

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Forensic Sciences (DFS)



Responses to the Fiscal Year 2022 Performance Oversight Questions

Anthony Crispino
Interim Director

Submission to:

The Honorable Brooke Pinto, Chairperson
Committee of the Judiciary and Public Safety
Council of the District of Columbia

Committee of the Judiciary and Public Safety
John A. Wilson Building
1350 Pennsylvania Avenue NW
Washington, DC 20004

January 25, 2023

Chairperson Brooke Pinto
Council of the District of Columbia
1350 Pennsylvania Avenue NW
Washington, DC 20004

Dear Chairperson Pinto,

Please find enclosed the Department of Forensic Sciences' (DFS's) Fiscal Year 2022 Performance Oversight responses.

Per your request, DFS submits all responses and permitted attachments electronically to the Committee of the Judiciary and Public Safety.

If you have any questions, please do not hesitate to contact Brandy Cramer, Chief of Staff, at brandy.s.cramer@dc.gov, or (202) 893-0238.

Sincerely,

Anthony Crispino
Interim Director

Table of Contents

PART 1..... 4

A. ORGANIZATION AND OPERATIONS 5

B. BUDGET AND FINANCE 10

C. LAWS, AUDITS, AND STUDIES 12

D. EQUITY 15

E. COVID-19 PANDEMIC RESPONSE..... 17

PART 2..... 19

PART 1

Fiscal Year 2022 Performance Oversight Questions (Part 1)
Department of Forensic Sciences

A. ORGANIZATION AND OPERATIONS

1. Please provide a complete, up-to-date **organizational chart** for the agency and each division within the agency, including the names and titles of all senior personnel. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.
[See Appendix Part1#1\(a\).](#)
 - Please include a list of the employees (name and title) for each subdivision and the number of vacant, frozen, and filled positions. For vacant positions, please indicate how long the position has been vacant.
 - [See Appendix Part1#1\(b\).](#)
 - Please provide a narrative explanation of any changes to the organizational chart made during the previous year.
 - [Digital Evidence Unit \(DEU\) was transferred to MPD.](#)
 - [Quality Unit was decentralized and assigned to program units divisions: FSL, PHL & CSS.](#)
2. Please list each **new program** implemented by the agency during FY 2022 and FY 2023, to date. For each initiative please provide:
 - A description of the initiative, including when begun and when completed (or expected to be completed);
 - The funding required to implement the initiative;
 - Any documented results of the initiative.[See Appendix Part1#2 and Part1#2&16.](#)
3. Please provide a complete, up-to-date **position listing** for your agency, ordered by program and activity, and including the following information for each position:
 - Title of position;
 - Name of employee or statement that the position is vacant, unfunded, or proposed;
 - Date employee began in position;
 - Salary and fringe benefits (separately), including the specific grade, series, and step of position;
 - Job status (continuing/term/temporary/contract);
 - Whether the position must be filled to comply with federal or local law.

Please note the date that the information was collected
[See Appendix Part1#3.](#)

4. Does the agency conduct annual **performance evaluations** of all of its employees, and was this done in FY 2022? Who conducts such evaluations? What are they performance measures by which employees are evaluated? What steps are taken to ensure that all agency employees are meeting individual job requirements? What steps are taken when an employee does not meet individual job requirements?
- The agency conducts an annual performance evaluation for each eligible employee. This was completed for FY 2022. Every supervisor conducts the evaluation for each of their direct reports. The agency adheres to the policies and procedures outlined in Chapter 14 of the District Personnel Manual, see Appendix Part1#4, which provides the performance measures by which employees are evaluated. Supervisors are responsible for ensuring that employees are meeting their individual job requirements and is required to coach, guide and counsel if the employee is not meeting the job requirements. When employees fail to meet the requirements, supervisors inform Human Resources (HR). HR investigates the matter and begins the performance improvement process (PIP) or progressive discipline process, if warranted.
5. Please list all **employees detailed** to or from your agency, if any. Please ~~22~~provide the reason for the detail, the detailed employee's date of detail, and the detailed employee's projected date of return.
- **Hillary Hoffman**
 - Detailed to DFS to support legal services. July 12, 2021 to June 4, 2022
 - **Andrea Stemple**
 - Detailed to MOLC to support legal services. December 27, 2021 to June 21, 2022
 - **Abdel Maliky**
 - Detailed to OLRCB to support labor relations. December 6, 2021 to July 15, 2022
6. Please provide the position name, organization unit to which it is assigned, and hourly rate of any **contract workers** in your agency, and the company from which they are contracted.
- See Appendix Part1#6.
7. Please provide the Committee with:
- A list of all employees who receive cellphones or similar communications devices at agency expense.
 - ◆ Please provide the total cost for mobile communications and devices at the agency for FY 2022 and FY 2023 to date, including equipment and service plans.See Appendix Part1#7.
 - A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned.

There are 21 vehicles owned by DFS.

