

**Texas Forensic Science Commission  
Minutes from February 12, 2016 Meeting in Austin, Texas**

The Texas Forensic Science Commission met at 9:00 a.m. on Friday, February 12, 2016 at the Omni Austin Southpark, 4140 Governor's Row, Austin, Texas 78744

Members of the Commission were present as follows:

Members Present: Di Maio, Alpert, Barnard, Hughes-Stamm, Kessler, Lerma, Mozayani

Members Absent: Eisenberg, Peerwani

Staff Present: Lynn Garcia, General Counsel  
Nick Vilbas, Assistant General Counsel  
Leigh Tomlin, Associate General Counsel  
Kathryn Adams, Commission Coordinator

**Review and adopt minutes from September 16, 2015 Bite Mark Panel meeting, September 28, 2015 Rio Grande Identification Project meeting, October 1, 2015 DNA Mixture Interpretation Panel meeting, October 2, 2015 Complaint Screening Committee meeting, October 2, 2015 Forensic Science Commission Quarterly meeting, November 16, 2015 Bite Mark Panel meeting, and December 2, 2015 Forensic Science Commission meeting.**

**MOTION AND VOTE:** *Alpert moved to adopt the meeting minutes drafts. Mozayani seconded the motion. The FSC unanimously adopted the motion.*

**Office administrative update (FY2016 budget status update; staff position re-classifications, office minor construction, technology/database/website improvements, Attorney General requests and opinions issued).**

Staff and Commissioners discussed FY2016 budget update and status from the Commission's last quarterly meeting, the implementation of position re-classifications for staff members Nick Vilbas and Leigh Tomlin, the completion of minor office construction, and plans for website and other technological improvements.

**MOTION AND VOTE:** *Alpert moved to approve the budget status report provided by Staff. Di Maio seconded the motion. The FSC unanimously adopted the motion.*

Garcia, reviewed a recently issued Attorney General opinion regarding the Commission's responsibility under Article 39.15 of the Texas Code of Criminal Procedure to notify relevant parties of exculpatory, impeachment or mitigating information it receives during the course of an investigation. The Attorney General Opinion explained the Commission likely has no notification duties under article 39.14 and the prosecutor member of the Commission would have a duty to comply with article 39.14 only in his/her capacity as a prosecutor for the State in a particular case.

**Discuss and consider recommendations from complaint screening committee concerning pending complaints and laboratory self-disclosures and all complaints or self-disclosures received through January 29, 2016.**

Members discussed the option of immediately forwarding any DNA mixture cases staff receives to the DNA Mixture Triage Team so they may be vetted in a timely manner with other DNA mixture cases. Staff requested the Commission's General Counsel have the discretion to forward any DNA mixture cases that do not have other forensic issues to the DNA Mixture Triage Team.

**MOTION AND VOTE:** *Barnard moved to direct staff to send any DNA mixture cases that do not allege other forensic issues to the DNA Mixture Triage Team. Alpert seconded the motion. The FSC unanimously adopted the motion.*

**Pending Disclosure from October 2, 2015 meeting**

**#2012.15.02 Austin Police Dept. Crime Lab (Crime Scene Reports)**

The Austin Police Department Crime Laboratory self-disclosed a nonconformance in the laboratory's crime scene department where a crime scene technician failed to issue reports in 121 field cases.

Bill Gibbens, APD Laboratory Director, provided comments to Commissioners. Gibbens explained the laboratory, in response to the incident, addressed root causes identified in the laboratory's reporting process and all affected parties have been notified.

**MOTION AND VOTE:** *Kessler moved to take no further action on the disclosure given the results of the laboratory's root cause analysis and corrective actions implemented by the laboratory. Mozayani seconded the motion. The FSC unanimously adopted the motion.*

**Disclosures Received as of February 1, 2016**

**#2016.15.05 DPS—Weslaco (Latent Print)**

DPS Weslaco self-disclosed an incident in the laboratory's latent print section where an analyst excluded a suspect who was later identified as the source of a latent palm print.

