

TEXAS FORENSIC SCIENCE COMMISSION

FINAL REPORT ON SELF-DISCLOSURE NO. 25.66;
SOUTHWESTERN INSTITUTE OF FORENSIC
SCIENCES (FORENSIC BIOLOGY/DNA)

APRIL 24, 2026



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I. BACKGROUND

A. History and Mission of the Texas Forensic Science Commission

The Texas Forensic Science Commission (Commission) was created during the 79th Legislative Session in 2005 with the passage of HB-1068. The Act amended the Code of Criminal Procedure to add Article 38.01, which describes the composition and authority of the Commission. During subsequent legislative sessions, the Texas Legislature further amended the Code of Criminal Procedure to clarify and expand the Commission's jurisdictional responsibilities and authority.¹

The Commission has nine members appointed by the Governor of Texas.² Seven of the nine commissioners are scientists or medical doctors and two are attorneys (one prosecutor nominated by the Texas District and County Attorney's Association and one criminal defense attorney nominated by the Texas Criminal Defense Lawyer's Association).³ The Commission's Presiding Officer is Jeffrey Barnard, MD.

B. Commission Jurisdiction

1. Investigations of Professional Negligence and Professional Misconduct Resulting from Laboratory Self-Disclosures

Texas law requires the Commission to "investigate in a timely manner, any allegation of professional negligence or professional misconduct that would substantially affect the integrity of the results of a forensic analysis conducted by a crime laboratory."⁴ The term "forensic analysis" is defined as a medical, chemical, toxicological, ballistic, or other examination or test

¹ See e.g., Acts 2013, 83rd Leg. ch. 782 (S.B. 1238) §§ 1-4 (2013); Acts 2015, 84th Leg. ch. 1276 (S.B. 1287) §§ 1-7 (2015), Acts 2023, 88th Leg. ch. 742 (H.B. 3506) §§ 1-2 (2023), Acts 2023, 88th Leg. ch. 1149 (S.B. 0991) § 1 (2023).

² TEX. CODE CRIM. PROC. art. 38.01 § 3.

³ *Id.*

⁴ TEX. CODE CRIM. PROC. art. 38.01 § 4(a)(3)(A).

performed on physical evidence, including DNA evidence, for the purpose of determining the connection of the evidence to a criminal action.⁵

Crime laboratories must self-report professional negligence or professional misconduct to the Commission.⁶ The statute does not define the terms “professional negligence” and “professional misconduct.” The Commission defined those terms in its administrative rules.⁷

“Professional misconduct” means the forensic analyst or crime laboratory, through a material act or omission, deliberately failed to follow the standard of practice that an ordinary forensic analyst or crime laboratory would have followed, and the deliberate act or omission would substantially affect the integrity of the results of a forensic analysis. An act or omission was deliberate if the forensic analyst or crime laboratory was aware of and consciously disregarded an accepted standard of practice required for a forensic analysis.

“Professional negligence” means the forensic analyst or crime laboratory, through a material act or omission, negligently failed to follow the standard of practice that an ordinary forensic analyst or crime laboratory would have followed, and the negligent act or omission would substantially affect the integrity of the results of a forensic analysis. An act or omission was negligent if the forensic analyst or crime laboratory should have been but was not aware of an accepted standard of practice.

2. Accreditation Jurisdiction

The Commission is charged with accrediting crime laboratories and other entities that conduct forensic analyses of physical evidence.⁸ The term “crime laboratory” includes a public or private laboratory or other entity that conducts a forensic analysis subject to article 38.35 of the Code of Criminal Procedure.⁹

⁵ TEX. CODE CRIM. PROC. art. 38.35(a)(4).

⁶ *Id.* at art. 38.01 § 4(a)(1)-(2) (2019); *See also*, 37 Tex. Admin. Code § 651.219(c)(5) (2026).

(Pursuant to the Forensic Analyst Licensing Program Code of Professional Responsibility, members of crime laboratory management shall make timely and full disclosure to the Texas Forensic Science Commission of any non-conformance that may rise to the level of professional negligence or professional misconduct).

⁷ 37 Tex. Admin. Code § 651.302 (7), (8), and (10) (2020). The term “would substantially affect the integrity of the results of a forensic analysis” does not necessarily require that a criminal case be impacted or a report be issued to a customer in error. The term includes acts or omissions that would call into question the integrity of the forensic analysis, the forensic analyst or analysts, or the crime laboratory as a whole regardless of the ultimate outcome in the underlying criminal case.

