



TEXAS FORENSIC SCIENCE COMMISSION

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

LICENSING ADVISORY COMMITTEE MEETING **MINUTES**

July 20, 2023, 10:00 AM

Tom C. Clark Building 1st Floor Conference Room
205 West 14th Street Austin, Texas 78701

The Texas Forensic Science Commission's Licensing Advisory Committee met on July 26, 2023, beginning at 10:00 a.m. in the Tom C. Clark Building's 1st Floor Conference Room at 205 West 14th Street, Austin, Texas 78701.

Members Present: **Erin Reat, Chair**
 Calli Bailey
 Angelica Cogliano
 Emily Esquivel
 Donna Eudaley
 Sandy Parent
 Deborah Smith
 Crystina Vachon
 Kelly Wouters

Calli Bailey attended the Licensing Advisory Committee meeting virtually.

Staff Present: **Lynn Garcia, General Counsel**
 Leigh Tomlin, Associate General Counsel
 Rodney Soward, Program Specialist
 Veena Mohan, Assistant General Counsel, Office of Court
 Administration
 Cristabel Bodden, Executive Assistant

1. Call meeting to order. Roll call for members. Excuse any absent committee members.

Reat called the meeting to order at 10:01 am and took roll.

2. Review and adoption of minutes from April 13, 2023 meeting.



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MOTION AND VOTE: *Cogliano moved to adopt the draft April 13, 2023, meeting minutes. Eudaley seconded the motion. The Committee unanimously adopted the motion.*

**3. Administrative update, including update on number of licenses issued and number of renewals processed, update on database project with Office Court Administration.
(Garcia/Tomlin/Soward)**

Soward updated members on the current total number of licenses issued as of July 7, 2023 (1,240 total), as follows: non-interpreting, 246; provisional, 9; temporary, 1; uncommon 4; and regular analyst and technician licenses, 980; and renewals processed to date. For the renewal period from the end of fiscal year 2023 and through the end of fiscal year 2025, 94 licensees are eligible to renew.

Tomlin stated that the Office of Court Administration's database developers will demonstrate the new Forensic Science Commission database portal at the Texas Association of Crime Laboratory Directors (TACL D) meeting today at 1:00 P.M. Developers will review the components laboratories will control with respect to entering and demonstrating laboratory compliance with Organization of Scientific Area Committee Registry (OSAC) standards.

The Committee required no action on this agenda item.

4. Review any outstanding coursework evaluations; discuss issue related to baccalaureate degrees in Anthropology and what components an Anthropology program should have to meet the minimum education requirements.

The Committee did not have any outstanding coursework reviews at this meeting.

Members discussed whether an Anthropology degree may qualify as a scientific or forensic degree. Committee members originally considered this category of degree a social science, but some Anthropology degrees may have scientific components to consider. Ultimately, the group decided Anthropology degrees must be evaluated on a case-by-case basis.

Garcia and committee members discussed degree evaluations and finding a way to provide these evaluations to students or those inquiring about a forensic science degree before they begin their studies.



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Garcia discussed a question raised by the Texas Association of Forensic Quality Managers regarding the Commission's proficiency testing form and the designation of a particular employee's discipline. The designated discipline must correspond with the analyst or technician's currently "signed off" job duties per the form. In the case of a Toxicologist (Interpretive), for example, a laboratory like the Harris County Institute for Forensic Sciences hires someone to ultimately become a Toxicologist (Interpretive), but it may take years of training depending on the employee's background and circumstances in the laboratory. The question from Ms. Pierce and other laboratory supervisors was whether these employees need to be essentially downgraded in their licensure status from Toxicologist (Interpretive) to Analyst given that they have not been fully trained or completely "signed-off" for interpretation. Ultimately, the group decided to propose a rulemaking edit to the full Commission adding language to requirements that permits an employee to attain a license designation or license category as long as the person is actively participating in the training program for that license category.

