per case (for cases containing <10 casings)

\$200 per item requiring on-site test firing

Serial Number Restoration

\$300 per restoration (one firearm with multiple defaced serial numbers may require multiple restorations)

Firearms Examination

\$800 per comparison (one item compared to one firearm counts as one comparison)

\$300 per mechanical function case

\$100 per non-comparison case (bullet only for caliber-class/GRC generation, for example)

Forensic Biology/DNA Unit:

\$300 per reference sample (after the first 3 per case)

\$500 per regular extraction

\$900 per differential extraction

\$200 per item for serology screening

(Cases involving bone extractions/missing persons/unidentified human remains may be billed differently based on complications in the process)

Questioned Documents: This would be evaluated on a case-by-case basis. We have taken on an emergency basis, but because of the requirements on the exemplars some evidence is not suitable for submission. They would need to be evaluated individually.

Mayor Coffman after looking over the proposal likes option #2. He feels it provides a better cost breakdown for the agency. Director Morrow presented the options for the board.

DA Kellner asked if there's a rush fee? Director Morrow there wouldn't be a rush fee. We have backlogs; these cases would not be bumped up over home agency cases. If we couldn't take a case and complete it in a timely manner, we would reject it.

Our chemistry unit currently has a 30-day turnaround time. They would be able to take on cases, other units may not.

Latent Prints is making great progress but still has a significant backlog and is not able to take on additional cases.

DA Kellner asked if the proposal is being voted on today. DC Hildebrand replied the choice of option the Board prefers to move forward with is on the table for today. A contract for Fee for Service would then be developed and a full proposal would be presented to the Board for approval.

DC Hildebrand presented a motion for option 2 as the choice for the Fee for Service proposal, the motion was 2nd by DA Kellner. All in favor, motion passed. Further discussion.

Undersheriff Walcher asked what the revenue could be from the fee for service proposal. Director Morrow said the Lab is nonprofit and currently only 3.2% come from outside agencies. It won't be a large amount of money.

After the question from Undersheriff Walcher, DC Hildebrand represented the motion, votes remained the same. Director Morrow will begin working on a contract. Commissioner Thomas asked a follow up question about parties covered by Agencies within the IGA. What if Edgewater decided to bring their cases here?

Director Morrow explained everyone is still entitled to the initial access they had with their home agency before the Lab. If they wanted additional services that were not provided to them, they would need to pay for that service. If an agency had drug access through Douglas County before the Lab started, they still have that access now, but if they wanted Latent Print services, they would need to pay an additional cost for it through the fee for service program.

The BOD will need to decide if those sub agencies will now have to pay for services they were grandfathered into or will they still receive them through the home agency.

Undersheriff Walcher posed the question does the IGA dictate how any funds made would be divided between the agencies?

Director Morrow recommended that they be reinvested in the Lab to cover the costs of equipment and reagents, but the BOD would make the final decision.

7. **New Business:**

a) **Lab outreach and Agency Trainings – Deputy Director Montano**

The lab conducted the scheduled New Agency Training. It was not well attended but the feedback was well received. A request has been made by the Training Unit for Patrol officers, who have asked for additional education with weapons, particularly non-Glock weapons, and how to clear them, secure them, how to package them for evidence collection etc. We have been asked to provide training on Tuesday's starting in May and continuing through the fall at the Lab. All agencies are welcome to have their officer's attend. raining for patrol.

Division Chief Hildebrand appreciates the Lab helping to foster the relationship and sharing knowledge with offering these trainings for APD.

b) **Update on Accreditation – Director Morrow**

We had the Lab's first full reassessment Feb 28 – March 1st . We had a few findings which are expected. The fact that they had to dig as deep as they did to make these findings is a credit to the Lab. Director Morrow is very pleased with the outcome. We are in the middle of remediation and objective proof to the Lead Assessor, and we are waiting for final confirmation that our accreditation has been renewed. Director Morrow is very proud of our team.

Undersheriff Walcher would like to see the assessment. It is public record, but hard to find on ANAB's website. Director Morrow will make a copy available to Undersheriff Walcher and anyone else that would like to see it.

c) **NIBIN Technician Discussion– Division Chief Hildebrand**

DC Hildebrand opened the discussion. Aurora funds two NIBIN Technicians at the UFL, based on Aurora taking NIBIN out of the Lab and returning it to APD and the influx that workload has on APD, they have decided to remove one of the UFL NIBIN Technicians out of the Lab. With the demands of the workload requiring more personnel they want to take one of the NIBIN Techs back over to APD to complete NIBIN functions there and not at the Lab.

Director Morrow response is in the back of the folder handed out to Board Members at the beginning of the meeting. The Lab needs two NIBIN Technicians on site. Lab accreditation requirements are that we have a full technical review. Two people need to sign off on every single piece of work in the Lab to maintain expert status. By removing one of our NIBIN Technicians and taking us back down to one, we are pulling Firearms Examiners off case work to complete NIBIN work.