⁸ TEX. CODE CRIM. PROC. art. 38.01 § 4-d(b).

⁹ *Id.* at art. 38.35(a)(1).

3. Licensing Jurisdiction

Under Texas law, a person may not act or offer to act as a forensic analyst unless the person holds a forensic analyst license issued by the Commission.¹⁰ While accreditation is granted to entities that perform forensic analysis, licensing is a credential obtained by individuals who practice forensic analysis.

The law defines the term “forensic analyst” as “a person who on behalf of a crime laboratory [accredited by the Commission] technically reviews or performs a forensic analysis or draws conclusions from or interprets a forensic analysis for a court or crime laboratory.”¹¹

Pursuant to its licensing authority, the Commission may take disciplinary action against a license holder or applicant for a license on a determination by the Commission that a license holder or applicant for a license committed professional misconduct or violated Texas Code of Criminal Procedure Article 38.01 or an administrative rule or other order by the Commission.¹² If the Commission determines a license holder committed professional misconduct or violated an administrative rule or order by the Commission, the Commission may: (1) revoke or suspend the person’s license; (2) refuse to renew the person’s license; (3) reprimand the license holder; or (4) deny the person a license.¹³ The Commission may place on probation a person whose license is suspended.¹⁴ Disciplinary proceedings and the process for appealing a disciplinary action by the Commission are governed by the Judicial Branch Certification Commission.¹⁵

¹⁰ *Id.* at art. 38.01 § 4-a(b); 37 Tex. Admin. Code § 651.201(c) (2018).

¹¹ *Id.* at art. 38.01 § 4-a(a)(2).

¹² *Id.* at art. 38.01 § 4-c; 37 Tex. Admin Code § 651.216(a) (2024).

¹³ 37 Tex. Admin Code § 651.216(a)(1)-(4) (2026).

¹⁴ *Id.* at (b).

¹⁵ TEX. CODE CRIM. PROC. art. 38.01 § 4-c(e); 37 Tex. Admin. Code § 651.216(d) (2026).

C. Jurisdiction Applicable to the Disclosure

The disclosing crime laboratory, the Southwestern Institute of Forensic Sciences (SWIFS), is accredited by the Commission and the ANSI National Accreditation Board (ANAB) under International Organization for Standardization (ISO) 17025: 2017.¹⁶ The individual who is the subject of the disclosure, Kenneth Balagot, was employed as a Forensic Biology/DNA analyst at SWIFS at the time the disclosure was filed. He has been licensed by the Commission in the Forensic Biology/DNA discipline since the inception of the licensing program in January 2019. His license was most recently renewed in 2025 and will expire on May 31, 2026. His license is currently listed as “inactive” because he is not employed by a Texas-accredited crime laboratory, a preliminary requirement for licensure.

D. Investigative Process

The Commission’s administrative rules set forth the process by which it determines whether to accept a self-disclosure for investigation as well as the process used to conduct the investigation.¹⁷ The Commission’s rules also describe the process for appealing final investigative reports by the Commission including possible disciplinary actions against a license holder or applicant.¹⁸

E. Limitations of this Report

The Commission’s authority contains important limitations. For example, no finding by the Commission constitutes a comment upon the guilt or innocence of any individual.¹⁹ The Commission’s written reports are not admissible in civil or criminal actions.²⁰ The

¹⁶ See, <https://fsc.txcourts.gov/AccreditedLabPublic#> for a list of accredited laboratories.

¹⁷ 37 Tex. Admin. Code § 651.304-307 (2024).

¹⁸ 37 Tex. Admin. Code § 651.401 (2024).

¹⁹ TEX. CODE CRIM. PROC. art. 38.01 § 4(g).

²⁰ *Id.* at § 11.

Commission does not have the authority to subpoena documents or testimony; information received during any investigation is dependent on the willingness of affected parties to submit relevant documents and respond to questions. Information gathered in this report was not subjected to standards for the admission of evidence in a courtroom. For example, no individual testified under oath, was limited by the Texas Rules of Evidence (*e.g.*, against the admission of hearsay) or was subject to cross-examination under a judge's supervision.