Brady Mills, DPS Deputy Assistant Director, addressed the complaint and explained the examiner has resigned and the internal investigation and case review in the matter is ongoing.

**MOTION AND VOTE:** *Alpert moved to table the disclosure pending final results of the case evaluation currently being conducted by the laboratory. Kessler seconded the motion. The FSC unanimously adopted the motion.*

**#2016.15.06 Corpus Christi Police Department (Latent Print)**

The Corpus Christi Police Department Crime Laboratory self-disclosed this issue related to an incident in the laboratory's latent print section where an analyst erroneously identified a latent print on a CTS Latent Print Proficiency Test. As part of the laboratory's response, the laboratory

director indicated no notification was sent to prosecutors about the incident because the issue was related to a proficiency test and not actual casework. Garcia and Commissioners discussed whether prosecutors should be notified when an analyst fails a proficiency test.

Several members of the public offered comments and discussion related to the notification issue, including Jack Roady, Galveston County District Attorney; Brady Mills, DPS Deputy Assistant Director; Tim Fallon, Bexar County Crime Laboratory Director; Inger Chandler, Harris County Conviction Integrity Unit Chief; Dawn Boswell, Tarrant County Conviction Integrity Unit Chief; and Dr. Norma Farley, Anatomic, Clinical and Forensic Pathologist in McAllen, Texas.

Some discussion participants expressed concern about the potential chilling effect disclosure of failed proficiency test results would have on an otherwise productive learning opportunity. After thorough discussion of the issue, Commissioners and prosecutors in attendance agreed notification is absolutely necessary, due to *Brady* and other obligations, even where an analyst makes a mistake or fails a proficiency test, assuming the failed proficiency test is not related to problems with the test itself.

**MOTION AND VOTE:** *Alpert moved to issue a letter to the laboratory advising the lab should notify the prosecutor when an analyst fails a proficiency test and explaining no further action related to the disclosure is necessary at this time in light of the root cause analysis and corrective action taken by the lab. Mozayani seconded the motion. The FSC unanimously adopted the motion.*

### **Complaints Received as of February 1, 2016**

#### **#1116.15.14 Wilson (DPS—Houston, DNA)**

Inmate Jackie Wilson filed this complaint, alleging a DPS (Houston) analyst issued a false and misleading report and gave false and misleading testimony regarding the DNA analyses performed in his case.

**MOTION AND VOTE:** *Alpert moved to refer the complaint to the DNA Mixture Triage Team because the allegations are related to DNA mixture interpretation. Mozayani seconded the motion. The FSC unanimously adopted the motion.*

#### **#1117.15.15 Elam (Harris County District Attorney's Office, DNA)**

Inmate Darius Elam, who was granted post-conviction DNA testing on fingernail clippings from the victim in his case, filed this complaint. The results excluded him as a contributor and identified another profile. The profile was run against CODIS but no hit was identified. Elam alleges the Harris County District Attorney has denied him relief by claiming they cannot eliminate the victim's DNA as the source of the profile. He further alleges the District Attorney's office falsified a latent print connecting him to the crime scene.

**MOTION AND VOTE:** *Kessler moved to refer the complaint to the DNA Mixture Triage Team because the allegations are related to DNA mixture interpretation. Alpert seconded the motion. The FSC unanimously adopted the motion.*

#1118.15.16 Cockerham (Southeast Texas Forensic Center, Dog-Scent lineup and Autopsy)

Inmate Mario L. Cockerham filed this complaint for a second time, alleging dog scent line-up evidence was used to convict him at trial and a pathologist's conclusions about the death of the infant in his case were incorrect and biased.

