



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

June 30, 2020

Via First Class Mail

Mr. Joe Gonzales
TDCJ# 1632853
McConnell Unit
3001 S. Emily Drive
Beeville, TX 78102

Re: Texas Forensic Science Commission ("TFSC") Complaint No. 20.26: Gonzales, Joe (SANE Cynthia Garcia, Bexar Co. Criminal Investigation Laboratory; Trial Testimony, Forensic Biology/DNA)

Dear Mr. Gonzales:

This letter is to inform you that the referenced complaint was dismissed by commissioners at the TFSC's meeting on June 12, 2020. Explanations for the decision are outlined below.

SANE Cynthia Garcia's case review and related trial testimony were appropriate based on the current standards accepted within the forensic nursing community. SANE Garcia emphasized that in many cases for which an outcry is not made immediately by an alleged victim, no evidence of sexual assault may be found. The lack of physical evidence may or may not indicate a sexual assault occurred, and thus the question of guilt or innocence in your case was ultimately determined by other facts admitted at trial.

Further, the Bexar County Criminal Investigation Laboratory did not release any DNA results that would raise questions about negligence or misconduct in the crime laboratory. Your assertion that the laboratory should have performed additional testing is a legal question that may be addressed by legal representatives and/or by the Court. The TFSC has no statutory authority to order a laboratory to perform forensic analysis in a particular criminal case.

I have enclosed a list of innocence clinics operating in Texas should you wish to submit your case for consideration.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Adams".

Kathryn Adams
Commission Coordinator