



## TEXAS FORENSIC SCIENCE COMMISSION

*Justice Through Science*

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### **MEETING AGENDA**

**February 12, 2016 at 9:00 AM**

Omni Austin Southpark  
4140 Governor's Row  
Austin, Texas 78744  
(512) 448-2222

**The Commission may meet in closed session on any item listed below, if authorized by the Texas Open Meetings Act, Texas Government Code Annotated, Chapter 551. During this meeting, the Commission may consider and take action on the following items. The Commission may have a morning break, a lunch break, and an afternoon break if necessary.**

1. 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. (Di Maio)
2. Office administrative update (FY2016 budget status update; staff position re-classifications, office minor construction, technology/database/website improvements, Attorney General requests and opinions issued) (Garcia/Tomlin/Adams)
3. 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. (Eisenberg)

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

1. No. 2012.15.02; Austin Police Dept. Crime Lab (Crime Scene Reports)

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

1. No. 2016.15.05; DPS—Weslaco (Latent Print)
2. No. 2016.15.06; Corpus Christi Police Department (Latent Print)

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

1. No. 1116.15.14; Wilson (DPS—Houston, DNA)

2. No. 1117.15.15; Elam (Harris County District Attorney's Office, DNA)
  3. No. 1118.15.16; Cockerham (Southeast Texas Forensic Center, Dog-Scent lineup and Autopsy)
  4. No. 1119.15.17; Stephens (Austin Police Department, Controlled Substance)
  5. No. 1120.15.18; Spence (McClellan County DA's Office, DNA, Bite marks)
  6. No. 1121.15.19; Echols (DPS—Waco, Sexual Assault Kit/DNA)
  7. No. 1122.15.20; McCluer (Di Maio, Bullet Trajectory/Gunshot Wound)
  8. No. 1123.15.21; Brown (Fort Worth Police Department—Firearms/Toolmarks)
  9. No. 1124.15.22; Padilla (DPS—Austin, DNA)
  10. No. 1124.15.23; Pinion (Tarrant County DA's Office, General Innocence Allegation)
  11. No. 1126.16.01; Ervin (Laboratory Unknown, DNA)
  12. No. 1127.16.02; Rodgers (IFL—Eules, Firearms/Toolmarks)
  13. No. 1128.16.03; Downs (DPS—Austin, DNA)
  14. No. 1129.16.04; De La O (Bexar County Crime Laboratory, DNA/Paternity)
  15. No. 1130.16.0; Webb (Pathologist Suzanna Dana, Blood Spatter Analysis)
  16. No. 1131.16.06; James (DPS—Houston, DNA)
4. 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. (Garcia/Tomlin)
  5. Discuss licensing advisory committee establishment, including selection of members, scheduling of additional meetings and next steps. (Mozayani)
  6. 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. (Hughes-Stamm/Eisenberg/Tomlin)
  7. 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)
  8. Update on Retrograde Extrapolation Education Project. (Alpert)
  9. 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. (Garcia/Vilbas)
  10. 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. (Di Maio)

11. Update from Bell County (Forensic Video Analysis) #14-1 investigative panel, including review, deliberation and adoption of final report. (Barnard)
12. 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. (Kessler/Alpert/Di Maio/Mozayani)
13. 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.
14. Update on arson case review and IAAI endorsement article for the “Texas” discipline-specific review model. (Vilbas)
15. Report from National Commission on Forensic Science, including report from December 7-8 Commission meeting. (Di Maio)
16. Report from Organization of Scientific Area Committees, including January meetings in Leesburg, VA. (Garcia)
17. Report on various recent and upcoming conferences. (Garcia)
18. Consider proposed agenda items for next quarterly meeting. (Di Maio)
19. Schedule and location of future panel and quarterly meetings. (Di Maio)
20. Hear public comment. (Di Maio)
21. 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](http://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](mailto:kathryn.adams@fsc.texas.gov).**