

**Texas Forensic Science Commission – Licensing Advisory Committee Minutes from June 20, 2018**

The Licensing Advisory Committee of the Texas Forensic Science Commission met at 10:00 a.m. on Wednesday, June 20, 2018, at the Tom C. Clark Building’s Texas State Law Library, 205 West 14<sup>th</sup> Street, Austin, Texas 78701.

Members of the Committee were present as follows:

Members Present: Greg Hilbig, Chair  
James Miller  
Robert Sailors  
Thomas Ashworth  
Michael Ward  
Chris Heartsill  
Katie White

Members Absent: Keith Hampton  
Timothy Sliter

Staff Present: Lynn Garcia, General Counsel  
Jody Koehler, Senior Scientific Advisor  
Kathryn Adams, Commission Coordinator

**Review and adoption of minutes from April 19, 2018 meeting.**

**MOTION AND VOTE:** *Sailors moved to approve the April 19, 2018 meeting minutes draft. Ashworth seconded the motion. The Committee unanimously adopted the motion.*

**Administrative update (update on licensing exam software, including license application function and publication of licensee data on Commission website).**

Garcia reported regarding progress with TopClass application development and approval of Texas.gov payment portal as required by State Comptroller.

**Update on adoption of rules for the Licensing Program.**

The licensing rules were adopted and can be found in the Texas Administrative Code; any future changes must be published for comments. The number and description of required continuing education hours still needs to be addressed by the LAC.

**Report from Cut-rate committee and description of process for establishing pass/fail rate for pilot exam and associated statistics.**

Garcia reviewed the cut-rate committee meeting results, the cut-rate process, and the committee’s final recommendations. Pursuant to Rule 12 (Rules of Judicial Conduct) no examination result information may be provided to anyone except the examinee or pursuant to a court order.

**Update on Exam Evaluation Committee, including recommendations on modification of exam study materials.**

Garcia described the next phase of the pilot examination process now that the examination has been reduced from 140 pilot questions to 100 core examination questions. An examination evaluation committee was formed to continue to create and pilot questions with the goal of creating a large test database.

Garcia explained the reasons for the Criminal History Evaluation Request Form. Garcia also explained the purpose of the Specific Coursework and Proficiency Testing Form. Members decided asking QA/Lab Managers to execute these forms is the most practical option.

**Discussion of proposed statistics requirement for examiners applying after January 1, 2019 and development of financially accessible, online statistics course for forensic examiners.**

Garcia informed members that Dr. Cliff Spiegelman from Texas A&M is developing a reasonably-priced, online statistics report specifically for forensic analysts.

**Update on distribution of laboratory application for Waiver for Laboratory Support Personnel.**

This form has been distributed and one laboratory has submitted a waiver request to date. The request will need evaluation by a subject matter expert in firearm/tool mark examination and will be discussed at the next meeting.

**Discuss setting up workgroups for establishing knowledge-based competency requirements by forensic discipline.**

Members discussed establishing focus groups by forensic discipline to discuss knowledge-based competency requirements scheduled to take effect after January 1, 2019. Leaders of each focus group were assigned as follows: Ward for firearms/toolmarks; Miller for seized drugs; White for trace evidence; Heartsill for toxicology and Sailors for forensic biology.

Leaders of each group will have their teams formed by the next LAC meeting. Focus shall be on setting minimum standards, the best training for each discipline and standardizing training among the disciplines for continuity throughout the state. Commission staff will send objectives for distribution to the groups.

**Discuss general examination requirement, including updates to exam study material, questions, topics, structure and administration, and psychometric testing services.**

Members discussed the request for a syllabus from the community as analysts move forward from the pilot exam phase to the general exam. Koehler will draft and circulate a syllabus for the remaining reading materials.

**Report on status of federal examiner licenses.**

Garcia reported that per discussions with the Governor's office, federal examiners will receive a blanket license. This development will be discussed at the next Commission quarterly meeting.

**Report on call regarding postmortem toxicology decision.**

Garcia provided an update from a telephone conference with representatives from Bexar, Travis, Dallas and Tarrant county medical examiner offices and NMS regarding whether postmortem toxicology is “primarily” the practice of medicine per article 38.35 of the Texas Code of Criminal Procedure. The issue will be discussed by Commissioners at the upcoming quarterly meeting.

**Report on status of appointment expirations for Licensing Advisory Committee members and process for election or reappointment of members.**

All LAC members except for defense representative Keith Hampton are seeking reappointment; a new member representing defense attorneys will be appointed. Staff will ask for a list of nominees from TCDLA. Commissioners will consider this issue on the next quarterly meeting agenda.

**Update from the Texas Association of Crime Laboratory Directors (“TACLD”), including discussion of any comments and feedback related to the published program rules.**

No update was provided for this agenda item. Feedback from TACLD president Peter Stout was provided throughout the meeting.

**Discuss program budget and breakout of exam fee.**

Members did not discuss this item.

**Schedule and location of future meetings.**

Staff will circulate a Doodle poll to determine members’ availability before setting a date for the next Licensing Advisory Committee meeting.

**Hear public comment.**

There was no public comment beyond that referenced above.

**Adjourn.**