- A list of employee bonuses or special award pay granted in FY 2022 and FY 2023, to date.
Per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.
- A list of travel expenses, arranged by employee.
See Appendix Part1#7Bullet4.
- A list of the total overtime and worker's compensation payments paid in FY 2022 and FY 2023, to date.

FY 2022 (10/1/2021 to 9/30/2022)
Overtime Payments - \$1,075,463.77
See Appendix Part1#7(a)

Worker's Compensation - No employee's

FY 2023 (10/1/2022 to 1/14/2023)
Overtime Payments - \$212,814.23
See Appendix Part1#7(b)

Worker's Compensation - As of 12/31/2022

Sub-Agency	Description	Nbr of Employees	Estimated Gross	FY
FR	Department of Forensic Sciences	1	\$8,325.35	2023

8. Please provide a list of each **collective bargaining agreement** that is currently in effect for agency employees.
- Please include the bargaining unit (name and local number), the duration of each agreement, and the number of employees covered.
 - Please provide, for each union, the union leader's name, title, and his or her contact information, including e-mail, phone, and address if available.
 - Please note if the agency is currently in bargaining and its anticipated completion date.

Labor Agreement between the Metropolitan Police Department and the National Association of Government Employees (NAGE), Local R3-05

- Effective March 8, 2007 to September 30, 2021
- Number of Covered Employees: 126
- Contact Information:
 - o LaToya McDowney, President
 - o NAGE R3-09
 - o Address: 300 Indiana Ave, NW, Washington, DC 20001
 - o Email: latoya.mcdowney@dc.gov
 - o Phone: (240) 441-2774

- Agency finalized negotiations with NAGE R3-05 in 2022. CBA pending council approval.
- See Appendix Part1#8(a)

Compensation Collective Bargaining Agreement between the District of Columbia Government and Compensation Units 1 and 2

- Effective March October 1, 2021 through September 30, 2025
- Number of Covered Employees: 126
- See Appendix Part1#8(b)

9. Please identify all **electronic databases** maintained by your agency, including the following:
- A detailed description of the information tracked within each system;
 - The age of the system and any discussion of substantial upgrades that have been made or are planned to the system;
 - Whether the public can be granted access to all or part of each system.

See Appendix Part1#9.

10. Please describe the agency’s procedures for investigating allegations of **sexual harassment** or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY 2022 and FY 2023, to date, and whether and how those allegations were resolved. The agency adheres to the policies and procedures outlined in the Sexual Harassment Issuance of the District Personnel Manual, see Appendix Part1#10(a); and the policies and procedures outlined in Chapter 16 of the District Personnel Manual regarding misconduct; see Appendix Part1#10(b). Listed in the table below are the allegations of sexual harassment and misconduct the agency received from October 1, 2021 to date.

Date Filed	Type	Description	Process	Resolution
12/09/21	Sexual Harassment	Harasser shared details about their sexual life with the complainant, which were unwelcome.	Investigation	Verbal Counseling
02/02/22	Misconduct	Ethical Violation	Investigation	Removal
02/08/22	Misconduct	Ethical Violation	Investigation	Removal

03/21/22	Sexual Harassment	Harasser has made workplace uncomfortable.	Investigation	Claim was unsubstantiated and disciplinary action was not issued.
05/10/22	Misconduct	Employee made inappropriate comment to agency vendor.	Investigation	Removal

11. For any **boards or commissions** associated with your agency, please provide a chart listing the following for each member:

- The member’s name;
- Confirmation date;
- Term expiration date;
- Whether the member is a District resident or not;
- Attendance at each meeting in FY 2022 and FY 2023, to date.
- Please also identify any vacancies.

See Appendix_Part1#11.

12. Please list the **task forces and organizations**, including those inside the government such as interagency task forces, of which the agency is a member and any associated membership dues paid.

There are none.

13. What has the agency done in the past year to make the activities of the agency more **transparent** to the public?

Although the services of the PHL and FSL are not public interfacing, the agency has:

- Resumed public tours of the facility on the first Friday of every month
- Increased social media presence
- Increased outreach to school and universities
- Developed an online feedback form for complaints and suggestions

14. How does the agency solicit **feedback** from customers? Please describe.

- What is the nature of comments received? Please describe.
 - Due to the interactive nature of the positions at DFS, we are able to obtain feedback directly from our stakeholders. This includes from officials at the scene of a crime, attorneys submitting a request for testing, or a partnering agency awaiting testing results. Most often, concerns are raised regarding response time and crime scene attendance. To ensure no interruption in mission critical services, issues demanding immediate attention are directly elevated to a supervisor or management for resolution. If further action is needed, a formal complaint is followed.