- 5. Discuss progress on the development of the Texas Forensic Science Commission's voluntary licensure program for unaccredited forensic disciplines, including status of latent print and digital/multimedia analyst voluntary licensing programs, review recommendation for specific standards required for employing laboratories of voluntary license applicants, and reconvening statewide working group on voluntary licensing for crime scene investigation and crime scene reconstruction disciplines before October 2023 meeting.**

Tomlin updated the Committee on the development of recommendation for specific standards required for employing laboratories for voluntary license applicants. A group of subject matter experts (Ashley Rosiles, El Paso County Sheriff's Office Crime Laboratory, Deborah Smith, formerly Fort Worth Police Department Crime Laboratory, Jack Flanders, Department of Public Safety Crime Laboratory System, Jennifer Land, Department of Public Safety Crime Laboratory System, Damon O'Connell, Flashback Data) in the area of digital/multimedia and latent prints met to develop and finalize a chart of recommended standards of key quality components from AR-3125 and relevant OSAC Registry standards for employing laboratories of voluntary licensees. Committee member Smith presented and discussed the proposal with the committee.

Tomlin relayed that the Commission needed to consider the compliance element of this and how the group will review specific latent print training programs from unaccredited forensic science service providers. Garcia stated this may be a large undertaking, and it cannot be done by the Licensing Advisory Committee. Smith recommended reaching out to the Texas Division of the



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International Association for Identification (TDIAI) for assistance in developing a model Latent Print Training Document/Program. Garcia agreed.

MOTION AND VOTE: *Reat moved to recommend the full Commission adopt the proposed chart of requirements for employing laboratories of voluntary licensees and to formally request assistance from the TDIAI assistance in developing a model training program for Latent Prints. Smith seconded the motion. The Committee unanimously adopted the motion.*

The Commission plans to reconvene the statewide working group on voluntary licensing for crime scene investigation and crime scene reconstruction disciplines. Staff plans to reconvene the group before the Committee's October meeting.

6. Review and possible approval of recommendation to change license expiration dates to licensee birthdates rather than each even-number year in the Fall to ease the burden of most licenses expiring at the same time.

Members and staff discussed the research and proposal to change licensee expiration dates to the last day of licensee's birth month rather than expiration each Fall of even-numbered years to ease the burden of most licenses all expiring at the same time.

MOTION AND VOTE: *Reat moved to instruct staff to draft a rule proposal for the full Commission changing licenses to expire on the last day of the licensee's birth month and to prorate the continuing forensic education hours required for licensees based on the number of months in the next license cycle for each licensee after the new license period takes effect. Vachon seconded the motion. The Committee unanimously adopted the motion.*

7. Update regarding 88th Legislative Session passage of SB-991 and HB-3474.

Garcia explained HB-3474 requires DPS to create a state-wide lab discovery portal and sets forth rules regarding participation in this portal. DPS will launch a stakeholder group related to implementation in September.

Forensic Science Commission staff is required to develop rules related to limitations on storage of elimination profiles in local DNA quality assurance databases. The deadline for the rulemaking is December 1, 2023.



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The Committee required no motion on this agenda item.

8. Update from the Texas Association of Crime Laboratory Directors.

There were no updates from the Texas Association of Crime Laboratory Directors. The TACLD meets today at 1:00 p.m.

The Committee required no motion on this agenda item.

Reat excused Bailey from the Committee meeting (Bailey appeared virtually) at 12:54 p.m.

9. Schedule and location of future Committee quarterly meetings October 19, 2023 and January 24, 2024 quarterly meetings.

Upcoming meetings of the Committee are on October 19, 2023, and January 24, 2023. The Texas Forensic Science Commission is considering the new Barbara Jordan Building as the meeting space for future meetings.

The Committee required no motion on this agenda item.

10. Hear public comment.

Michal Pierce asked if the Licensing Advisory Committee meeting on October 19, 2023, could be moved to a different date as it conflicted with the Association of Forensic Quality Assurance Managers conference in Dallas, TX. Garcia replied that she would look into this and let the Committee know if it could be moved.

Michelle Boubel Paulson inquired about requirements for serving on the Commission's crime scene reconstruction licensure and training working group. Garcia replied the group is open to interested stakeholders.

The Committee required no motion on this agenda item.

11. Adjourn.



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MOTION AND VOTE: *Esquivel moved to adjourn the meeting at 1:05 p.m. Wouters seconded the motion. The Committee adjourned the meeting.*

Committee approved minutes

October 19, 2023