



TEXAS FORENSIC SCIENCE COMMISSION

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

MEETING AGENDA

January 26, 2024, at 9:00 AM

Barbara Jordan State Office Building
1601 Congress Avenue
Room 2.034
Austin, Texas 78701

This meeting of the Texas Forensic Science Commission (“Commission”) will be conducted as a videoconference meeting pursuant to Texas Open Meetings Act, Government Code section 551.127. Members of the Commission and staff may appear remotely. The Commission’s officer presiding over the meeting will be present at the physical location set forth in this agenda. Members of the public may attend the meeting in person at the physical location listed above, where they may participate and make public comment. The Commission will endeavor to livestream the meeting from its website at www.fsc.texas.gov, but the livestream will not include an option for the public to make comments remotely.

During this meeting, the Commission may consider and possibly take action on the following agenda items. The Commission may take breaks as necessary. The Commission may meet in closed session on any item listed below, as authorized by the Open Meeting Act, Texas Government Code, Chapter 551.

1. Call meeting to order. Roll call for members. Excuse any absent board members.
2. Review and adopt minutes from October 20, 2023 Commission quarterly meeting.
3. Office administrative update (FY2024 second quarter budget status report; update on status of launch of database functions). (General Counsel Garcia/Associate General Counsel Tomlin)
4. Discuss and consider complaints and laboratory self-disclosures pending from October 20, 2023 quarterly meeting and new complaints and laboratory self-disclosures received through January 5, 2024, as detailed below.

Self-disclosures pending from October 20, 2023:

1. No. 23.18; City of Austin Forensic Science Department (Firearms/Toolmarks)

Self-disclosures received as of January 5, 2024:

2. No. 23.40; Houston Forensic Science Center (Forensic Biology/DNA)
3. No. 23.51; Houston Forensic Science Center (Latent Prints)



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4. No. 23.61; Jefferson County Regional Crime Laboratory (Seized Drugs)
5. No. 23.62; City of Austin Forensic Science Department (Crime Scene)
6. No. 23.68; Bexar County (Seized Drugs)
7. No. 23.70; City of Austin Forensic Science Department (ProCard Misuse)
8. No. 23.71; Bexar County (Management/Human Resources)
9. No. 23.69; Department of Public Safety–Weslaco (Seized Drugs)

Complaints received as of January 5, 2024

10. No. 23.63; Gibson, Chaquita (Southwestern Institute of Forensic Sciences; Gunshot Residue)
 11. No. 23.67; Roy, Tiffany (Timothy Kalafut; Forensic Biology/DNA)
5. Update on preliminary interlaboratory research plans for examining risk of DNA transfer in the use of Sharpie® markers for forensic biology screening. (Coble/Ziemak)
 6. Discuss status of crime laboratory accreditation program, including:
 - a. Accreditation activities, communications, and reports received since October 20, 2023 quarterly meeting;
 - b. Summary of reported non-consensus proficiency testing results from accredited crime laboratories; and
 - c. Discuss and vote on rule proposal related to changes to § 651.7 exempting from accreditation requirements, any CAP-accredited testing on human specimens conducted by or under contract with a community supervision or corrections department of a county or municipality, the parole division of the Texas Department of Criminal Justice, the Board of Pardons and Paroles, or any other government agency, and the results of such testing are subsequently entered into evidence in an action to revise or revoke the terms of an individual's bail, bond, community supervision or parole. (General Counsel Garcia/Associate General Counsel Tomlin)
 7. Discuss updates from licensing advisory committee, including:
 - a. Report on licenses issued and renewed;
 - b. Report from January 25, 2024 Licensing Advisory Committee meeting action items;
 - c. Discuss and vote on proposed rule adoption reflecting changes to §§ 651.207, 651.208, and 651.209 transitioning the Commission's forensic analyst and forensic technician license expiration dates to expire on the last day of the licensee's birth month;



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- d. Discuss and vote on proposed rule adoption related to the addition of voluntary licenses for latent print processors and crime scene disciplines reflecting changes to §§ 651.202 and 651.222;
 - e. Discuss and vote on rule proposal related to changes to § 651.222 requirements for voluntary licensure including but not limited to changes to requirements for document examiners; and
 - f. Discuss and vote on updates to published required quality standards for employing laboratories of voluntary licensees. (General Counsel Garcia/Associate General Counsel Tomlin)
8. Discuss and vote on proposed rule adoption reflecting changes to §§ 651.3, 651.8, 651.11, 651.101 – 651.104, and 651.305 – 651.308; adding new §§ 651.105 and 651.402; and repealing §§ 651.105, 651.106, 651.216, and 651.309 as published in the December 1, 2023 issue of the *Texas Register* (46 Tex Reg 7021 – 7028). Rule changes are responsive to the 88th Texas Legislature’s SB 991 and HB 3474 harmonization of the appeals process for license holders and crime laboratories.
 9. Discuss and vote on proposed rule adoption reflecting new rules §§ 651.501 – 651.503 responsive to the 88th Legislature’s HB 3506 concerning the timeline for removal of elimination samples from laboratory DNA QA databases.
 10. Discuss and vote on proposed four-year rule review for Commission administrative rules in Texas Administrative Code, Title 37, Chapter 651, Subchapters A, B, C, and D.
 11. Update regarding complaint #21.27 University of Colorado, National Innocence Project on behalf of Nanon Williams (Houston PD/Houston Forensic Science Center) (Firearms/Toolmarks).
 12. Discuss recent and upcoming forensic development training and education projects.
 13. Update from the Texas Association of Crime Laboratory Directors.
 14. Consider proposed agenda items for next quarterly meeting.
 15. Schedule and location of future panel and quarterly meetings, including April 26, 2024 and July 26, 2024 quarterly meetings.
 16. Hear public comment.
 17. Adjourn.



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To increase public access to meetings, the Commission will endeavor to live-stream the quarterly meetings on its website at www.fsc.texas.gov. However, the Commission's decision to live-stream any particular meeting should not be interpreted as a guarantee that all meetings will be live-streamed. Our ability to live-stream depends on budgetary constraints and logistical considerations at any given meeting. If you have any questions, please contact Cristabel Bodden at (512) 936-0770 or cristabel.bodden@fsc.texas.gov.

Persons with disabilities who plan to attend a commission meeting and need assistance should contact Cristabel Bodden at the contact information above at least seven (7) business days prior to the meeting so arrangements may be made.