- How has the agency changed its practices as a result of such feedback?
 - [Formal feedback is gathered through Annual Stakeholder surveys. Data is compiled, evaluated and briefed to Management to identify areas of improvement within each division.](#)

15. Please complete the following chart about the residency of **new hires**:

Number of Employees Hired in FY 2022 and FY 2023, to date

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>
Continuing	30	6
Term	17	4
Temporary	0	0
Contract	17	0

16. Please provide the agency’s FY 2022 Performance Accountability Report. [See Appendix Part1#16.](#)

B. BUDGET AND FINANCE

17. Please provide a chart showing the agency’s **approved budget and actual spending**, by division, for FY 2022 and FY 2023, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures for each program and activity code. [Per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.](#)

18. Please list any **reprogrammings**, in, out, or within, related to FY 2022 or FY 2023 funds. For each reprogramming, please list:

- The reprogramming number;
- The total amount of the reprogramming and the funding source (i.e., local, federal, SPR);
- The sending or receiving agency name, if applicable;
- The original purposes for which the funds were dedicated;
- The reprogrammed use of funds.

[Per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.](#)

19. Please provide a complete accounting for all **intra-District transfers** received by or transferred from the agency during FY 2022 and FY 2023, to date, including:

- Buyer agency and Seller agency;

- The program and activity codes and names in the sending and receiving agencies' budgets;
- Funding source (i.e. local, federal, SPR);
- Description of MOU services;
- Total MOU amount, including any modifications;
- The date funds were transferred to the receiving agency.

See Appendix Part1#19&20; however, per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.

20. Please provide a list of all **MOUs** in place during FY 2022 and FY 2023, to date, that are not listed in response to the question above.

See Appendix Part1#19&20.

Also, per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.

21. Please identify any **special purpose revenue accounts** maintained by, used by, or available for use by your agency during FY 2022 and FY 2023, to date. For each account, please list the following:

- The revenue source name and code;
- The source of funding;
- A description of the program that generates the funds;
- The amount of funds generated by each source or program in FY 2022 and FY 2023, to date;
- Expenditures of funds, including the purpose of each expenditure, for FY 2022 and FY 2023, to date.

Not applicable.

22. Please provide a list of all projects for which your agency currently has **capital funds** available. Please include the following:

- A description of each project, including any projects to replace aging infrastructure (e.g., water mains and pipes);
- The amount of capital funds available for each project;
- A status report on each project, including a timeframe for completion;
- Planned remaining spending on the project.

See Appendix Part1#22

23. Please provide a complete accounting of all **federal grants** received for FY 2022 and FY 2023, to date, including the amount, the purpose for which the funds were granted, whether those purposes were achieved and, for FY 2022, the amount of any unspent funds that did not carry over.

See Appendices Part1#23; however, per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.

24. Please list each contract, procurement, lease, and grant (“**contract**”) awarded, entered into, extended and option years exercised, by your agency during FY 2022 and FY 2023, to date. For each contract, please provide the following information, where applicable:
- The name of the contracting party;
 - The nature of the contract, including the end product or service;
 - The dollar amount of the contract, including budgeted amount and actually spent;
 - The term of the contract;
 - Whether the contract was competitively bid or not;
 - The name of the agency’s contract monitor and the results of any monitoring activity;
 - Funding source;
 - Whether the contract is available to the public online.

[See Appendix Part1#24.](#)

25. Please provide the details of any **surplus** in the agency’s budget for FY 2022, including:

- Total amount of the surplus;
- All projects and/or initiatives that contributed to the surplus.

[Per the Public Safety and Justice Cluster Budget Director, financial data will be provided after the release of the ACFR on February 1, 2023.](#)

C. LAWS, AUDITS, AND STUDIES

26. Please identify any **legislative requirements** that the agency lacks sufficient resources to properly implement.

[There are none.](#)

27. Please identify any statutory or regulatory **impediments** to your agency’s operations or mission.

[There are none.](#)

28. Please list all **regulations** for which the agency is responsible for oversight or implementation. Where available, please list by chapter and subject heading, including the date of the most recent revision.

[There are none.](#)

29. Please explain the impact on your agency of any **federal legislation or regulations** adopted during FY 2022 that significantly affect agency operations or resources.

[There are none.](#)

