



# Texas Forensic Science Commission

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*Justice Through Science*

September 19, 2011

*Via Email and Regular U.S. Mail*

Ms. Rojean Gibson  
1227 Lewis Street  
Waco, Texas 76705

RE: Texas Forensic Science Commission Complaint #11-04

Dear Ms. Gibson:

The TFSC has reviewed your complaint in its entirety, and at its September 8, 2011 meeting, voted unanimously to dismiss the complaint based upon jurisdictional limitations. Attached to this letter is the Opinion of Texas Attorney General Greg Abbott regarding the scope of the TFSC's jurisdiction. The provisions of the Opinion applicable to your complaint are as follows:

1. Effective Date: The forensic analysis in question (arson investigation) occurred in 1999, *before* the effective date of the Act that created the TFSC.
2. Accreditation: The City of Waco Fire Marshal is not an accredited entity under the statute.

The TFSC would like to emphasize that it has not had an opportunity to review or investigate this case in detail. The State Fire Marshal's Office ("SFMO") is currently working on a review of arson cases to ensure the highest possible standards for investigating and reporting the scientific principles of fire investigation in Texas courts. The TFSC has asked the SFMO, as part of this effort, to review the fire science in this case to ensure that it complied with national standards. If the investigation appears to be outdated or otherwise unreliable, the SFMO may inform the local prosecutor and defense attorneys so that they may determine whether additional steps are warranted.

## Commission Office

Lynn M. Robitaille  
*Commission General Counsel*

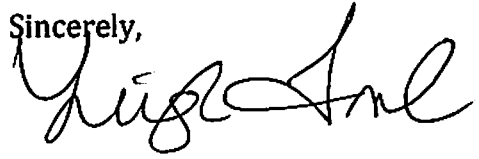
Leigh M. Tomlin  
*Commission Coordinator*

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*Texas Forensic Science Commission  
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Sincerely,

A handwritten signature in black ink, appearing to read "Leigh M. Tomlin". The signature is fluid and cursive, with the first name "Leigh" being the most prominent part.

Leigh M. Tomlin

cc: Mr. Russ Hunt, *via email*  
Mr. Guy Cox, *via email*  
Mr. Charles McDonald, *via email*