For any unit to be successful in the Laboratory, to maintain expert status and keep people where they need to be working, we need two people who are capable of doing everything. By taking us back down to one NIBIN Technician, we are taking one Firearms Examiner who is currently already helping with NIBIN, off firearms examination and putting them back on reviewing every NIBIN case.

Firearms days went from 79 days to 139 days in 2023 for a firearms case. Quarter one with the addition of NIBIN Technicians in the Lab, we are back down to a turnaround time of 90 days. If we are down to one NIBIN Technician it means our Firearms Examiners are working on every NIBIN case that is going out the door.

We estimate the Lab will still have over 500 NIBIN cases submitted from the remaining agencies based on current trends.

Right now, our NIBIN Technicians are also supporting our firearms examiners. We recognize APD has a need, this will also impact the other agencies and will significantly impact the Lab. Case times will go up. One NIBIN Technician will not be able to maintain the job.

The individual in question was told the hiring process would take longer because the applicant was guaranteed the position was at the UFL.

Our staff is very uneasy and has come to Director Morrow with concerns that if this individual can be pulled out of the Lab, what is to stop other people being pulled out of the Lab if an agency decides they have a need elsewhere? We have built an entire system around the Lab, does this mean if an agency decides to pull a subdiscipline out of the Lab, can anyone be pulled out of the lab? Some of our staff had heard discussions that they also want to have a firearms examiner, will a firearms examiner be pulled from the Lab?

DA Kellner recognizes the need for Aurora to pull a NIBIN Tech out for what they are trying to do, but he is really concerned about the accreditation piece. You are effectively pulling a much higher-level person away from the job they should be doing to do a job of less experience which takes away from them being able to do firearms examination. We just had a big discussion about accreditation and how important it is in the Lab. DA Kellner said we also just approved the 2025 budget which included the funding of two NIBIN Technicians, he sees wanting to change that as very concerning.

DC Hildebrand asked if the budget for 2025 included the NIBIN Technicians. Kathy Stafford confirmed it funding of the NIBIN Technician is on LINE 23 as well as the unfunded NIBIN Technician are both listed in the 2025 budget.

Director Morrow said offer stands to take on the workload here at the Lab.

DC Hildebrand replied it is not an option. Aurora has one NIBIN Technician at APD and that person both completes the case work and reviews their own work. DC Hildebrand said it comes down to the workload, Aurora pulled 75% of the work out of the lab. Out of the 1500 NIBIN cases last year, 1100 were Aurora cases. DC Hildebrand if we have 2 NIBIN Techs, we are not going to continue to fund a position at the Lab when we can do the same work at Aurora. DC Hildebrand stated they would like to make the contract position a full-time position but the only way they can justify that is to take the position back to Aurora.

Referencing nationwide Foresight data, the average number of processed cases per year is 694. This number does not include completion of any other duties or reviews of casework. DC Hildebrand said if they have two NIBIN Techs they would be at 700 cases per year per NIBIN Technician. They are predicting over 1400 NIBIN cases this year. Aurora's position is they won't continue to fund the position at the Lab because they would need to hire a position at Aurora to complete the work they have pulled from the Lab. DC Hildebrand says with two NIBIN Techs at Aurora, they will be at sixty-three NIBIN cases per month per Technician which is more than the forty-five cases per month at the Lab. Director Morrow said our NIBIN Technicians are completing other duties in support of the Firearms Examiners and the Lab.

Director Morrow reiterated, the staff has concerns, will a firearms examiner be pulled, if Aurora decides they want Latent Prints, will they pull a Latent Prints examiner? There are a lot of unsettled feelings amongst the staff. We see this as a problem for hiring down the road and staff retention. Director Morrow is concerned that we will have to pull firearms examiners including an internationally renowned examiner, who has been asked to teach at Scotland Yard this summer and is going to be reviewing NIBIN cases. Director Morrow stated the NIBIN Technicians are not just doing NIBIN work they are also do work in support of the Firearms Examiners and Lab.

DC Hildebrand is concerned NIBIN Techs are working beyond the scope of what they were hired to do.

DA Kellner, not being from either the counties or the city is concerned about the NIBIN process being taken out of the Lab, what does that do for the group entity. He is also concerned about a job posting saying it was located at the Lab now being moved to Aurora. DC Hildebrand says it is because it is a contract position. He stated that if it was a full-time position that person would not be reassigned, this is only because it is a contract position.

Director Morrow said she was told Grants are not guaranteed long term. She worries about longevity of the will the CGIC Grant and will it be put back on us.

DA Kellner has asked if this conversation can be tabled until the Board regroupes at the next meeting.

DA Kellner and Commissioner Thomas have prior appointments they need to leave for but would like to discuss the NIBIN Technician at the July meeting. The discussion has been added to the July Agenda.

8. Motion to adjourn presented by Division Chief Hildebrand, motion approved by Chief McKlem, seconded by DA Kellner.

Meeting adjourned 3:41pm

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