II. SUMMARY OF THE SELF-DISCLOSURE

SWIFS filed a self-disclosure on October 27, 2025, reporting that DNA Analyst Kenneth Balagot intentionally altered a record of DNA testing in a criminal investigation to remove and conceal evidence that a contamination event had occurred during the processing of a reference sample. Specifically, the disclosure reported that while processing the known standard of an individual in connection with an upcoming criminal trial, the sample was contaminated which resulted in a mixed DNA profile rather than a single source profile as expected. Initially, minor peaks detected in the mixture profile were determined to be consistent with the DNA profile of Balagot; however, further investigation revealed he was not the source of the contamination. The disclosure reports that Balagot submitted a hard copy of the electropherogram (EPG) for technical review after altering it using Adobe Photoshop. The purpose of altering the EPG was to delete or reduce the size of the minor peaks in the mixture, resulting in the appearance of a single source profile as would be expected from a known standard. After investigation, SWIFS management concluded Balagot intentionally altered the testing record submitted for technical review to conceal and remove evidence that the contamination event had occurred. (*See, Exhibit A: SWIFS Disclosure*).

A. Notice and Investigative Decision

On January 9, 2026, the Commission staff notified Balagot of the self-disclosure and afforded him an opportunity to respond to the allegations. He did not respond. The Commission voted to accept the self-disclosure for investigation by Commission staff at its quarterly meeting on January 30, 2026.

B. Staff Investigation

Staff reviewed the documents provided by SWIFS as well as the Commission's licensing records. On April 1, 2026, staff interviewed SWIFS Deputy Chief of Physical Evidence, Stacy McDonald, Ph. D. and SWIFS Forensic Biology Supervisor, Courtney Ferreira.

On March 4, 2026, staff sent a letter to Balagot requesting an interview. He did not respond to the request.

III. COMMISSION OBSERVATIONS AND FINDINGS

A. Background Facts

On October 2, 2025, a DNA analyst at SWIFS (Analyst 1) was waiting for the results of a known reference standard for comparison to evidentiary samples in a case she had tested previously. She was eager to begin the comparison process given the case was set for trial in November. She opened a GeneMapper ID-X (GMIDX) project for the batch containing the EPG source data for the known reference sample (buccal swab) tested by Balagot. Because it was a reference sample, Analyst 1 expected the results to indicate a single source profile. However, in the EPG source data, she observed the DNA profile obtained from the known reference buccal swab was a mixture of two individuals. Low-level alleles, above 50 relative fluorescence units, were observed at certain loci (TPOX, D10S1248, and D2S441). She also observed additional peaks, under analytical threshold, at TH01, D21S11, D1S1656, and D2S11338. She further

observed that the second, low-level contribution to the DNA profile obtained from the buccal swab appeared to be consistent with Balagot's DNA profile. Analyst 1 reviewed the positive and negative controls as well as other samples within the batch and did not observe any contamination. She believed the apparent contamination was isolated to the buccal reference sample analyzed by Balagot.

Analyst 1 immediately informed Analyst 2 and the Forensic Biology Supervisor of her observations and showed them an EPG printed from the original electronic source data. She reviewed with them the alleles observed above threshold that initially appeared to be consistent with Balagot's DNA profile. Together they decided not to say anything to Balagot and allow him time to voluntarily report the contamination event to the Technical Leader. The Forensic Biology Supervisor told Analyst 1 that if Balagot did not report the issue by the next morning, she would ask him for an update on the batch. That same day, in an unrelated meeting, Analyst 2 told the Deputy Chief of Physical Evidence and the Forensic Biology Supervisor that a suspected contamination event had occurred in the batch processed by Balagot.

On the morning of Friday, October 3, 2025, Balagot asked Analyst 3 to perform a technical review of the data related to the batch in question, including quality control packets, printed EPGs, and summary sheets. The technical review submission contained a hard copy print out of the EPG for the known standard suspected by Analyst 1 to have been contaminated during testing. Analyst 3 set the case materials aside to review later in the day.

Later that same morning, Analyst 1 confided in Analyst 3 her suspicion that Balagot may have contaminated a known standard with his own DNA. At this point, Balagot had not yet given Analyst 1 the EPG for the known standard she needed for the November case set for trial. Analyst 1 only discovered the possible contamination event because she wanted to get a head start on the

comparison to the evidentiary samples in the November case, and she had previously accessed the original electronic data of DNA profiles in Balagot's batch analyzed in the GMIDX software.

