

**FORENSIC SCIENCE COMMISSION  
LICENSING ADVISORY COMMITTEE MEETING MINUTES**

The Licensing Advisory Committee of the Texas Forensic Science Commission met in person and via videoconference on October 19, 2023, at 10:00 a.m. at the Barbara Jordan State Office Building at 1601 Congress Avenue, Room 2.034, Austin, Texas 78701.

**Members Present:** Calli Bailey  
Angelica Cogliano  
Andrew Greenwood  
Carina Haynes  
Sandy Parent  
Michelle Paulson  
Katherine Sanchez  
Ed Wallace  
Kelly Wouters

**The following Licensing Advisory Committee members attended virtually via Zoom: Calli Bailey, Angelica Cogliano, Michelle Paulson, Ed Wallace, and Dr. Kelly Wouters.**

**Members Absent:** None

**Staff Present:** Lynn Garcia, General Counsel  
Leigh Tomlin, Associate General Counsel  
Robert Smith, Senior Staff Attorney  
Veena Mohan, Assistant General Counsel  
Steve Miller, Multimedia Producer  
Rodney Soward, Program Specialist  
Cristabel Bodden, Executive Assistant

**Members conducted this meeting of the Texas Forensic Science Commission’s Licensing Advisory Committee (“Committee”) as a videoconference and in-person meeting pursuant to the Texas Open Meetings Act, Government Code section 551.127. Members of the Committee and appeared remotely and at the physical location set forth in this agenda.**

**During this meeting, the Committee considered and took act on the following items. The Committee took breaks as necessary.**

- 1. Call meeting to order. Roll call for members. Excuse any absent committee members.**

Garcia called the meeting to order at 10:06 a.m. and took roll.

- 2. Review and adoption of minutes from July 20, 2023 meeting.**

**MOTION AND VOTE:** *Wouters moved to adopt the July 20, 2023 meeting minutes draft. Bailey seconded the motion. The Committee unanimously adopted the motion.*

\*The following members abstained from voting as they were not yet active committee members and did not attend the July 20, 2023 meeting: Greenwood, Haynes, Paulson, Sanchez, and Wallace.

**The Licensing Committee meeting paused briefly from 10:12 to 10:19 a.m. to address technical difficulties.**

### **3. Introduction of new members and selection of a Chair.**

Garcia welcomed the new Licensing Advisory Committee members.

Each member introduced themselves and provided a quick overview of their scientific, academic, and employment backgrounds.

Garcia discussed the responsibilities of the Chair and Vice-Chair.

**MOTION AND VOTE:** *Sanchez moved to approve Sandy Parent as the Chair of the Licensing Advisory Committee through the end of her term, August 31, 2024. Wallace seconded the motion. The Committee unanimously adopted the motion.*

**MOTION AND VOTE:** *Sanchez moved to approve Dr. Kelly Wouters as Vice-Chair of the Licensing Advisory Committee. Bailey seconded the motion. The Committee unanimously adopted the motion.*

### **4. Administrative update, including discussion of open government trainings, travel reimbursement instructions for new members, update on number of licenses issued and renewed, and update on database project with Office of Court Administration, including launch of crime laboratory accreditation status and search functions as well as Organization of Scientific Area Committee (OSAC) Registry implementers search function. (General Counsel Garcia/Associate General Counsel Tomlin/Program Specialist Soward)**

Garcia discussed mandatory Public Information Act and Open Meetings Act trainings required by new members as part of their committee duties and responsibilities as governmental body appointees. Garcia also reminded members that the Commission and Committee function administratively as a judicial branch agency under the Office of Court Administration and that the Rule 12 of the *Rules of Judicial Administration* apply to the Commission's open records requests.

Garcia discussed the administrative process for making travel arrangements and travel reimbursement requests as committee members.

Licensing Program Specialist Soward gave an update to members and staff on the current total number of licenses issued as of July 7, 2023 (1,245 total), as follows: non-interpreting, 251; provisional, 13; temporary, 1; uncommon 4; and regular analyst and technician licenses, 976; in addition to renewals processed to date. For the renewal period from the end of fiscal year 2023 and through the end of fiscal year 2025, 27 licensees are eligible to renew.

Garcia provided an update on the database project with the Office Court Administration. The database shows the status of each license. Staff is also hopeful the database will offer reporting functions in the future. Garcia added that the crime laboratory accreditation status and search functions are now live, and the OSAC Registry implementers search function were recently added to the database.

Garcia asked the committee to review these features and provide feedback to Commission staff. Sandy Parent relayed that her agency had requested that the licensee expiration date be added to the database. Tomlin replied that she will follow up on this request with the developers.