30. Please provide a list of all studies, research papers, and analyses (“**studies**”) the agency requested, prepared, or contracted for during FY 2022. Please state the status and purpose of each study.
[The SNA International Report is an agency sponsored audit that has been completed and report issued.](#)
31. Please list and describe any ongoing **investigations**, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2022 and FY 2023, to date.
[Office of the Inspector General \(OIG\) Complaint Referral 21-00134a: Based on the agency response provided, OIG closed with no further actions needed. OIG 21-00134 investigative phase completed, report pending OIG approval and release.](#)
32. Please identify all **recommendations** identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations. If the recommendation has not been implemented, please explain why.
[See Appendix Part1#32.](#)
33. Please list any **reporting** requirements required by Council legislation and whether the agency has met these requirements.
[Annual publication of the agency Annual Report](#)
34. Please list all pending **lawsuits** that name the agency as a party, and provide the case name, court where claim was filed, case docket number, and a brief description of the case.
- [Julia Washington, Et. Al. \(10 Employees RIF’ed from FEU\) \(OEA\) Case No.: 2401-0012-22 through Case No. 2401-0022-22 - All members of the Firearms Examination Unit \(FEU\) were separated from the agency pursuant to a RIF after agency decision to eliminate that unit. 11 employees were separated, and 10 filed an appeal with OEA. Case is pending an evidentiary hearing.](#)
 - [Ashley Iorio v. DFS \(OEA\) Case No.: 1601-0031-22 - Employee altered submission dates in LIMS to reflect earlier date than submission was actually completed. Employee, along with 6 others who engaged in the same conduct, was terminated. Appeal of termination filed at OEA, currently in discovery phase of litigation.](#)
 - [Mary Beaven v. DFS \(OEA\) Case No.: 1601-0032-22 - Employee altered submission dates in LIMS to reflect earlier date than submission was actually completed. Employee, along with 6 other who engaged in the same conduct, was terminated. Appeal of termination filed at OEA, currently in discovery phase of litigation.](#)

- Regina Geter v. DFS (OHR) Case No.: 22-326 CD (CN) - Employee appealed agency's mandate that employees obtain the COVID19 vaccine. That requirement has since been rescinded by DCHR, and employee was terminated for unrelated reasons; however, because of the pending Superior Court litigation on the subject of vaccine mandates, OHR has stayed the case.
- Regina Geter v. DFS (OEA) Case No.: 1601-0081-22 - Employee used a racial slur in front of two agency employees, and was terminated for doing so. She appealed her termination to OEA and the case is set for an evidentiary hearing on 3/1/23.
- Tiffany Brooks v. DFS (OEA) Case No.: 1601-0051-22 - Employee worked on materials for outside employment during her DFS tour of duty. A BEGA investigation was done, and employee entered into a negotiated disposition admitting to conducting outside business. She was terminated and appealed her termination to OEA. The case is set for an evidentiary hearing on 2/22/23.
- Tanesha Jones v. DFS (OHR) Case No.: 22-148-DC (CN) - Employee misplaced evidence and made an entry in LIMS improperly indicating the item's location when she did not know it. She was terminated for the misrepresentation. Employee appealed the case to OHR and the case is currently in the discovery phase of that litigation.

•

35. Please list all **settlements** entered into by the agency or by the District on behalf of the agency in FY 2022 or FY 2023, to date, including any covered by D.C. Code § 2-402(a)(3), and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

- Raquel Assayag (employment): change from termination to resignation, May 11, 2022.
- Laura Harris (employment): change from termination to resignation
- Matthew Keisling (employment): reinstatement and seven (7) months of backpay (\$30,062.34)
- Jeffrey Buzska (employment): change from termination to resignation, 3 weeks of pay (\$5988) and \$2500 in attorneys fees

36. Please list any **administrative complaints or grievances** that the agency received in FY 2022 and FY 2023, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY 2022 or FY 2023, to date, describe the resolution.

Listed in the table below are the administrative complaints and grievances the agency received from October 1, 2021 to date. The agency was not prompted to change agency policies or procedures as a result of the administrative complaints and grievances received.

Date Filed	Source	Process	Resolution
01/24/22	Complaint	Investigation	Conduct Deficiency Memo
01/24/22	Complaint	Investigation	Documented Discussion
01/24/22	Complaint	Investigation	Verbal Counseling
02/14/22	Complaint	Investigation	Conduct Deficiency Memo
02/17/22	Complaint	Investigation	Conduct Deficiency Memo
02/23/22	Grievance	Reevaluation of Discipline Issued	Employee Issued Administrative Leave
05/10/22	Complaint	Investigation	Removal
06/04/22	Complaint	Investigation	4-Day Suspension
06/06/22	Complaint	Investigation	Documented Discussion
06/06/22	Complaint	Investigation	Documented Discussion
06/14/22	Complaint	Investigation	Investigative findings did not warrant discipline.
06/27/22	Complaint	Investigation	Investigative findings did not warrant discipline.
06/27/22	Complaint	Investigation	Investigative findings did not warrant discipline.
06/27/22	Complaint	Investigation	Investigative findings did not warrant discipline.
08/10/22	Complaint	Investigation	Verbal Counseling
08/11/22	Complaint	Investigation	Documented Discussion
09/08/22	Complaint	Investigation	Removal
09/14/22	Grievance	Reevaluation of Discipline Issued	Suspension Reduction
12/20/22	Grievance	Investigation	Closed; Union requested I&E bargaining which is currently in progress.

D.EQUITY

37. How does the agency assess whether programs and services are equitably accessible to all District residents?

Each District Government agency is required to participate in an ADA self-assessment which measures the agency's compliance of ADA standards and requirements in the areas of programs, services, and facility accessibility.

