



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

March 15, 2016

Via E-mail

Ms. Debra Stephens
1324 Bull Horn Loop
Round Rock, Texas 78665

Re: Texas Forensic Science Commission File No. 15.17

Dear Ms. Stephens:

At its February 12, 2016 meeting the Commission unanimously voted to dismiss your most recent complaint because it does not set forth any new professional negligence or misconduct allegations falling within the Commission's jurisdiction.

On October 10, 2015 the Commission forwarded your complaint to the Austin Police Department Crime Laboratory and requested a response. A copy of the response is enclosed with this letter. Given the supporting information provided by the laboratory and without new or additional information, the Commission will not take further action in the matter.

If you have any further questions, please feel free to contact our office.

Sincerely,

Leigh M. Tomlin
Leigh M. Tomlin
by WPA w/permission

encl.

Subject: Stephens Complaint

Date: Tuesday, October 20, 2015 at 1:15:45 PM Central Daylight Time

From: Gibbens, Bill

To: Kathryn Adams

CC: Arnold, Tony [APD], Harris, Ed, Lynn Garcia, Leigh Tomlin

Kathryn,

As you are most likely aware, the cases she cites were part of the original investigation that the Forensic Science Commission looked into from her first complaint. The information she has provided regarding the administrative review of these cases is incorrect.

- The "draft" report that she forwarded to you is her unofficial drafted report.
- The date in the header is the date she drafted the report.
- The "Draft" in the signature line signifies that this report had not been administratively reviewed at that time.
- When an administrative review is conducted in LIMS, the "draft" is replaced with the signature of the originating author and finalized. At that time the "initial report" date is changed to show final report date. (See attachments)

Attached are two printed screens from LIMS. These screens are in reference to the two cases cited and is the tracking of the case in the system. As you can see, the approved date of the report is after the email furnished by Ms Stephens, therefore her email to the customer is before the administrative review took place.

Regarding ASCLD investigating me, I see that she sent another letter but our Department has not been notified of any official investigation, so at this time is it considered just that, a letter to ASCLD from her.

The investigation is wrapping up on the Jeffrey Thornton self-disclosure and I will have that to you as soon as it is completed. It will outline the root cause and what we have done at both the management and employee level to remediate this issue.

Let me know if you need any additional information.

Thanks,

Bill Gibbens, Laboratory Director
Forensic Science Division
Austin Police Department

From: Kathryn Adams [<mailto:kathryn.adams@fsc.texas.gov>]

Sent: Tuesday, October 20, 2015 9:56 AM

To: Gibbens, Bill

Cc: Lynn Garcia; Leigh Tomlin

Subject: New Complaint

Der Bill,

Per Lynn Garcia, I am forwarding to you a new complaint initiated by Debra Stephens that has been filed with the TFSC. It will be reviewed by the Complaint Screening Committee prior to (either the day before or the morning of) the Commission's next quarterly meeting, currently set for February 12, 2016. You are free to attend the meetings, and to submit a response and/or documents in support of your position to me via email or regular mail. Just please ensure that any material you wish to have considered by the Commission is on file with us no later than 2 weeks prior to the February 12 meeting so that it can be included in the documents sent to the commissioners to be reviewed in preparation for their meetings.

Thank you very much, and feel free to contact me if I may be of any additional assistance to you.

Kathryn Adams
Texas Forensic Science Commission
512-936-0770
kathryn.adams@fsc.texas.gov

L1101188 - 2011-272176 - S Isbett VALLEJO, STEVEN

(1) Case Info		(2) Submissions		(3) Names		(4) Items		(5) Custody		(6) Assignments				(7) Reports		
Rpt#	Analyst Assigned	Mail Dates	Section	Date Assigned	Analyst Date	Draft Date	Reviewed Date	Date Approved	Turn Around	Assigned By	Priority	Approved	Approved By	Reviewed	Reviewed By	Due Date
14869			DC	01/28/2011	01/28/2011	01/28/2011	01/31/2011	01/31/2011	14869	2	Y	2320	Y	2320		

↑
Report
Approval
DATE

General Info | Notes

- 1 Items
- 2 Names
- 3 Matrix
- 4 Notes
- 5 Routing Details
- 6 Work Sheets
- 7 Assignment Comments

Notes | Print | Matrix | Printout | Check List | Review | 5.105 | Reset | Print

✓ Print Form



**AUSTIN POLICE DEPARTMENT
FORENSIC SCIENCE SERVICES DIVISION**

812 Springdale Road
PO BOX 689001
Austin, TX 78768-9001



FORENSIC CHEMISTRY

Initial Report 01/31/2011 ← *APPROVAL date*

Agency: AUSTIN POLICE DEPARTMENT

Type of Offense: POSSESSION OF A
CONTROLLED SUBSTANCE / NARCOTIC

Offense Number: 2011-0272176

Offense Date: 1/27/2011

Laboratory #: L1101188

Suspect(s)