**MOTION AND VOTE:** *Kessler moved to dismiss the complaint because the Commission has previously addressed the complaint and the forensic issues have either been resolved or are beyond the Commission's jurisdiction. Lerma seconded the motion. The FSC unanimously adopted the motion.*

#1119.15.17 Stephens (Austin Police Department, Controlled Substance)

Debra Stephens, a former APD employee, filed this complaint relating to a controlled substance case against defendant Steven Louis Vallejo, alleging APD Laboratory management reported false errors in the analysis of Vallejo's case to destroy her reputation.

**MOTION AND VOTE:** *Alpert moved to dismiss the complaint because allegations over which the Commission has any authority have already been vetted by ASCLD/LAB and the Commission. Hughes-Stamm seconded the motion. The FSC unanimously adopted the motion.*

#1120.15.18 Spence (McClennan County DA's Office, DNA, Bite marks)

Jason Spence, son of David Spence, filed this complaint alleging the wrongful conviction of David Spence, Anthony Melendez and other defendants involved in the Lake Waco Murders, requesting DNA testing for Anthony Melendez and re-evaluation of the bite mark evidence used at his father's trial.

Several members of the public, including Jan Thompson, niece of one of the victims in the Lake Waco murder, Bernadette Feazell, paralegal and friend of Anthony Melendez, and Scott Ogle, attorney for Jason Spence, offered comments and expressed frustration with the delay in receiving results from further DNA testing in the Melendez case.

**MOTION AND VOTE:** *Kessler moved to dismiss the complaint because the Commission has no statutory authority to order DNA testing in any particular criminal case or to determine the status of testing at a particular time, and that the bite mark testimony case be included as part of the Bite Mark Panel review process. Alpert seconded the motion. The FSC unanimously adopted the motion.*

#1121.15.19 Echols (DPS—Waco, Sexual Assault Kit/DNA)

Inmate Randy Virgil Echols filed this complaint alleging general misconduct by the Comanche County Sheriff's Office, the DPS (Waco) crime lab, and Hendricks Medical Center SANE Judith Lafrance, that led to his 2012 conviction for indecency with a child by contact.

**MOTION AND VOTE:** *Kessler moved to refer the complaint to the DNA Mixture Triage Team because the allegations are related to DNA mixture interpretation. Alpert seconded the motion. The FSC unanimously adopted the motion.*

#1122.15.20 McCluer (Di Maio, Bullet Trajectory/Gunshot Wound)

Inmate Roger McCluer filed this complaint, alleging Dr. Di Maio negligently expressed an unsupported opinion related to bullet trajectory, gunshot wounds and other evidence presented at McCluer's trial.

**MOTION AND VOTE:** *Alpert moved to dismiss the complaint because the complaint falls outside the Commission's jurisdiction because it relates to the portion of an autopsy conducted by a medical examiner. Kessler seconded the motion. The FSC unanimously adopted the motion.*

Barnard recused himself from discussion and deliberation of this complaint because his laboratory performed the autopsy in the case, and Di Maio recused himself from discussion and deliberation of this complaint because he is the subject of the complaint.

#1123.15.21 Brown (Fort Worth Police Department—Firearms/Toolmarks)

Inmate Jarnyl Brown filed this complaint alleging the Fort Worth Police Department Crime Laboratory misreported findings in a firearms/toolmarks report used to identify Brown as a shooter in his criminal case.

**MOTION AND VOTE:** *Kessler moved to dismiss the complaint because it contains no allegation of negligence or misconduct relative to the forensic analysis at issue in the case, and to direct staff to send a letter to the complainant providing contact information for the various innocence clinics in Texas. Barnard seconded the motion. The FSC unanimously adopted the motion.*

#1124.15.22 Padilla (DPS—Austin, DNA)

Inmate Guadalupe Padilla filed this complaint requesting additional DNA testing by DPS (Austin). Padilla alleges additional testing would exclude him as the perpetrator in the aggravated sexual assault of a child and indecency with a child cases for which he was convicted in 1996 and 1997 and is currently serving a 37-year sentence.