- What were the results of any such assessments in FY 2022?
 - Per the FY 2022 ADA Self-Assessment Survey, the Department of Forensic Sciences meets the ADA standards and requirements.

- What changes did the agency make in FY 2022 and FY 2023, to date, or does the agency plan to make in FY 2023 and beyond, to address identified inequities in access to programs and services?
 - No inequities have been identified; however, the agency is in discussion concerning the weight of the hallway doors throughout the facility and the lavatory doors.
 - Ensured ingress and egress was clear of administrative items
 - Reviewed and recalibrated doors for efficient passage time
- Does the agency have the resources needed to undertake these assessments? What would be needed for the agency to more effectively identify and address inequities in access to agency programs and services.
 - The agency is equipped to perform the assessments. Currently, the District's required ADA Self-Assessment Survey is a sufficient and effective resource for identifying and addressing inequities in the agency's programs and services.

38. Does the agency have a racial or social equity statement or policy? Please share that document or policy statement with the Committee.

- How was the policy formulated?
- How is the policy used to inform agency decision-making?
- Does the agency have a division or dedicated staff that administer and enforce this policy?
- Does the agency assess its compliance with this policy? If so, how, and what were the results of the most recent assessment?

While the agency does not have an agency-specific, internal racial or social equity statement or policy, the agency adheres to all district wide policies, and is supportive of Mayor Bowser's Racial Equity Plan, available at ore.dc.gov/actionplan.

39. Does the agency have an internal equal employment opportunity statement or policy? Please share that document or policy statement with the Committee.

- How was the policy formulated?
- How is the statement or policy used to inform agency decision-making?
- Does the agency have a division or dedicated staff that administer and enforce this policy?
- Does the agency assess its compliance with this policy? If so, how, and what were the results of the most recent assessment?

The agency does not have an internal equal employment opportunity statement or policy, however the agency adheres to all district wide policies

E. COVID-19 PANDEMIC RESPONSE

40. Please give an overview of any programs or initiatives the agency has started in response to COVID-19, to date, and whether each program or initiative is still in effect.

One of the supports provided to staff during the COVID-19 Pandemic, includes the "COVID-19 Safe Space" room. The Zen room was created through conversion of one of the DFS conference rooms. It provided a calm space for staff to visit throughout the day to partake in a quiet moment and decompress from the overwhelming impact of COVID. To date, the "Zen" room remains available for staff when needed (see Appendix Part1#40).

41. Which of the agency's divisions are currently working remotely?
- What percentage of the agency's total employees currently work remotely?
 - The percentage of the agency's total number of staff currently working remotely equals 25%.
 - Please provide a copy of the agency's Continuing Operations Plan and any remote working protocol.
 - See Appendices Part1#41(a) and Part1#41(b)

42. How has the agency ensured that all staff have access to necessary equipment and a stable internet connection to work from home?
- Telework eligibility aside, the Office of the Chief Technology Officer has set forth District guidelines that agencies must follow regarding telework. These guidelines, along with the agency's telework policy, sets the responsibility of both the agency and the employee. For those employees that are eligible to telework, it's the employee's responsibility to provide and maintain a stable high-speed internet connection, and its the agency's responsibility to provide either a laptop that meets OCTOs guidelines for teleworking or, in the case of staff members who use their personal equipment, the agency will assist in the creation of a secure virtual private network connection. The agency is currently modernizing our end points to all laptops and is committed to providing secure technology solutions to its employees.

43. Was the agency a recipient of any federal grants stemming related to the COVID-19 pandemic during FY 2022 and FY 2023, to date, and, if so, how were those federal grant dollars used?

See Appendix Part1#23&43.

44. How has the agency updated its methods of communications and public engagement to connect with customers since the start of the pandemic?
- Increased social media presence to inform the public of testing and safety precautions

- Developed and maintained internal dashboards to readily track data regarding testing and reporting
- Engaged in interagency meetings with partners to ensure effective and timely communication
- Collaborate with partnering agencies to conduct testing
- PHL: Expanded hours to include evening, weekend, and holiday availability to ensure proper resource allocation

PART 2

Fiscal Year 2022 Performance Oversight Questions (Part 2)
Department of Forensic Sciences

1. What is the agency's strategy to promote employee retention and improve morale? What have been the results of the Human Resources and Training Team, fully-staffed as of January 8, 2022?

The agency's current focus to promote employee retention and improve morale is creating detailed policies and procedures so employees are aware of expectations, and the consequences when those objectives are not met. The agency has implemented an employee suggestion box where employees can provide recommendations and concerns anonymously. The agency also increased its participation in District Wellness Initiatives to include a fully operable parents' room, "COVID-19 Safe Space" and weekly agency walks, when weather permits.