Analyst 3 conducted the technical review of the Balagot batch the same morning and raised a technical concern about an (unrelated) known standard partial profile that needed to be reinjected. Analyst 3 spoke to Analyst 1 about her concerns regarding that sample. Analyst 1 realized the conversation concerned the same batch of known DNA standards that included the upcoming November case. Analyst 1 asked to see the hard copy EPG submitted to technical review of the known standard for the case. Analyst 1 observed the DNA profile on the EPG in question was a single source profile and there were no signs of contamination, unlike with the original source data she previously observed in the GMIDX software. The two analysts compared the hard copy EPG Balagot gave Analyst 3 for technical review, with the EPG Analyst 1 had copied from the original GMIDX project. The GMIDX file numbers were the same in both EPGs. However, the EPG hard copy DNA profile data Balagot submitted for technical review was clearly a single source profile with no signs of contamination, while the EPG from the original GMIDX project was a mixture. Except for the contaminated known reference sample, all other hardcopy EPGs matched the source electronic data. Analyst 1 and Analyst 3 discussed the case with Analyst 2 and collectively presented their concerns to management.

Later the same morning, Dr. McDonald, the Deputy Chief of Physical Evidence, held a meeting with the three analysts and the Forensic Biology supervisor and agreed it appeared the EPG hard copy Balagot submitted for technical review had been altered in some way to eliminate the DNA contamination and give the appearance of a single source profile.

Balagot was placed on paid administrative leave that afternoon (October 3, 2025), and his employment was terminated on October 16, 2025.

B. Management Interview with Balagot

As part of the laboratory's internal investigation by the quality division, the Chief of Physical Evidence, the Deputy Chief of Physical Evidence, and the Forensic Biology Supervisor met with Balagot on October 7, 2025. During this meeting, he was asked to review the hard copy EPG submitted for technical review and a copy of an EPG printed from the original GMIDX project. The Chief of Physical Evidence highlighted the differences between the two records and asked Balagot to explain how the changes occurred between the two versions.

Balagot explained this was the first DNA batch he processed following his retraining.²¹ Balagot shared that during the retraining process, he experienced considerable difficulty and felt he was treated aggressively. He indicated that due to these challenges he felt this batch “had to be perfect.” Management asked if he felt pressure, and Balagot responded affirmatively and stated he had felt pressure for a long time. Throughout the interview, Balagot reiterated numerous times that the batch “had to be perfect.”

Balagot explained that he used Adobe Photoshop to alter the EPG he submitted for technical review. He used Photoshop to remove the “call labels” using a simple “cut and paste” method. He described the case in question as a “90-day case”²². The term “90-day case” refers to the rule of criminal procedure in Texas requiring the State to be ready for trial within 90 days from

²¹ The analyst had been taken off casework in July 2023 due to an unrelated conflict-of-interest concern involving the District Attorney's Office. In May of 2024, the conflict-of-interest issue was resolved, and the analyst began a supplemental training program to requalify for regular DNA testing. He encountered difficulties in performing interpretations of complex samples, and that training was suspended. He was reassigned to processing single-source reference samples. He requalified for the laboratory's DNA procedures for standards in September 2025. This adverse event occurred in the first batch of casework samples he processed following his retraining for single-source standards.

²² The affected case was not a 90-day case; however, it was part of a batch that contained cases with a 90-day statutory turnaround time requirement, and the resolution of the potential contamination might have slowed down the other cases in the batch.

the commencement of his detention in felony cases, if the defendant is in custody.²³ He therefore felt as if he “had to get it done” and it “had to be perfect.”

Balagot denied having altered data or an EPG before. He expressed remorse and apologized. Balagot shared his view that many individuals in the Biology Unit were “unhappy” and felt a significant amount of pressure, and that this sentiment stemmed from the overall work environment rather than any specific incident or individual.