**MOTION AND VOTE:** *Alpert moved to refer the complaint to the DNA Mixture Triage Team because the allegations are related to DNA mixture interpretation. Lerma seconded the motion. The FSC unanimously adopted the motion.*

#1124.15.23 Pinion (Tarrant County DA's Office, General Innocence Allegation)

Inmate Melvin Pinion filed this complaint requesting review of all the evidence used to convict him at his 2011 trial for indecency with a child, including video photos of the victim that were presented in the courtroom throughout the trial.

**MOTION AND VOTE:** *Kessler moved to dismiss the complaint for failure to state an allegation of negligence or misconduct relative to a forensic analysis. Lerma seconded the motion. The FSC unanimously adopted the motion.*

Alpert recused himself from discussion and deliberation of this complaint because his office prosecuted the case.

#1126.16.01 Ervin (Laboratory Unknown, DNA)

The sister of inmate Frederick Ervin, Catrice Nelson, filed this complaint alleging Jasper County District Attorney's Office and Jasper County Clerk's Office will not provide copies of DNA testing records that were used to convict Ervin at his trial.

**MOTION AND VOTE:** *Alpert moved to dismiss the complaint for failure to state an allegation of negligence or misconduct relative to a forensic analysis at issue in the case. Lerma seconded the motion. The FSC unanimously adopted the motion.*

Members directed staff to forward the complaint to the DNA Mixture Triage Team so they may research whether there is any DNA mixture evidence in the case.

#1127.16.02 Rodgers (IFL—Eules, Firearms/Toolmarks)

Chaz Rodgers, mother of victim Anthony Hudson who was shot and killed in 2012, filed this complaint. Rodgers believes defendant Devon Candler, who was convicted in Hudson's death, was wrongfully convicted due to faulty firearm/toolmark analysis and suppressed evidence and seeks closure in her son's death.

**MOTION AND VOTE:** *Kessler moved to recommend the full Commission dismiss the complaint given the materials and response provided by the laboratory and to provide a copy of the laboratory's response to the Complainant. Alpert seconded the motion. The FSC unanimously adopted the motion.*

#1128.16.03 Downs (DPS—Austin, DNA)

Inmate James Downs filed this complaint alleging police illegally drew a blood sample from him and that DPS (El Paso) and DPS (Lubbock) crime labs and other law enforcement agencies made mistakes in the chain of custody and handling of the biological and other forensic evidence used to convict him for aggravated sexual assault of a child and kidnapping.

**MOTION AND VOTE:** *Alpert moved to refer the complaint to the DNA Mixture Triage Team because the allegations are related to DNA mixture interpretation. Lerma seconded the motion. The FSC unanimously adopted the motion.*

#1129.16.04 De La O (Bexar County Crime Laboratory, DNA/Paternity)

Inmate Carlos V. De La O filed this complaint alleging Bexar County DNA analyst Erin Reat did not follow proper protocols for the paternity testing that identified Mr. De La O as the father of an aborted fetus following the sexual assault of a 14-year girl. Mr. De La O requests further testing that would allegedly prove he is not the father.

**MOTION AND VOTE:** *Alpert moved to dismiss the complaint because the allegations were not supported by the materials provided in the laboratory's response. Hughes-Stamm seconded the motion. The FSC unanimously adopted the motion.*

#1130.16.0 Webb (Pathologist Suzanna Dana, Blood Spatter Analysis)

Inmate Marlin Wayne Webb filed this complaint alleging pathologist Dr. Suzanna Dana was not qualified to render the blood spatter analysis opinion she gave at Webb's capital murder trial.

**MOTION AND VOTE:** *Alpert moved to recommend the full Commission dismiss the complaint because it contains no allegation of negligence or misconduct related to the forensic analysis at issue in the case. Kessler seconded the motion. The FSC unanimously adopted the motion.*

**MOTION AND VOTE:** *Alpert moved to refer questions regarding the appropriate categorization of blood spatter analysis to the Commission's Licensing Advisory Committee. Hughes-Stamm seconded the motion. The FSC unanimously adopted the motion.*

#1131.16.06 James (DPS—Houston, DNA)

Inmate Lawrence James, Jr. filed this complaint alleging the DPS (Houston) crime lab and other law enforcement agencies conspired to plant biological evidence that falsely incriminated him in his 2012 murder conviction.