Since full staffing of the HR and Training Team,, the agency has dedicated specialists for all functional areas. Both employees and managers are now able to connect with the respective specialist regarding their recruitment, FMLA, PFL, ADA, COVID, sexual harassment, complaints, and disciplinary needs. This has been well received by staff and managers for overall information and guidance. Most importantly, this has created consistency within the agency, which helps HR to build trust and ultimately contributes to employee morale and retention.

2. Please describe any updates that the agency made to staffing, management, and operations in the Public Health Laboratory ("PHL") in FY 2022 and FY 2023, to date. What is the status of filling the numerous vacant or new positions report in the agency's responses to the Committee's FY 2021 oversight questions?
 - a. Please describe the current status of the District's mosquito surveillance program to test for West Nile, dengue, chikungunya, and Zika viruses.
 - b. Please describe the current status of the District's surveillance for influenza and foodborne outbreaks, rabies testing, STI testing, and testing for bioterrorism and chemical terrorism.

[See Appendix Part2#2-3.](#)

3. Please describe the agency's role in COVID-19 testing and gene sequencing, and how this role has changed or evolved since the beginning of the pandemic. How does the agency track the spread of COVID-19 variants?

[See Appendix Part2#2-3.](#)

4. Please describe the current status of the agency's Syringe Surveillance Exchange Program. How is this information used by the agency (or shared with other District and federal agencies)?

FCU Syringe Surveillance Program - Operations

- The syringe surveillance program operations shifted primarily to the Forensic Chemistry Unit (previously in coordination with Clinical Toxicology Unit)
- Expanded from 3 harm reduction partners (Bread for the City, Family and Medical Counseling Services (FMCS), Honoring Individual Power and Strength (HIPS)) to 4 partners (Us Helping Us).
- Working with harm reduction partners to expand scope (e.g., additional sample types can be submitted by their clients)
- One CDC Foundation employee and 3 Overdose to Action (OD2A) grant funded DFS employees assigned to carry out syringe surveillance laboratory duties, responsibilities, and assignments.

FCU Syringe Surveillance – Data Dissemination

- Monthly reports describing trends distributed amongst a multitude of partner agencies and other health and safety programs.
- Collaborating with stakeholders and customers on report format feedback to ensure clearer understanding of the scientific data presented.
- Two CDC Foundation employees assigned to DFS to carry out data dissemination and coordination of services (e.g., pick-up schedules, expanding scope of services, etc.)

5. Please describe any updates that the agency made to staffing, management, operations, and quality assurance in the Forensic Sciences Laboratory ("FSL") in FY 2022 and FY 2023, to date.

[See Appendix Part2#5.](#)

6. Please describe the members' attendance and the major work of the Science Advisory Board in FY 2022 and FY 2023, to date.

- a. Are there any vacancies on the current board? What is the length of current members' terms and their term end date?
- b. Please describe what, if any, changes have been undertaken in regards to oversight by the Board and the Board's access to agency records and other materials since SNA International's

D.C. Department of Forensic Sciences Laboratory Assessment Report.

- In FY22 the SAB was formally convened on:
 - October 22, 2021; and
 - March 3, 2022.
- As of January 12, 2023, re-appointed and newly appointed Science Advisory Board (SAB) members have been sworn into their positions. This means that the SAB once again has a quorum and can resume holding formal meetings. A formal meeting is on the schedule for February 3, 2023.
- Please see Appendices for Part2#6 for SAB member names, attendance, and term appointments. There are currently 2 vacancies on the board.
- The SAB has been asked to provide formal guidance regarding the inclusion of employee names in QCARS & QPARS.
- The SAB provided formal guidance to the agency regarding a competency review in the Latent Fingerprint Unit.
- The SAB provided formal guidance to the agency regarding the validation plan for fired cartridge casings.
- Due to the loss of accreditation, no QCAR/QPAR have met the criteria for elevation the SAB for review and approval.
- At this time, no changes have been made to the oversight of the board and access to agency records and materials.
- There are currently 2 vacancies on the Board, but the Agency is working closely with the Mayor's Office on Talents and Appointments to fill the positions.

See Appendices Part2#6(a) – Part2#6(e).

7. Please describe the mandate and work of the Stakeholder Council.

On April 20, 2022, DFS convened a meeting of the full Stakeholder Council. A standing bi-weekly meeting has been calendared for DFS and USAO to address any concerns related to reaccreditation. USAO has expressed concerns regarding the rebuilding of the quality department, FBU validation and outsourcing capacity.

 - a. What are the agency's plans for convening the Stakeholder Council in the remainder of FY 2023? How often did the Council meet in FY 2022 – weekly, as envisioned in the agency's responses to the Committee's FY 2021 oversight questions?