C. Professional Misconduct Finding

“Professional misconduct” means the forensic analyst or crime laboratory, through a material act or omission, deliberately failed to follow the standard of practice that an ordinary forensic analyst or crime laboratory would have followed, and the deliberate act or omission would substantially affect the integrity of the results of a forensic analysis. An act or omission was deliberate if the forensic analyst or crime laboratory was aware of and consciously disregarded an accepted standard of practice required for a forensic analysis.²⁴

The Commission finds Balagot intentionally and deliberately altered the hard copy of the EPG submitted for technical review for the purpose of concealing a contamination event. While the original EPG remained unaltered in the GMIDX project and data archive, this does not diminish the fraudulent submission of an altered hard copy EPG to the technical reviewer for the purposes of moving the analysis forward through the required reviews for ultimate release to the criminal justice system. Had Analyst 1 not fortuitously discovered the contaminated results prior to the release of the report, the contaminated results may have never been discovered.

At the time of this event, Balagot was authorized to perform DNA analysis on single-source reference samples submitted in criminal cases. Balagot was aware that this reference sample was being processed for comparison purposes in a pending criminal case that he described as being part of a “90-day batch.” The DNA results he generated were critical to the interpretation of crime

²³ See, TEX. CODE CRIM. PROC. Art. 17.151 (Release Because of Delay).

²⁴ 37 Tex. Admin. Code § 651.302(7) (2020).

scene evidence and would form the foundation of the laboratory report. The accuracy, integrity, and reliability of Balagot's results were essential to the proper administration of justice. We find that Balagot was aware of and consciously disregarded an accepted standard of practice required for forensic analysis when he knowingly altered a document submitted for technical review for the purpose of concealing a contamination event.

D. Balagot Violated the Texas Administrative Code (Code of Professional Responsibility for Forensic Analysts and Crime Laboratory Management) when he altered a DNA record to conceal a contamination event.

Balagot violated numerous provisions of the Texas Code of Professional Responsibility for Forensic Analysts when he tampered with the hard copy EPG he submitted for technical review. Specifically,

- he failed to avoid tampering with evidentiary materials (by altering with the hard copy EPG he submitted for technical review),²⁵
- failed to conduct fair and unbiased examinations (by altering the records to hide a contamination event),²⁶
- failed to make and retain full clear and accurate written records (by altering the records submitted for technical review),²⁷
- failed to base conclusions on procedures supported by sufficient data (by basing conclusions on altered records),²⁸

²⁵ 37 Tex. Admin. Code § 651.219 (b)(4) (2026) provides: Each forensic analyst shall avoid tampering, adulteration, loss, or unnecessary consumption of evidentiary materials.

²⁶ Each forensic analyst shall conduct thorough, fair, and unbiased examinations, leading to independent, impartial, and objective opinions and conclusions. *Id.* at § 651.219 (b)(6).

²⁷ Each forensic analyst shall make and maintain full, contemporaneous, clear and accurate written records of all examinations and tests conducted and conclusions drawn, in sufficient detail to allow meaningful review and assessment by an independent person competent in the field. *Id.* at § 651.219 (b)(7).

²⁸ Each forensic analyst shall base conclusions on procedures supported by sufficient data, standards and controls, not on political pressure or other outside influence. *Id.* at § 651.219 (b)(8).

- failed to present accurate and complete data (by presenting altered data for technical review),²⁹
- failed to communicate honestly and fully with all parties (by hiding records of a contamination event),³⁰ and
- failed to document and notify management or quality assurance personnel of adverse events (by failing to notify management of a contamination event).³¹

IV. DISCIPLINARY ACTION

On a determination by the Commission that a license holder violated a rule or order of the Commission under Article 38.01, Code of Criminal Procedure, the Commission may: (1) revoke or suspend the person's license; (2) refuse to renew the person's license; (3) reprimand the license holder; or (4) deny the person a license.³²

Factors considered in determining the appropriate disciplinary action against a license holder may include: (1) the seriousness of the violation; (2) the prevalence of misconduct by the individual; (3) the person's conduct history, including any investigative history by the Commission; (4) the harm or potential harm to the laboratory or criminal justice system as a whole; (5) attempts to conceal the act by the individual; and (6) any other relevant factors.³³

The Commission also may decide one or more of the following factors warrants less severe or less restrictive disciplinary action in a particular investigation: (1) candor in addressing the violation, including self-reported and voluntary admissions of the misconduct or violation; (2)

²⁹ Each forensic analyst shall present accurate and complete data in reports, oral or written presentations and testimony based on good scientific practices and valid methods. *Id.* at § 651.219 (b)(12).

