



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

February 12, 2020

Via email to orin.dym@bexar.org

Mr. Orin Dym
Bexar Co. Criminal Investigation Lab
7337 Louis Pasteur Dr.
San Antonio, TX 78229

Re: Texas Forensic Science Commission ("TFSC") Self-Disclosure No. 19.43, Bexar
Co. CIL (Martinez Podcast)

Dear Mr. Dym,

At its January 31, 2020 quarterly meeting, the TFSC voted to take no further action on the referenced self-disclosure. Commissioners based their decision on the fact that the incident described in the disclosure appeared to be outside the purview of TFSC's statutory jurisdiction.

If the laboratory identifies any material changes to the information provided in connection with this disclosure, please notify the Commission as soon as possible. For your information and records, a copy of a letter from general counsel to Mike Martinez is enclosed.

Thank you.

Sincerely,

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

Kathryn Adams
Commission Coordinator

/mka
cc: Mr. Erin Reat



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

February 11, 2020

Via email to mmartinez@bexar.org

Mr. Michael Martinez
Bexar County Criminal Investigation Laboratory
7337 Louis Pasteur
San Antonio, TX 78229

Re: TFSC Laboratory Disclosure No. 19.43 Bexar Co. CIL (Martinez Podcast)

Dear Mr. Martinez:

On January 31, 2020, the Texas Forensic Science Commission ("Commission") voted to take no further action with respect to the referenced disclosure by your employer, the Bexar County Criminal Investigation Laboratory ("BCCIL").

The disclosure described BCCIL management's concerns regarding your participation in a podcast involving the death of a young man in Mississippi and related local law enforcement investigations. The matter did not relate to any Texas criminal action.

The Commission is charged by the Texas Legislature with improving the integrity and reliability of forensic analysis and related testimony in Texas criminal actions. The term "criminal action" is defined broadly to include "an investigation, complaint, arrest, bail, bond, trial, appeal, punishment or other matter related to conduct proscribed by a criminal offense." Tex. Code Crim. Proc. art. 38.35.

The licensing program developed by the Commission includes a Code of Professional Responsibility which sets forth the professional standards expected of Texas analysts. 37 Tex. Admin. Code §651.219 (2018) (Tex. Forensic Sci. Comm., Code of Professional Responsibility). Forensic analysts hold a special position of trust within the criminal justice system. For this reason, it is crucial that all analysts refrain from exceeding their areas of expertise and respect the limitations of the scientific disciplines in which they are trained.

The Commission expects all analysts to abide by the principles set forth in the Texas Code as well as in all other applicable codes of conduct. We trust that you understand the importance of these guiding principles and will consider them carefully in future endeavors.

Sincerely,

A handwritten signature in blue ink that reads "Lynn Garcia".

Lynn Garcia

LRG/mka