



# COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER \_\_\_\_\_

PAGE 1 OF 10

DATE: 03/07/2023

**SUBJECT: APPROVAL OF MEMORANDUM OF UNDERSTANDING  
BETWEEN TARRANT COUNTY AND THE CITY OF FORT WORTH  
FOR LATENT PRINT DISCIPLINE SERVICES – MEDICAL  
EXAMINER’S OFFICE**

**\*\*\* CONSENT AGENDA \*\*\***

**COMMISSIONERS COURT ACTION REQUESTED**

It is requested that the Commissioners Court approve a Memorandum of Understanding (MOU) between Tarrant County and the City of Fort Worth to provide services for technical, verification and testimony monitoring review related to pattern interpretation disciplines such as latent prints.

**BACKGROUND**

Technical review (also called peer review) of case documentation is a common practice in forensic science laboratories performed to ensure that the conclusions of the analyst are reasonable, within the constraints of validated scientific knowledge, and supported by the examination records.

Verification is a process performed by an independent qualified analyst used to verify the identification, elimination or inconclusive result of an item of evidence when compared to a like item of evidence by another qualified analyst. Both the Tarrant County Medical Examiner’s Office (TCME) and the Fort Worth Police Department Crime Laboratory (FWPDCL) employ a single latent print examiner trained to perform internal technical and verification review of casework in accordance with the laboratory's management system. Therefore, TCME and FWPDCL must rely on an external review construct to meet technical and verification review requirements. Such construct includes the requirement that a technical and verification reviewer be competent and work in accordance with the laboratory's management system.

Testimony monitoring is the technical review of testimony, either in person or through official court transcripts, by personnel who have been competency tested in the discipline of the subject matter being presented in court. Texas Administrative Code 651.219 (b)(13), Code of Professional Responsibility, requires testimony to be performed in a manner which is clear, straightforward, objective, and avoid phrasing testimony in an ambiguous, biased, or misleading manner. In addition, both TCME and FWPDCL are accredited by the ANSI National Accreditation Board (ANAB) which is a non-governmental organization that provides accreditation services and training to public- and private-sector organizations. To maintain accreditation, TCME and FWPDCL are required to perform testimony monitoring to ensure testimony is given in an accurate and appropriate manner.

On October 6, 2020, the Commissioners Court, through Court Order #133918, approved the original ILA with the City of Fort Worth for verification and technical reviews relating to pattern interpretation disciplines such as latent prints. This ILA expired on July 1, 2022.

On October 25, 2022, the Commissioners Court, through Court Order #139509, approved renewal of the ILA with the City of Fort Worth for the term of July 2, 2022 through July 1, 2023.

SUBMITTED BY:	Administrator's Office	PREPARED BY: APPROVED BY:	Jody Klann Dr. Kendall Crowns
---------------	------------------------	------------------------------	----------------------------------



## COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER: \_\_\_\_\_ DATE: 03/07/2023 PAGE 2 OF 10

With approval of this MOU, TCME and FWPDCI, in a reciprocal capacity, agree to provide peer technical and verification review of examination records, which may result in the reviewing party being asked to testify in relation to the case being reviewed. In addition, both parties, in a reciprocal capacity, agree to provide testimony monitoring by observing testimony in-person or by reviewing official court transcripts. This MOU becomes effective upon the date of the last signature and will remain in effect unless terminated by either party with thirty (30) day written notice.

This agreement has been approved as to form by the Criminal District Attorney's Office.

### **FISCAL IMPACT**

There is no fiscal impact associated with this item.