³⁰ Each forensic analyst shall communicate honestly and fully with all parties (investigators, prosecutors, defense attorneys, and other expert witnesses), unless prohibited by law. *Id.* at § 651.219 (b)(15)

³¹ Each forensic analyst shall document and notify management or quality assurance personnel of adverse events, such as an unintended mistake or breach of ethical, legal, scientific standards, or questionable conduct. *Id.* at § 651.219 (b)(16).

³² 37 Tex. Admin. Code § 651.216(a)(1)-(4)(2026)

³³ *Id.* at § 651.216(c)(1)(A)-(E).

acknowledgement of wrongdoing and willingness to cooperate with the Commission; (3) changes made by the individual to ensure compliance and prevent future misconduct; (4) rehabilitative potential; (5) other relevant circumstances reducing the seriousness of the misconduct; or (6) other relevant circumstances lessening responsibility for the misconduct.³⁴ The license holder has the burden to present evidence regarding any mitigating factor that may apply.³⁵

The misconduct in this case is extremely serious. The documentation submitted by Balagot for technical review was intentionally altered to conceal a contamination event and would have been relied upon by a second qualified analyst to issue a report had the misconduct not been discovered. Balagot displayed a serious lapse in judgment by altering the documentation submitted for technical review to conceal the fact that the reference sample was contaminated. The potential harm to the laboratory includes the issuance of a report based on knowingly altered data, as well as the resulting failure to document and address a contamination event as required under laboratory protocols. The potential harm to the criminal justice system includes the system's reliance on conclusions that were in fact compromised by Balagot's decision to alter data and the resulting failure to provide the affected defendant with required legal notice under *Brady v. Maryland*, the Michael Morton Act, and related law.³⁶ Based on the internal investigation conducted by the laboratory, the misconduct does not appear to be prevalent, and the analyst has no misconduct history with the Commission. The analyst did not deny or attempt to conceal the misconduct once it was discovered.

Balagot's Forensic Analyst license expires on May 31, 2026, but his license is currently "inactive" because he is not employed by a Texas accredited laboratory. Based on the serious

³⁴ *Id.* at § 651.216(c)(2)(A)-(F).

³⁵ *Id.* at § 651.216(c)(3).

³⁶ See, *Brady v. Maryland*, 373 U.S. 83 (1963) and TEX. CODE CRIM. PROC. Art. 39.14 (Michael Morton Act).

nature of the violation, the Commission suspends Balagot's Forensic Analyst license through May 31, 2026 (the current expiration date of his license). Were Balagot to obtain new employment as a forensic analyst or technician at a Texas accredited laboratory and apply to reactivate or renew his license, the Commission will deny or refuse to renew the license until May 31, 2031, and may impose conditions for licensure at that time.

V. APPEALS PROCESS

Any finding by the Commission that includes disciplinary action against a license holder (revocation, suspension, probation, etc.) may be appealed to the Judicial Branch Certification Commission (JBCC).³⁷

VI. CORRECTIVE ACTION

The manipulation of the data submitted for technical review was identified during the technical review process and no report was issued based on the fraudulent record. Balagot was immediately placed on administrative leave and has since been terminated from employment. The integrity of the source instrumental (GMIDX) data was not affected. The District Attorney's Office was immediately notified of the event on October 3, 2025.

The laboratory completed a retrospective review of relevant casework to identify any additional instances of data manipulation. Balagot's last contamination event was in May of 2023, and he worked a total of 208 cases since that time. There were no additional instances of altered data found during this review.

The laboratory identified the root causes for this event. The immediate cause was professional misconduct by the analyst. A contributing cause was that the analyst expected to avoid detection because the electronic EPGs were not routinely reviewed against the hard copy EPGs

³⁷ *Id.*

during the technical review process. While the technical reviewer had the ability to review the electronic EPG data, most technical reviews are performed using only the printed EPGs. It is the printed EPGs that contain documentation of the interpretation process, including identification and classification of artifacts, assessment of dropout, and allele designations at each locus.

The laboratory revised the procedure for technical review of all case data (references and unknowns) to require documented verification, using a new laboratory form, of hard copy EPGs against the source electronic EPGs. Additionally, the laboratory performs a verification of the hard copy data against the source data for any case scheduled for trial.