**MOTION AND VOTE:** *Alpert moved to dismiss the complaint for failure to state an allegation of negligence or misconduct related to the forensic analysis at issue in the case. Kessler seconded the motion. The FSC unanimously adopted the motion.*

**Discuss status and any updates for crime laboratory accreditation program, including adoption of amended rules from October 2, 2015 and December 2, 2015 FSC meetings and discussion of 37 Texas Administrative Code Part 15, Chapter 651 for review of laboratory provisional accreditation requirements.**

Tomlin reported that administrative rules and changes adopted by the Commission related to the transfer of accreditation authority from DPS to the Commission have now been adopted and published in the Texas Administrative Code.

Tomlin and members discussed provisional accreditation requirements. DPS agreed to select an independent auditor (someone from outside the DPS laboratory system) to meet the independent audit requirement for provisional Commission accreditation.

Commission staff plans to publish a list of approved assessors that laboratories may use in the event they need to meet the independent audit requirement for provisional accreditation by the Commission.

**Discuss licensing advisory committee establishment, including selection of members, scheduling of additional meetings and next steps.**

Greg Hilbig, Licensing Advisory Committee Chair, briefed Commissioners on the Licensing Advisory Committee's February 11, 2016 meeting. Hilbig explained a subcommittee was formed to review legal/legislative requirements for licensing in Texas and to enumerate baseline requirements. Committee members will begin reviewing examinations and other requirements for currently existing certification bodies. The Committee will meet again the day prior to the Commission's next quarterly meeting and before each Commission quarterly meeting thereafter.

**Discuss Rio Grande Identification Project progress, including teleconferences and collaboration efforts with EAAF (11/6/2015), UNT (11/4/2015), FBI (10/27/2015), and JP Training Center (10/28/2015), status of comparison of EAAF reference samples to UNT local databank, development of MOU with instruction and requirements about cross-referencing samples between BODE (which houses EAAF DNA databank) and UNT's local databank of missing person samples, organization of future collection of reference samples in each country to be submitted by an investigative agency that satisfies federal requirements, and other next steps.**

Garcia provided an update on the Rio Grande Identification Project and the Commission's fulfillment of the mandate thus far. Garcia explained she consulted with Dr. Norma Farley, a pathologist in McAllen (present at the meeting) on several issues. A Memorandum of Understanding between the FSC, UNTHSC and EAAF of Argentina has been drafted. Major issues surrounding the project are how to disseminate information when hits are found, and keeping the anonymity of persons who submit reference samples. The local CODIS database at UNT will be used for identification for the initial group of reference samples from EAAF.

Garcia related that training for Justices of the Peace needs to happen. Dr. Farley is working on a process for working with the JOP's on a protocol when a body is obtained. Some investigative agencies do not realize that they are supposed to collect DNA at the scene when a body is discovered. This needs to be corrected.

Members discussed the issue of fake ID's. They are easily obtained in Mexico. For example, Guatemalans are getting fake ID's in Mexico so that if they get caught by immigration, they get returned to Mexico instead of all the way back to Guatemala. UNTHSC's results are not always accepted by other countries as the final word in connection with identification.

Garcia asked if any countries have refused to accept bodies. So far, none have refused to accept bodies, but they have refused to pay to have remains sent back. To date, bodies have gotten back where they belong; pauper's graves have only had to be used 2-3 times/year. NAMUS is a missing persons database that can be searched.

There is a conflict in the Code concerning the cremation of unknown remains. Garcia stated that since FSC can make legislative recommendations, and that conflicts will be addressed.

