



## TEXAS FORENSIC SCIENCE COMMISSION

*Justice Through Science*

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### **MEETING AGENDA**

**July 8, 2016 at 8:00 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 shall take breaks as necessary.**

1. Review and adopt minutes from April 11, 2016 Complaint Screening Committee Meeting and April 12, 2015 Forensic Science Commission Quarterly meeting. (Di Maio)
2. Office administrative update (FY2016 budget status update; 85<sup>th</sup> Legislative Session Legislative Appropriations Request, including meetings with SHSU representatives and May 3, 2016 Legislative Committee call; review and adoption of new draft of policies and procedures based on legislative changes; technology/database/website improvements, including implementation of updated VoIP digital telephone system and purchase of server for required support; office staff reclassification). (Garcia/Tomlin/Adams)
3. Review and discussion of further guidance on when negligence or misconduct disclosure is required of laboratories pursuant to TEX. CODE CRIM. PROC. art. 38.01 § 4(a)(2).
4. Discuss and consider recommendations from complaint screening committee concerning pending complaints and laboratory self-disclosures and all complaints or self-disclosures received through June 24, 2016. (Barnard)

#### Disclosures Pending from April 12, 2016

1. No. 15.05; DPS—Weslaco (Latent Print)
2. No. 15.04; DPS—Abilene (Controlled Substance)

#### Disclosures Received from April 12, 2016

1. No. 15.06; Corpus Christi Police Department Crime Lab (Latent Prints)  
(supplemented after the Commission's February 12, 2016 meeting)

#### Complaints Pending from April 12, 2016

1. No. 16.09; Kujala (Fort Worth Police Department Crime Lab, Firearm/Tool mark)
2. No. 16.12; Anonymous (HFSC, Toxicology)

Complaints Received as of June 24, 2016

1. No. 16.19; Anderson, Eric D. (McClennan County Child Advocacy Center Dr. Ann Sims, Sexual Assault Exam and Testimony)
  2. No. 16.20; Leonard, Israel (Southwestern Institute of Forensic Science, Toxicology)
  3. No. 16.21; Moreno, Juan A. (University Health System, DNA)
  4. No. 16.22; Furtado, Christopher (Forensic Odontologists Campbell, Loomis and Reese; Bite mark/DNA)
  5. No. 16.24; de la Rosa, Paulo (Children's Medical Center of Dallas; S.A.N.E.)
  6. No. 16.25; McCain, Greg (Dr. Leah Lamb-Cooks; S.A.N.E.)
  7. No. 16.26; Tienda, Jr., Ronnie (Southwestern Institute of Forensic Sciences, Ballistics)
  8. No. 16.28; Drummer, Cornell (Bexar County Medical Examiner's Office—Dr.'s Di Maio and Stengels, Ballistics)
  9. No. 16.29; Garcia, Daniel (Harris County Institute of Forensic Science, Autopsy including toxicology, ballistics, and other medical testing)
  10. No. 16.30; Smith, Collin (DPS Austin; Ballistics)
  11. No. 16.32; Hooks, Ray Dale (DPS Tyler; Blood Alcohol)
  12. No. 16.33; Rogers, Dennis Wayne (DPS Garland; Serology, DNA)
  13. No. 16.34; Reyes Jr., Reynaldo (Unknown lab in San Antonio; DNA)
  14. No. 16.36; Dunnivant, Catherine (DPS Garland & DPS Abilene; Controlled Substance)
  15. No. 16.37; Gruenfelder, Daniel (OB Associates, Dr. Clarice Grimes; physical exam)
  16. No. 16.39; Sanders, Del Ray (DPS Houston; DNA, Trace)
  17. No. 16.41; Clark, Norma (Harris Cty IFS, HPD, Harris Cty SD; GSR, DNA, Blood Spatter)
5. Discuss status and any updates for crime laboratory accreditation program, including review and discussion of forensic disciplines previously exempted by DPS, Attorney General Opinion request regarding reporting requirements for unaccredited disciplines under Texas Code of Criminal Procedure article 38.01, discussion of ASCLD/LAB merger with ANAB and potential new administrative rules regarding the merger. (Garcia/Tomlin)
  6. Discuss licensing advisory committee progress and updates, including May 10, 2016 and June 14, 2016 licensing advisory committee meetings and development of forensic discipline and sub-discipline categories for licensing, development of requirements to fulfill each component to obtain a license, acquisition of necessary software and other technology, including discussions regarding iMIS content management system, scheduling of additional meetings and next steps. (Mozayani/Hilbig)
  7. Discuss Rio Grande Identification Project progress, including teleconferences and collaboration efforts with EAAF, UNT, pathologists and medical examiners (Farley, Stern, and Peerwani), status of comparison of EAAF reference samples to UNT local

databank, execution 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, recent Police Executive Research Forum meeting in D.C. attended by Hughes-Stamm, collaboration with Thea Whalen at Texas Justice Court Training Center, including training at 72<sup>nd</sup> Annual Education Conference of Justice's of the Peace and Constables Association in San Antonio June 30 and other next steps. (Hughes-Stamm/Garcia/Tomlin)

8. Update from Texas Association of Crime Laboratory Directors. (Kahn or designee)
9. Update on Retrograde Extrapolation Education Project. (Alpert)
10. Update from Hair Microscopy Panel, including notification recommendations from May 25, 2016 Hair Microscopy Panel Meeting, finalization of notification letters and communication of same to stakeholders; update on transcript review. (Garcia/Vilbas)
11. Update regarding Bite Mark Panel (Chaney–National Innocence Project) #15-07, including record collection and review. (Garcia)
12. Status of DNA Mixture Interpretation Review, including:
  - a. Laboratory progress—(public and private);
  - b. Update and review of report from May 27-28, 2016 audit at Austin Police Department crime laboratory and review of associated costs for budgeting;
  - c. Update on notification issues;
  - d. Training for lawyers and scientists; and
  - e. Status of case review, including collection of DNA review forms, triage of cases and any expected retesting thus far. (Wicoff/Garcia)
13. Report from presentation at Bode East conference. (Garcia)
14. Report from presentation at Quattrone Center Spring 2016 Symposium Technology in Criminal Justice conference. (Garcia)
15. Report from Texas Division of International Association for Identification Conference in Galveston, Texas. (Mozayani/Tomlin)
16. Report from National Forensic Science Commission meeting. (Di Maio/Garcia)
17. Consider proposed agenda items for next quarterly meeting. (Di Maio)
18. Schedule and location of future panel and quarterly meetings. (Di Maio)
19. Hear public comment. (Di Maio)
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](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).**