

# CRIME LABORATORY REVIEW TASK FORCE

Minutes, January 10, 2007 Meeting  
1300 I Street  
Sacramento, California

Member Present: Dane Gillette (Chair) Barry Fisher (Vice Chair), Dolores Carr, Jennifer Friedman, Jennifer Mihalovich, Jim McLaughlin, Robert Jarzen, Sam Lucia, William Thompson

Staff Present: Lance Gima (DOJ - Forensic Consultant), Mike Chamberlain (DOJ - Staff Counsel), Colleen Higgins (DOJ-Notes), Lisa Talani (DOJ-Admin);

Other Attendees: Jeff Rodzen (Dept. of Fish & Game)

The meeting was called to order at 11:00 a.m.

## REVIEW AND APPROVAL OF MINUTES

Minutes were approved by motion and vote.

## ADMINISTRATIVE ISSUES:

Time of future meetings: Task Force members agreed that future meetings will be held from 10:30 a.m. to 3:30 p.m. unless otherwise noted.

Appointments: June Clark or the new appointee of Judicial Council will attend the next meeting. The Governor's two appointments have not been named.

Document Process: Draft documents and the agenda will be e-mailed to members prior to each meeting, and posted to website.

## VISION AND MISSION STATEMENT

Approved by vote. Will be posted to the website.

## TASK FORCE PRIORITIES

The first priority of the Task Force will be to meet its mandate as set forth in Penal Code section 11062. The most efficient way to proceed will be to send an initial letter to laboratory directors, followed by the survey instrument in Spring 2008. Following receipt of the survey responses (ideally a 60-day turnaround), individual Task Force

members will schedule interviews with respective lab directors in summer and fall 2008. During that period surveys will be sent to client agencies such as district attorneys, public defenders, and county sheriffs. The Task Force will aim at concluding the data collection phase by January 2009, and shift to the report drafting phase.

## LAB AUDIT REPORTS

The Task Force discussed the acquisition of laboratory audit reports, which could have use as a source of longer-term (continuous) information than the survey, which will be a “snapshot” of lab operations. Various types of audits exist, including the every-five-years ASCLD/LAB external audit, and annual internal audits.

The Task Force has no subpoena power, so compliance with audit requests could not be compelled. Laboratory concerns in light of the California Public Records Act could include: (1) lab security; (2) case-specific information; (3) personnel information. It could be burdensome for laboratory counsel to review lengthy audit documents before disclosure.

Laboratories could redact information from audits as appropriate. Record of initial audit report, deficiency remediation efforts, and final audit report would provide most complete perspective of laboratory operations.

Audits could be useful in identifying areas where increased funding is most important, and highlighting concerns such as inadequate staff for workload and lack of space.

In sum, the Task Force members disagreed about whether it was agreed that audit reports should be requested, and whether the discussion was aimed at finalizing the issue at this meeting or continuing the discussion in future meetings.

## LAB AND CLIENT SURVEYS

The Task Force discussed what should be contained in the draft audit letter to agency heads and lab directors, with attachments: Vision/Mission Statement and list of Task Force members.

The survey will attempt to identify issues and give the public insight into laboratory operations. Fiscal and personnel needs will be identified, as well as factors that affect performance despite fiscal and personnel deficits.

Pursuant to Bagley-Keene Act requirements, survey data will be provided in the final report as an addendum or supplemental appendix.

Laboratories will not be anonymous in the survey, and laboratory directors will be told that the information they provide will be public.

The possibility of DOJ building a survey response database was discussed. Such a tool would aid data mining and promote consistency and standardization. This would necessitate an electronic-only survey, perhaps saved to CDs. Lance Gima will look into this issue, with possible input from Professor Peterson.

### TASK FORCE MEMBER ASSIGNMENTS

A suggested assignments list was distributed, and all members concurred.

### POTENTIAL SPEAKERS AND PRESENTATIONS

Professor Joseph Peterson (CSULA) was proposed as the February meeting speaker, having conducted the two national crime lab surveys for USDOJ. Mike Chamberlain will formally contact him and arrange the logistics.

The March meeting will be held at the LASO Laboratory in Los Angeles.

Dolores Carr will contact a representative of ASCLAD as a potential speaker in April or May. A speaker who can talk about ISO standards would be particularly useful.

Other potential speakers: Barry Scheck on the topic of crime lab oversight; Mike Healey from Florida; Kelly Pyrek, author of "Forensic Science Under Siege"; Roger Koppl, professor and economist who has written about the economics of crime labs; George Sensabaugh, UC Berkeley professor and geneticist.

### NEXT MEETING

The next meeting of the Task Force will take place at 10:30 a.m. on February 7, 2008, in Sacramento.

The March meeting will take place at the Los Angeles Sheriff's Department Crime Laboratory in Los Angeles. Details forthcoming.

Dolores Carr will be unable to attend February and April meetings but her staff will attend in her absence.

MEETING ADJOURNED.