**Update from Texas Association of Crime Laboratory Directors, including discussion of 37 Texas Administrative Code, Part 15, Chapter 651 pertaining to the provisional accreditation requirements.**



Gibbens provided Commissioners with a brief update from the Texas Association of Crime Laboratory Directors. He related that Linda Johnson retired, and that Sue Howe has been elected as the new TACL D Secretary. Roger Kahn will serve as the new TACL D President.

**Update on Retrograde Extrapolation Education Project.**

Alpert reported he is working with Robert Johnson, Chief Toxicologist, Tarrant County Medical Examiner's Office, and Chris Heartsill, Quality Manager, Tarrant County Medical Examiner's Office, to develop a written document for guidance on retrograde extrapolation issues. The Tarrant County District Attorney's Office also provided a 2-day training for prosecutors in their office related to retrograde extrapolation issues. If appropriate resources are available, Alpert would like to provide the training elsewhere in the State. Alpert will update Commissioners on progress at the Commission's next quarterly meeting.

**Update from Hair Microscopy Panel, including notification recommendations, finalization of notification letters and communication of same to stakeholders; update on transcript review, distribution of workload and training for clinic/law firm participants, discussion of next steps/finalization of review.**

Vilbas provided an update on new cases in which notification is taking place and related that many analyst responses are influenced by poor quality questions from attorneys.

**MOTION AND VOTE:** *Alpert moved to send notification letters in the Kiser, Cordero, Cook/Henry and Solomon/Hawkins cases recommended by the hair panel. Barnard seconded the motion. The FSC unanimously adopted the motion.*

**Update from Blazek (SWIFS–Firearms/Tool Marks) #14-08 investigative panel, including reconsideration of professional negligence analysis, communications with AFTE and discussion of issuance of final report.**

Garcia provided a brief update on the investigation, and Commission members directed staff to draft a final report in the matter for review by the Commission at its next quarterly meeting.

**Update from Bell County (Forensic Video Analysis) #14-1 investigative panel, including review, deliberation and adoption of final report.**

Barnard gave the background of the case and indicated that the peer reviewer's report was received just yesterday. Garcia will draft the final report on this case prior to the next quarterly meeting; at this point she has not spoken to the Bell County DA about the new report. Dan Mills, who performed the peer review, was provided only with Knox's revised post-conviction report and NOT the one used at Powell's trial.

Kessler remarked that it appears we are with video analysis at the same place we are with bite marks- a lack of criteria. Garcia related that Mills said qualified analysts should reach the same conclusions reliably within a reasonable margin of error (i.e., no more than 1-2 inches depending on the case.)

Alpert inquired as to what steps Powell's attorney (Reaves) has taken in this case so far. Garcia said that the DA informed Powell and Reaves of the conflicting reports.

**Update from Bite Mark Panel (Chaney–National Innocence Project) #1109.15.07, including report from November 16, 2015 meeting in Dallas; analysis of integrity and reliability per statutory requirement; case identification process and progress; communications with American Board of Forensic Odontology, other members of the forensic odontology community and criminal justice stakeholders; discussion of issuance of final report.**

Garcia presented a Power Point that was also presented on February 11, 2016 at the Bite Mark Panel meeting. She explained that the FSC's jurisdiction is bifurcated depending upon whether a certain scientific discipline is accredited or not.

Kessler's focus at the previous meeting was on research being done in the discipline; the uniqueness of human dentition is less important than the ability (or inability) of human skin to accurately record a bite. Statements of individual identification and statistical weight of bite marks are scientifically unsupportable. In this way, bite mark analysis is much like hair analysis.

Garcia showed the ABFO Decision Tree and relates that the way ABFO is structured makes changes very slow to happen. Some specific studies and research were reviewed. Distortion is a big problem with bites to human skin. The Pretty/Freeman study was a major catalyst for the Committee's recommendations. Freeman is the president elect of the ABFO; Pretty is not a member as he is from the UK.

The consensus was that the ABFO needs to establish some clear criteria and guidelines relative to human bite marks on skin, and to test the reliability of same; be able to distinguish between adult and child bite marks; and revise their decision tree (this cannot be done until the first two items are done).

