

# **CALIFORNIA CRIME LABORATORY REVIEW TASK FORCE**

**Minutes: February 5, 2009**  
**Hertzberg-Davis Forensic Science Center**  
**1800 Paseo Rancho Castilla, Los Angeles, CA 90032**

Member Present: Dane Gillette (Chair), Barry Fisher (Vice Chair), Dean Gialamas, Dolores Carr, Elizabeth Johnson, Jennifer Friedman, Jennifer Mihalovich, Robert Jarzen, Sam Lucia, William Thompson, Jeff Rodzen, Charlotte Wacker, Greg Matheson, Jim McLaughlin

Staff Present: Mike Chamberlain (DOJ - Staff Counsel), Colleen Higgins (DOJ-Admin.)

Members of the Public: Patricia Zajac (Chair, CRJA, CSUEB), Keith Inman (CSUEB), Jack Wallace (Ventura County Sheriff's Dept), Robert Rice (UCDavis), Fred Tulleners (UCDavis), George Sensabaugh (UCDavis), Bill Matty (DOJ, BFS-CCI-LA), Kevin Davis (CHP), Harley Sagara (CSULA, CFSI), Rose Ochi (CSULA, Director CFSI), Dean Bea Yorker (CSULA, Nursing), Erin Morris (LA Public Defender's Office), Joseph Peterson (CSULA), Kevin Miller (CSU-Fresno), Don Johnson (CSULA), Kathy Roberts (CSULA), Hiram Evans, Jennifer Mnookin (UCLA Law School)

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Chair Dane Gillette called the meeting to order at 10:45 a.m. Chair Gillette and Vice-Chair Barry Fisher welcomed attendees and participants representing the academic community.

## Minutes

The minutes from the January 2009 meeting were approved as written by motion and vote.

## Chair's Report

The majority of lab interview summary reports have been received. Approximately five remain outstanding. Chair Gillette expressed his appreciation to the Task Force membership for drafting thoughtful and comprehensive reports.

The March 2009 meeting will be held at the DOJ's Richmond Laboratory. The Oakland Airport will be the most convenient point of access for out-of-town attendees. The May 2009 meeting has been moved to May 6, and will be held either in Sacramento or at the Santa Clara DA Crime Lab.

Greg Matheson has provided a useful proposed outline for the final report, which will constitute a basis for future discussions.

The report itself, while due in July 2009, will likely require additional time to complete. DOJ personnel spoke to a number of legislative staffers, who readily consented to an alternative October 2009 due date. Nonetheless, July 2009 should remain an internal deadline for having a good working draft of the report completed.

#### Forensic Science Education

Professor Steve Lee of San Jose State University was unable to attend, but submitted a written summary of his comments. [Document attached in appendix to minutes.]

Professor Kathy Roberts of CSULA's Criminalistics Department presented a description of her school's undergraduate and graduate programs. [Power Point presentation attached in appendix to minutes.]

Director Rose Ochi and Harley Sagara of the California Forensic Science Institute at CSULA presented a description of their Institute's contribution to forensic science education. [Power Point presentation attached in appendix to minutes.]

Dean Beatrice Yorker of the CSULA College of Health & Human Services spoke about the CSULA program in forensic nursing and other related course offerings.

Mr. Fred Tulleners of the UC Davis Forensic Science Graduate Program spoke about his school's offerings in forensic science training and education. [Power Point presentation attached in appendix to minutes.] He advocated a cooperative venture between the UCD program and the DOJ's California Criminalistics Institute.

The group discussed the self-supporting nature of the UCD program and similarly situated programs, and whether the UC / CSU systems should bring those programs under the publically-funded school umbrella (e.g., Section 19900 funding).

Mr. Keith Inman and Ms. Pat Zajac discussed the bachelors of science forensic science program at CSU East Bay. The program presents a forensic science option for biology or chemistry majors, and has approximately 40 students enrolled. Mr. Inman suggested that universities have value in focusing on students about to be professionals, and ideally train students for that 5-10% of truly complex and difficult forensic science casework. The students should be "training for excellence." University forensic science should complement, but not replace, professional continuing education. Accreditation should not be a prerequisite to teaching forensic science at the college level. Universities should foster "town-gown" relationships with crime labs, so students can benefit from more opportunities to work in labs as part of their education. This is an approximation of the "medical model" of education, which combines clinical and

academic experiences and relies heavily on internships. In general, forensic science should not be a profession of testers alone, but rather should be oriented toward critical thought and truly scientific investigation.