Date of Birth

STEVEN LOUIS VALLEJO

6/2/1985

<u>ITEM</u>	<u>VERSADEX #</u>	<u>DESCRIPTION</u>	<u>RESULTS OF EXAMINATION</u>	<u>NET WEIGHT</u>
1	1809165-3	PURPLE LIQUID	NO CONTROLLED SUBSTANCES DETECTED	
2	1809165-1	PLANT SUBSTANCE	MARIHUANA	1.4 pound(s)
3	1809165-2	GREEN TABLETS	CLONAZEPAM	0.48 gram(s)

*Signature
added*

→ *Debra L. Stephens*
Debra L. Stephens
Senior Forensic Scientist



AN ASCLD/LAB ACCREDITED LABORATORY SINCE 2005

Page 1 of 1



L: 02609 / 2011-830134 / Location

(1) Case Info		(2) Submissions		(3) Names		(4) Items		(5) Custody		(6) Assignments		(7) Reports				
Rpt#	Analyst Assigned	Mail Dates	Section	Date Assigned	Analyst Date	Draft Date	Reviewed Date	Date Approved	Turn Around	Assigned By	Priority	Approved	Approved By	Reviewed	Reviewed By	Due Date
1	4869		DC	03/08/2011	03/28/2011	03/28/2011	03/30/2011	03/30/2011	27	4869	8	Y	2020	Y	2020	

↑
REPORT
APPROVAL
DATE

General info | Notes

- 1 Items
- 2 Names
- 3 Matrix
- 4 Notes
- 5 Routing Details
- 6 Work Sheets
- 7 Assignment Comments

Notes | Print | Matrix | Journal | Check List | Matrix | Save | Reset | Review

✓ Save & Close



**AUSTIN POLICE DEPARTMENT
FORENSIC SCIENCE SERVICES DIVISION**

812 Springdale Road
PO BOX 689001
Austin, TX 78768-9001



FORENSIC CHEMISTRY

Initial Report 03/30/2011 ← APPROVAL DATE

Agency: AUSTIN POLICE DEPARTMENT

Type of Offense: NARCOTICS INFORMATION

Offense Number: 2011-0630134

Offense Date: 3/4/2011

Laboratory #: L1102809

Suspect(s)

Date of Birth

<u>ITEM</u>	<u>VERSADEX #</u>	<u>DESCRIPTION</u>	<u>RESULTS OF EXAMINATION</u>	<u>NET WEIGHT</u>
1	1818897-1	WHITE POWDER	NO CONTROLLED SUBSTANCES DETECTED	

Signature
added



Debra L. Stephens
Debra L. Stephens
Senior Forensic Scientist



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**AMERICAN SOCIETY OF
CRIME LABORATORY DIRECTORS, INC.**

139 A Technology Drive Garner, NC 27529

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Forensic Science Service

Matthew Gamette
Idaho State Police

ASCLD STAFF

**Jean Stover, Executive
Director**

**Ramona Robertson,
Administrative Assistant**

November 18, 2015

Dear Mr. Gibbens,

I am writing to inform you that ASCLD received an ethics complaint citing allegations (listed below) against you.

- Allegation #1: Misrepresentation of Mr. Gibbens' and his support staff's educational credentials
- Allegation #2: Laboratory policy violates Texas Law
- Allegation #3: Analysts are pressured to release results prior to completing analysis
- Allegation #4: Discrimination
- Allegation #5: Creating and signing false allegations against employees for disciplinary issues.
- Allegation #6: Harassment and Retaliation

Our Ethics Committee met and reviewed the allegations per the ASCLD Ethics Policy which can be found at <http://www.asclid.org/wp-content/uploads/2014/08/Code-of-Ethics.pdf>. We were able to determine that your 2003 Application for ASCLD Membership has correct information for your educational background. The remaining allegations are not in ASCLD's jurisdiction to investigate, and there is not sufficient probable cause to substantiate these allegations.

On November 3, 2015, the ASCLD Board of Directors was briefed on these allegations and voted to approve a motion dismissing these charges against you. Our Ethics Statement requires that the accused will be notified of the complaint and the outcome.

If you have questions, please contact our Ethics Committee Chairman and Board of Directors Member, Jeff Salyards, at (404) 469-7107.

Sincerely,

Jody Wolf, President
American Society of Crime Laboratory Directors
"Excellence through leadership in forensic science management."