- DFS plans to work with the new Deputy Mayor to convene the first Stakeholder Council of the FY in the upcoming months.
 - b. Who are the current members of the Stakeholder Council?
 - Please see Appendix Part2#7 for current list of members.
8. Regarding SNA International's *D.C. Department of Forensic Sciences Laboratory Assessment Report*:
- a. Describe the current status of the implementation of the three recommended key actions for District Government leadership;
 - b. Describe the implementation of the five recommended key actions for DFS leadership;
 - c. Identity the thirty-three areas of nonconformance identified that have been corrected;
 - d. Describe the current status of any of the thirty-three areas of nonconformance that have not yet been corrected;
 - e. Identify all of the forty-seven recommendations made that have been successfully implemented; and
 - f. Describe the current status of any of the recommendations that have not yet been successfully implemented.

See Appendix Part2#8.

9. Please provide an update on the work of the independent project executive brought on to manage implementation of these recommendations and review of cases of nonconformance.
- The independent consultant has conducted a review of the SNA audit, evaluated, and assisted with the update of the document management system, provided recommendations on recruitment for key positions, and is currently conducting a document review. Once the document review is finalized and policies and procedures are implemented, members of the FBU and FCU can begin mock casework in support of reaccreditation. Additionally, the consultant will be working with the agency to complete various internal audits in compliance with ANAB standards.
10. Please describe the current status of the agency's accreditation, any communication with the ANSI National Accreditation Board in FY 2022 and FY 2023, to date, and the agency's plans to move forward with reaccreditation.

- a. Please describe any agency efforts to regain accreditation separate from steps taken to implement recommendations from SNA International's report.
 - On September 23, 2022, along with FACT Consulting, Forensic Science Laboratory Management and the Chief of Staff meet virtually with ANAB to discuss the application process, requirements and necessary steps to regain accreditation. The accrediting body discussed the need to permanently fill key positions within the organization and ensure a sound Quality division.
11. Please describe the agency's relationship with the Bureau of Alcohol, Tobacco, and Firearms as it relates to the outsourcing of firearms examinations.
- a. What have been the costs to the agency associated with this relationship? How do costs for services compare to costs where these services were performed by the agency in-house?
 - ATF has supported DFS in the processing of firearms related evidence, more specifically, test fires and NIBIN entries. Currently, no contract or MOU is in place with DFS. Collaboration with DFS, MPD and ATF.
 - Within the last 2 budget cycles, DFS purchased an additional NIBIN machine to increase productivity. This cost was \$180,000.
 - b. Last year, the agency shared that it does not plan to reconstitute the Firearms Examination Unit. Is that still the case? What benefits or limitations does this pose for the work this unit would undertake, if stood up?
 - Current plan is continuing with ATF support for test fires and NIBIN entry
 - If the case has an ATF nexus, with approval and on a case-by-case basis, the ATF lab has provided support for microscope work, mainly NIBIN comparisons
 - There is currently a solicitation in progress for FEU microscope work to be completed by another state laboratory.
 - At this time, there are no plans to reconstitute the Firearms Examination Unit.

12. Please describe the current outsourcing of evidence analysis by other units in the FSL to outside entities, including the name of the entity, nature of the relationship, and costs associated with this relationship.

Forensic Biology Unit Outsourcing

- Bode Technology
 - Approximately 20 to 25 cases per month
 - All Physical Evidence Recovery Kits (PERKs) are sent to Bode Technology
 - Increased capacity starting in March
 - Turnaround times (TAT) for cases is 60 days
 - FY22 cost: \$401,917.22
 - FY23 cost (as of 1/20/23): \$86,808.27
- Signature Science, LLC
 - Outsourcing of cases to include all types with the exception of fired cartridge casings and PERKS
 - Approximately 45 cases per month
 - TAT for cases is 60 days
 - FY22 cost: \$707,560
 - FY23 cost (as of 1/20/23): \$123,010
- Signature Science, LLC (fired cartridge casings)
 - Separate contract with Signature Science (due to different DNA extraction technique)
 - Approximately 5 cases per month
 - Homicide and public safety priority cases
 - TAT for cases is 60 days
 - FY22 cost: \$130,378
 - FY23 cost (as of 1/20/23): \$52,702
- DNA Labs International
 - Up to 4 rush cases per month
 - 15 or 21 business day turnaround options
 - Additional capacity to send up to 25 additional case per month on a 60-day TAT
 - FY22 cost: \$0
 - FY23 cost (as of 1/20/23): \$53,700

Forensic Chemistry Unit Outsourcing

- NMS Laboratories
 - Contract pending; CP working with NMS legal team to finalize.
 - FY23 proposed \$60,000

Latent Fingerprint Unit

- Ron Smith & Associates, Inc.
 - Approximately 60 Latent Analysis (LA) cases per month
 - Up to 20 Evidence Processing (EP) cases per month
 - TAT
 - LA: 60 days
 - EP: 60 days
 - FY22 expenditures \$457,409.25
 - FY23 expenditures \$121,943.75
- 13. What is the current number of retired MPD members in the Crime Scene Sciences Division?

