



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

*1700 North Congress Ave., Suite 445
Austin, Texas 78701*

MEETING AGENDA

April 14, 2023, at 9:00 AM

Stephen F. Austin Building
1700 North Congress Avenue
Room 170
Austin, Texas 78701

During this meeting, the Forensic Science Commission (“Commission”) may consider and possibly take action on the following items. The Commission may take breaks as necessary. The Commission may meet in closed session on any item listed below, as authorized by the Open Meeting Act, Texas Government Code, Chapter 551.

1. Call meeting to order. Roll call for members. Excuse any absent board members.
2. Review and adopt minutes from January 27, 2023 Commission quarterly meeting.
3. Office administrative update (Announcement of Governor’s March 21, 2023 re-appointment of commissioners Patrick Buzzini, Michael Coble, Jasmine Drake, and Nancy Downing; FY2023 second quarter budget status report; updates from conferences and trainings by staff, including February 2023 American Academy of Forensic Sciences Annual Meeting; update on status of launch of database functions). (Garcia/Tomlin)
4. Update on National Institute of Standards and Technology Organization of Scientific Area Committee Registry standards implementation tools available to state crime laboratories and agencies.
5. Discuss and consider complaints and laboratory self-disclosures pending from January 27, 2023 quarterly meeting and new complaints and laboratory self-disclosures received through March 24, 2023, as detailed below.

Self-disclosure pending from January 27, 2023:

1. No. 23.02; Fort Worth Police Department Crime Laboratory (Quality System)

Self-disclosures received as of March 24, 2023:

2. No. 22.53; Tarrant County Medical Examiner’s Office Crime Laboratory (Latent Prints)
3. No. 23.04; University of North Texas Health Science Center – Center for Human Identification (Anthropology; Forensic Biology (DNA))
4. No. 23.05; Department of Public Safety – Midland (Seized Drugs)
5. No. 23.06; Department of Public Safety – Houston (Multiple Forensic Disciplines)

6. No. 23.07; Fort Worth Police Department Crime Laboratory (Seized Drugs)
7. No. 23.08; Fort Worth Police Department Crime Laboratory (Firearms/Toolmarks)
8. No. 23.09; Department of Public Safety – Garland (Seized Drugs)
9. No. 23.10; Department of Public Safety Crime Laboratory System (Seized Drugs)
10. No. 23.11; Department of Public Safety – Austin (Toxicology Drugs)
11. No. 23.13; Department of Public Safety – Houston (Materials (Trace))
12. No. 23.14; Department of Public Safety – Austin (Digital/Multimedia)

Complaint pending from January 27, 2023:

13. No. 22.40; Nix, Meda (Texas Department of Public Safety - Austin; Breath Alcohol)

Complaints received as of March 24, 2023:

14. No. 23.15; Polk, Frankie (unspecified Houston Lab; Forensic Biology/DNA)
15. No. 23.16; Lovett, Lamar (Austin PD; Forensic Biology/DNA)
16. No. 23.20; Dues, Miranda (ExperTox; Hair Analysis)

Staff Dismissals

1. No. 23.12; Carrio, Norman (Harris County DA, Houston Police Department; Autopsy, Firearms/Toolmarks)
 2. No. 23.17; McKinley, Charles (no laboratory specified; Toxicology)
 3. No. 23.22; Trevino, Eduardo A. (Bexar County Criminal Investigation Laboratory; Forensic Biology/DNA)
6. Discuss status of crime laboratory accreditation program, including accreditation activities, communications and reports received since January 27, 2023 quarterly meeting; discuss progress on incorporation of Commission assessment checklist. (Garcia/Tomlin)
 7. Discuss licensing advisory committee update, including:
 - a. Licenses issued and renewed;
 - b. Licensee nonconformance report;
 - c. Review and possible proposal of rule changes to 37 Texas Administrative Code, Subchapter C, § 651.211 related to a temporary license fee waiver;
 - d. Review and possible proposal of rule changes to 37 Texas Administrative Code, Subchapter A, § 651.5 and Subchapter C, § 651.203 related to changes in terminology from “SNP” to “massively parallel sequencing” for forensic biology/DNA categories of testing to align with ANAB accreditation terminology; and
 - e. Update on voluntary licensure. (Garcia/Tomlin)

8. Review and possible adoption of final investigative report from investigative panel for self-disclosure #22.17 Fort Worth Police Department Crime Laboratory (Proficiency Testing; Reaccreditation Assessment by ANAB).
9. Update regarding complaint #21.27 University of Colorado, National Innocence Project on behalf of Nanon Williams (Houston PD/Houston Forensic Science Center) (Firearms/Toolmarks).
10. Update regarding complaint #22.16 Harris County Public Defender's Office on behalf of Webster, Joseph (Ron Smith & Associates; Latent Prints).
11. Review and adoption of final investigative report from investigative panel for self-disclosure #22.39 Bode Technology (Forensic Biology/DNA).
12. Discuss current forensic development training and education projects, including:
 - a. March 30-31, 2023 meeting with DNA laboratories at the University of North Texas Health Science Center/Center for Human Identification to discuss suitability determinations for DNA mixture profile interpretation;
 - b. DNA training for lawyers and judges in collaboration with Court of Criminal Appeals Judge Barbara Hervey;
 - f. Sponsorship of laboratory manager class at National Forensic Leadership Academy.
13. Update regarding 88th Legislative Session, including SB 991 on development of crime laboratory portal.
14. Update from the Texas Association of Crime Laboratory Directors.
15. Discuss rulemaking impacting the Commission's investigative process.
16. Discuss and possibly take action on ExperTox #20.55 (Toxicology) appeal, including consideration of proposed amended final investigative report(s).
17. Consider proposed agenda items for next quarterly meeting.
18. Schedule and location of future panel and quarterly meetings, including and April 14, 2023, July 21, 2023, October 20, 2023, and January 2024 quarterly meetings.
19. Hear public comment.
20. Adjourn.

To increase public access to meetings, the Commission will endeavor to live-stream all quarterly meetings on its website at www.fsc.texas.gov. However, the Commission's decision to live-stream any particular meeting should not be

interpreted as a guarantee that all meetings will be live-streamed. Our ability to live-stream depends on budgetary constraints and logistical considerations at any given meeting. If you have any questions, please contact the Commission Coordinator, Kathryn Adams, at (512) 936-0770 or kathryn.adams@fsc.texas.gov.

Persons with disabilities who plan to attend a commission meeting and need assistance should contact Kathryn Adams at the contact information above at least seven (7) business days prior to the meeting so arrangements may be made.