The research should not be done by the ABFO- it should be done by an outside organization and supported by the ABFO. The discipline should have proficiency testing but there are currently no criteria in place on which to base the testing. The panel wants to develop a model for retroactive case review. Dr. Senn offered forensic odontologists to assist with case review.

Garcia will seek an AG opinion concerning the current admissibility of bite marks in court. Dr. Senn stated that only 10-15% of bite mark cases have usable evidence. Dr. Wright expressed concern about the use of bite marks in cases concerning abused children. Garcia stated that FSC's jurisdiction is in criminal cases only.

Dr. Farley spoke briefly about her use of bite marks, which usually involves differentiating between adult and child marks.

**MOTION AND VOTE:** *DiMaio moved to accept the bite mark panel's recommendations. Alpert seconded the motion. The FSC unanimously adopted the motion.*

**Status of DNA Mixture Interpretation Review, including:**

- a. Laboratory progress—protocols, case reviews and training;**
- b. Process flowchart and TDCAA notice;**

- c. **DNA Mixture Interpretation Subcommittee on Notification meetings in Austin;**
  - i. **October 26**
  - ii. **November 13**
  - iii. **December 11**
- d. **Guidance for public dissemination;**
- e. **Training for lawyers and scientists; and**
- f. **Resources, including grants received for training from Court of Criminal Appeals.**

Garcia provided an update on the DNA review. She receives calls from all over the country about what is going on in Texas, and said that Texas labs have risen to the occasion in addressing the issues. Garcia is often asked to give presentations and informed the commission about upcoming DNA training sessions.

Wicoff described the screening chart and process he uses for the DNA mixture case review. He has 200 cases so far and is currently being assisted by law students. Judge Hervey has been very helpful in getting notices posted in prisons.

Dawn Boswell shared the form she uses, criteria and review process for her DNA cases; Garcia supported using a similar form in all counties. Boswell proceeds only with CPI cases and has about 150 from an original starting list of over 8,000. Bexar County reported similar numbers.

**Update on arson case review and IAAI endorsement article for the “Texas” discipline-specific review model.**

State Fire Marshall Chris Connealy addressed the Commission and stated that the Science Advisory Workgroup (SAW) is in its fourth year and that the review of SFMO arson cases is complete. From now on, cases will be reviewed annually. Commissioners discussed IAAI’s endorsement of the Texas approach to statewide case reviews.

Wylie Fire Marshall, Steve Seddig, thanked the Commission for funding a portion of the training for fire investigators at SHSU live burn exercises

**Report from National Commission on Forensic Science, including report from December 7-8 Commission meeting.**

Di Maio provided a brief update on recent activities by the National Commission on Forensic Science.

**Report from Organization of Scientific Area Committees, including January meetings in Leesburg, VA.**

Garcia provided a brief update on this agenda item.

**Report on various recent and upcoming conferences.**

Garcia provided reports from various conferences and speaking engagements since the Commission's last quarterly meeting.

**Consider proposed agenda items for next quarterly meeting.**

**Schedule and location of future panel and quarterly meetings.**

The Commission's next quarterly meeting will be held either April 11 & 12 or 12 & 13.

**Hear public comment.**

Laura Jenkins, mother of inmate Roy Adams spoke and accused Alpert and Peerwani of wrongdoings in her son's case. He has been in prison since 2005. She stated that she will be at all of the Commission's quarterly meetings from now on. DiMaio asked if her son has ever sent anything to the Commission; he has not. He directed her to the online complaint form.

Mark Schumaker spoke on behalf of Jason Spence and read a prepared statement. He believes the FSC can do something to help with Spence and Melendez cases; he asked for the FSC to seek justice. DiMaio assured him that the Commission is working on the bite mark case review and doing what it can.

Jan Thompson also gave public comment as noted above in conjunction with the Spence complaint.

**Adjourn.**