DFS does not maintain retirement records of MPD officers. MPD Human Resources holds the official retirement records for MPD officers.
- 14. Please describe the number of requested analyses/reports, backlogs/incomplete reports, and average turnaround time in each unit of the agency currently in operation.
 - CSSU: The Crime Scene Unit attending 4, 539 crime scenes in FY 2022. FY 2023 to date, 1,582 scenes.
 - Crime Scene attended 497 autopsies in FY 2022 and 123 FYTD 2023.
 - In 2022, 603 vehicles were processed and 283 to date.
 - Turnaround time for 2022: 80%; 2023: 95%.

FSL:

Forensic Biology Unit

- FY22 Request for analysis: 1865
- FY23 Q1 Request for analysis: 412
- Backlog as of 01/19/2023
 - PERKs: 3 (PERKs are worked in accordance with SAVRAA legislative 90 day from PTC authorization)
 - Non-PERKs: 769
- TAT
 - FY22 (outsourcing laboratories)
 - 57 days Non-PERKS
 - 79 days PERKS
 - FY23 Q1 (outsourcing laboratories)
 - 58 day Non-PERKS
 - 83 days PERKS

Forensic Chemistry Unit

- FY22 Request for analysis: 7

- FY23 Q1 Request for analysis: 1
- Backlog as of 01/19/2023
 - 4 casework requests
- TAT Surveillance Program (non-casework) (assignment date to distribution date)
 - FY22
 - 27 days
 - FY23 Q1
 - 12 days

Latent Print Unit

- FY22 Request for analysis:
 - Latent Print Analysis: 931
 - Evidence Processing: 282
- FY23 Q1 Request for analysis:
 - Latent Print Analysis: 185
 - Evidence Processing: 65
- Backlog as of 01/19/2023:
 - LA cases: 223
 - EP cases: 2
- TAT
 - FY22 (outsourcing laboratories)
 - LA cases: 72 days
 - EP cases: 219 days
 - FY23 Q1 (outsourcing laboratories)
 - LA cases: 65 days
 - EP cases: 293 days*
 - *vendor lab backlog has been eliminated; current FY23 Q2 TAT 37 days

15. Describe DFS' current capacity to upload evidence into relevant national databases and the status of all uploads in FY 2022 and FY 2023, to date. What is the universe of evidence that has not been uploaded?

Forensic Biology Unit:

The FBI governs CODIS; only accredited, government laboratories have access to CODIS; DFS must partner with an accredited government laboratory that processes cases on the same analytical platform as DFS and has an outsourcing contract with the same vendor laboratories as DFS. DFS has reached out to all 53 CODIS "state" laboratories for assistance.

- FY22:
 - Connecticut state laboratory: 47 case entries
 - Wyoming state laboratory: 23 case entries
- FY23:

- Connecticut state laboratory: 8 case entries
- Wyoming state laboratory: 8 case entries
- Amount of pending cases for ownership review: 650

Latent Fingerprint Unit:

- AFIS entries are done in real-time of examination and there is no current backlog.

Forensic Chemistry Unit:

- No National database

16. Please describe any changes made or under consideration to the agency's quality assurance processes and operations in FY 2022 and FY 2023, to date.

Based on the Clinical Laboratory Improvements Amendments (CLIA), which is the certifying body for the Public Health Laboratory (PHL), and the Quality Consultants brought on to work toward re-accreditation of the Forensic Science Laboratory (FSL), DFS took steps to embed the quality personnel within the various units at DFS.

Now, PHL, FSL, and Crime Scene Services (CSS) have dedicated quality specialists. This allows the quality specialists to be more responsive to the individual needs of the units. Further, it allows quality to be streamlined to handle issues more quickly.

17. Please describe the agency's legal staffing capacity. List names, positions, and describe the positions' duties.

Supervisory Attorney Advisor—Hillary Hoffman. The Supervisory Attorney Advisor provides expert legal advice and supervises the legal staff. The Supervisory Attorney Advisor is responsible for consulting with management and supervisors on legalities that affects their organization's mission and provides clarification of policies, statutes, and legislation. Reviews and evaluates existing statutes and regulations to determine the need for new regulations or amendments or new administrative and enforcement procedures; and recommends changes and drafts new legislation and amendments of the same as needed.

Attorney Advisors—three (3) positions. One is currently filled by Rachel Coll. DFS is hiring for the other positions. The Attorney Advisors review cases and documents to ensure support of legal position. Represents the agency in hearings and prepares necessary

documentation to support cases. Assists the Office and/or the Office of the Attorney General with litigation. The Attorney Advisor may work on discovery matters with the US Attorney's Office and the Office of the Attorney General and may work with all departments in the agency on Giglio policy and responses. The Attorney Advisor will train on mock trials with all departments. The Attorney Advisor reviews responds to FOIA requests.

Paralegal—Shannon Hall. The Paralegal responds to discovery requests by the Office of the Attorney General and the US Attorney's Office. The Paralegal responds to FOIA requests.