



TEXAS FORENSIC
SCIENCE COMMISSION

Justice Through Science

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

September 15, 2022

Via Email to stclairdl@yahoo.com

Mr. Daniel St. Clair
P.O. Box 411
Mansfield, TX 76063-0411

Re: Texas Forensic Science Commission ("TFSC") Complaint No. 22.22: St. Clair, Daniel
(Ft. Worth Police Department Crime Laboratory; Firearms/Tool Marks)

Dear Mr. St. Clair:

At the July 22, 2022 quarterly meeting, commissioners voted to dismiss the referenced case because allegations set forth in the complaint were not supported by case records obtained and reviewed by TFSC staff attorneys, or by communications with the resident ATF agent in charge, the laboratory and the Tarrant County District Attorney's Office.

The laboratory's response to TFSC's request for case records indicated that the weapon submitted was altered with a device that did not originate from the manufacturer and failed the safety evaluation prior to NIBIN test firing. The weapon was disassembled to ascertain a reason for the safety evaluation failure. No language prohibiting a laboratory technician from disassembling and reassembling a firearm to ensure operational safety was found in any version of the laboratory's SOP's.

In addition, information from the ATF agent in charge indicated that laboratory SOP's are not required for adoption of federal cases and that the subject case was not declined by the United States Attorney's Office because the laboratory did not provide a copy to the case agent. Finally, no evidence was found to support the assertion that the defendant in the case was convicted in state court without appropriate discovery of the issues outlined in the complaint.

You may contact me via email at robert.smith@fsc.texas.gov with any questions. Thank you.

Sincerely,
Robert Smith
Robert Smith
Senior Staff Attorney