Professor Kevin Miller discussed the professional science masters degree program at CSU Fresno. The goal is to give students the credentials to undertake management responsibilities in crime labs. Mr. Miller recommended that a regional approach to forensic science training in California include the Central Valley as a co-equal region in light of demographics and crime rate. He spoke about the need for increased funding, citing the expense associated with “wet lab” training. Relying on equipment donations (from DOJ-BFS, for example) is insufficient. CSUF is completely unfunded by the university, and a steady source of funding is important. Integration of school and casework components of forensic science training (the “FBI model”) is important. So few students are enrolled in the program because of concern over quality research projects. Not enough faculty are available to supervise thesis projects. The DOJ-BFS lab on campus provides internship experiences for the students.

Professor Jennifer Mnookin of the UCLA School of Law spoke about the notable lack of forensic science training at law schools, and the growing interest in forensic science from a group of law professors. There is a need for additional study and research in the “soft” forensic sciences such as latent print comparisons and pattern recognition. Prof. Mnookin expressed the opinion that lab directors tend to resist further forensic science research out of concern that their methods will be exposed as inadequate and change will ensue.

Finally, Bill Phillips of DOJ offered a brief description of the California Criminalistics Institute. CCI Director Dr. Cecilia VonBeroldingen will provide additional information at the March meeting.

Chair Gillette thanked all of the speakers for their valuable contributions to the Task Force.

The group then discussed the need for increased dialog between the scientific and legal communities, and the need to train more lawyers in science. The State Bar Criminal Law Section’s “Forensic Science For Trial Attorneys” seminar was held up as an example. The relative scarcity of NIJ funding was noted. FEPAC and TWIGED accreditation and requirements were discussed. FEPAC publishes a guide to what a forensic science masters programs should include. The U.S. Department of Education recognizes FEPAC accreditation, allowing those schools to seek federal funding through NIJ. The difference between teaching science and teaching *about* science was noted as a way to distinguish programs in forensic science that actually contribute to professional development.

Several laboratory representatives voiced the opinion that a masters in forensic science does not provide a better foundation for crime lab work than a masters in

a hard science (e.g., biology or chemistry). In fact, an advanced grounding in a hard science may be preferable. The same holds true to an even greater extent for undergraduate forensic science programs. Instead, a “boot camp” training program for new lab hires was endorsed. Universities cannot provide the necessary technical proficiency. Although laboratory skills can be taught, the grounding in basic science should come from the university. A logical conclusion would be increased funding and/or an increased role for CCI as a statewide training resource. The POST model was discussed. A “capstone” course to demonstrate application of learned theory was suggested. The lack of standardization in laboratories means that at least some formal training needs to occur in-house. Lab internships do save time on training later (if the intern is hired), but require a significant investment of lab time and money. The overall forensic science community still benefits from internship opportunities, however, because those new employees will have practical lab experience. Interns preferably are graduate-level students.

A lack of coordination between educational offerings in forensic science was noted, and it was suggested that increased coordination take place before more funding is provided. Forensic science programs appear to be structured primarily as business opportunities rather than as efforts to further the field and contribute to the forensic science community. The \$48,000 cost of the UCD masters degree was cited as an example.

Report-writing and communication skills are very important.

#### Draft Report: Equipment & Facilities

Charlotte Wacker spoke about the Equipment & Facilities draft report. She concluded that the State should undertake a facilities needs assessment that takes into account the evolution of forensic science. Square feet per person is one possible metric. A five-year equipment life span assumption is appropriate. Standards should be developed that apply to all laboratories (e.g., 600 square feet/analyst). A future group or commission should undertake this task, and should consider factors such as the needs of the community, local crime rate, etc.

Regionalization of equipment may be an efficient objective, taking into account discipline-specific workloads and cross-training in multiple disciplines. An equipment replacement plan is important. The group discussed service plan costs and price breaks on bulk purchases. Public procurement rules and procedures, such as mandatory low-bid contracts, are a problem to be addressed. Every jurisdiction is different, and standardization may be difficult because local practices and community needs differ. If a statewide entity were to assess facilities and equipment from a global perspective, it may end up imposing unfunded mandates.

It was noted that the Task Force report will present a “snapshot” of laboratory operations, but that it may be prudent to provide for an ongoing assessment of laboratory and community needs. Partial regionalization or consolidation may be one option, aimed at allocating resources efficiently across jurisdictions.

Task Force members and others were encouraged to e-mail Charlotte with thoughts and suggestions on this topic, although Bagley-Keene Act restrictions on communications should be observed.

#### Other Report Topics

The draft report on staffing will be discussed at the March meeting.

Jeff Rodzen and Sam Lucia described several revisions to their report on salaries, recruiting, and retention. Cost of living data is still being sought, and the possibility of recommending salary incentives for certification or advanced degrees was suggested. Several wording/editorial modifications were proposed. Chair Gillette thanked Jeff and Sam for their diligent efforts.

The meeting was adjourned at 3:05 p.m.