The laboratory assigned the instrument data for the batch to another qualified analyst to document the contamination event and record the alteration event and placed this documentation in each case of the batch.

VII. RECOMMENDATIONS

The use of hard copy EPGs during the technical review process is common among laboratories. These marked hard copies are helpful to the technical reviewer because they provide clear documentation of the DNA analyst's interpretation, including the identification and classification of artifacts, assessment of dropout, and allele designations at each locus. However, as this example demonstrates, there is some risk in not confirming hard copy EPG printouts against electronic data because the practice introduces an opportunity for data manipulation. While it would never occur to most DNA analysts in Texas to alter a hard copy EPG for purposes of moving a case through the review process, the Commission would be remiss if it did not highlight the practice as a potential pathway for risk. To mitigate this, laboratories that utilize hard copy documentation during the technical review process may consider incorporating a comparison between the original source data and hard copy EPG, as well as documentation of the comparison.

EXHIBIT A

Self-Disclosure Details

FSC Case #

SD25.66

Status

Assigned

[Status History/Document\(s\)](#) ▼

Proficiency Testing

Does this disclosure relate to a non-consensus result for a proficiency test or other proficiency monitoring activity?

No

Laboratory and Representative Completing Disclosure

Laboratory/Other Entity

Southwestern Institute of Forensic Sciences

Completed By

Harlie Sanchez, Quality Manager
swifs.quality@dallascounty.org
214-920-5838

Self-Disclosure

Approximate Date when issue(s) described in the self-disclosure first occurred

10/03/2025

Date laboratory identified issue(s) described in the self-disclosure

10/03/2025

Type(s) of Forensic Analysis

Forensic Biology - DNA

Date the laboratory provided notice of the issues described in the self-disclosure to its accrediting body

10/27/2025

Description of the Non-Conformance

Submitted Via Attachment (see below)

Laboratory Investigation and Identification of Root Cause Analysis

Submitted Via Attachment (see below)

Description of Corrective Action(s) Taken by the Laboratory

Corrective action will be initiated to perform an extensive retrospective review of casework. The responsible DAs for all cases worked by the analyst will be notified. See non-conformance evaluation form for further description.

Casework Impact

Submitted Via Attachment (see below)

Summary of Notification to Stakeholders

Stakeholders Notified?: Yes
Stakeholder Notification Date: 10/03/2025
How Notified: Submitted Via Attachment (see below)

Self-Disclosure Document(s)

File Name	Sections Covered	File Options	Public Viewable
Non Conformance Evaluation - DRAFT.pdf	Non-Conformance; Root Cause Analysis; Casework Impact	View	No
Dallas County DA Disclosure.pdf	Stakeholder Notification	View	No

Known Defendant(s) Associated With the Forensic Analysis

Name

Travaris Gibson

Laboratory Case Number

IFS-21-21206, IFS-25-09862, IFS-21-21513

[Criminal Case Details](#) ▼

Name

Rikie Downs

Laboratory Case Number

IFS-21-21206, IFS-25-09862, IFS-21-21513

[Criminal Case Details](#) ▼

Name

Courtine Walker

Laboratory Case Number

IFS-21-21206, IFS-25-09862, IFS-21-21513

[Criminal Case Details](#) ▼

Individual(s) With Direct Knowledge of Events That are the Subject of This Disclosure

Name

Kenneth Balagot

Role in the Matter

Analyst

Name

Dr Stacy McDonald

Role in the Matter

DNA Technical Lead

Name

Courtney Ferreira

Role in the Matter

Biology Supervisor

Name

Dr Timothy Sliter

Role in the Matter

Chief of Physical Evidence Section

Name

Angela Fitzwater

Role in the Matter

Technical Reviewer

Misconduct/Agency Notification

Does the laboratory believe the events that are the subject of this disclosure constitute professional misconduct?

Yes

Are you aware of anyone involved in this disclosure (other than the defendant) being the subject of a criminal investigation regarding the matters described in the disclosure?

No

Additional Comments

As of 10/27/2025, investigation is ongoing. Self-disclosure will be updated throughout the process. Dallas County District Attorney's Office notified on 10/03/25.

[History](#)

Contact Us

For Technical Assistance: support@txcourts.gov For General Assistance: info@fsc.texas.gov

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