



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

May 13, 2019

Via E-mail to mike@spenceforensics.com

Dr. Michael J. Spence
2455 E. Missouri Avenue
Suite A
Las Cruces, NM 88001

Re: TFSC Complaint No. 18.53, Spence, Michael (DPS- Weslaco; Forensic Biology)

Dear Dr. Spence,

At its May 3, 2019 meeting, commissioners voted to dismiss the referenced complaint based upon the laboratory's response concerning the forensic analysis in the case, and review of the laboratory's case file by commission members and its staff scientist.

The analyst in question identified spermatozoa during the DNA analysis portion of the case but did not formally report those findings until a letter was issued during the trial. Because initial serology screening did not include observation of spermatozoa, the serology report did not reflect this conclusion. However, the case documentation for DNA analysis clearly did identify the presence of sperm.

As a result of this complaint, the Texas of Department of Public Safety made protocol changes to avoid similar incidents in the future. With regard to allegations about the timeline of events in the matter, this commission has no jurisdiction over law enforcement and may not make recommendations as to its investigative procedures.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Adams".

Kathryn Adams
Commission Coordinator

/mka
Encl.