#### **5. Review any outstanding coursework evaluations.**

The Committee evaluated a statistics course for equivalency to the required statistics component for licensure. The course consisted of a 3-month course taught through Northwestern University tailored for police force staff and catered to law enforcement with a focus on statistics. The Committee evaluated the syllabus and emails provided by the candidate. Tomlin requested the candidate have one of the professors attest that the course provides an equivalent 3-hour college-level course, but the candidate was unable to get the professor to respond in time for the meeting.

Garcia added that at this time, the Commission does not distinguish between different types of statistics courses. In some respect, this raises the question about the equivalency. Garcia express concern about the lack of good statistics courses available to law enforcement candidates like this one and asked the Committee to strongly consider this one in some regard. Committee members discussed the course but ultimately needed more information to make an informed decision on the course's equivalency evaluation. Tomlin will directly address the outstanding issues with the candidate and report back to the Committee at the next meeting.

**MOTION AND VOTE:** *Paulson moved to table this decision to the next meeting. Sanchez seconded the motion. The Committee unanimously adopted the motion.*

The Committee evaluated a second request to take the general forensic analyst licensing exam for a candidate not eligible for the test. To take the General Forensic Analyst Licensing Exam or the modified version of the exam, a candidate must be either employed at an accredited laboratory, employed at an agency rendering the candidate eligible for a voluntary license, or a student within 24 hours of graduating. This candidate is a non-student firearms examiner working out of the country (in Pakistan) at a non-Texas accredited laboratory interested in taking the test. The Committee considered the security risks in allowing this person to take the test outside the normal rules. The Committee decided not to allow it.

**MOTION AND VOTE:** *Paulson moved to deny the request to take the exam. Sanchez seconded the motion. The Committee unanimously adopted the motion.*

#### **6. Review any outstanding criminal history evaluation or other licensee application conduct requests.**

Tomlin reviewed with new committee members that the Committee also handles pre-application criminal history and conduct evaluation requests for applicants seeking to have the Committee evaluate their criminal history before they apply for a license. The Committee will review each request individually based on the unique set of facts and circumstances and answer the candidate's questions about license eligibility. At this meeting, the Committee received no criminal history or conduct evaluation requests to review.

**7. Discussion and possible recommendation to full Commission on rule proposal on the further development of voluntary licensure program for unaccredited forensic disciplines, including voluntary licensing for latent prints, crime scene investigation, and crime scene reconstruction disciplines.**

Garcia presented a draft voluntary licensure rule for latent print processors and the crime scene disciplines. Garcia explained the rulemaking has a three-tiered system. The baseline tier is the technician license or crime scene processor which allows this employee to locate documents and collect crime scene evidence but does not include any analytical activities. Garcia explained that the proposed rule then builds in crime scene investigation and crime scene processing. This second tier includes some limited analysis but stops short of any reconstruction activities. The third tier, crime scene reconstruction, requires more advanced and rigorous coursework requirements and extensive training, mentorship, and practical experience. Third tier licensees are required to have the highest level of education or courses in the field, take the full exam, specific coursework, and must have at least 5 years of experience based on the way the rule is currently drafted.

Committee members discussed the proposed rule, the development of a voluntary licensure program for latent print processors and the crime scene discipline.

The current version of the rulemaking draft covers three categories of crime scene licensure—including crime scene processing technician, crime scene investigation analyst and crime scene reconstruction, and two subcategories of license specialty for crime scene—including bloodstain pattern analysis and shooting reconstruction that includes requirements receptive to feedback from the community stakeholders including the Texas Rangers, the Department of Public Safety (DPS) and other law enforcement agencies.

**MOTION AND VOTE:** *Parent moved to recommend that the Commission propose the amendments to Sections 651.202 and 651.222 of the Texas Administrative Code Chapters with Committee amendments regarding adding voluntary licenses for crime scene technicians, crime scene investigators and crime scene reconstruction analysts, crime scene reconstruction (with specific recognition in bloodstain pattern analysis and crime scene reconstruction with specific recognition in shooting incident reconstruction) subject to suggested non-substantive revisions from the Office of the Governor, Texas Register, and Commission staff. Wouters seconded the motion. The Committee unanimously adopted the motion.*

Parent discussed the need to increase the educational requirements from a high school degree to a bachelor's degree for the voluntary license for document examiners. She also explained that the current requirements regarding quality assurance are not robust enough and will not keep people that should not be doing this type of work from doing it. Garcia recommended soliciting feedback from the document examiner community to address the issue at the next

meeting.

**MOTION AND VOTE:** *Parent moved to direct Commission staff to create a proposed rulemaking draft that increases the educational and quality assurance requirements for document examiners for discussion and vote at the next Committee meeting. The Committee unanimously adopted the motion.*

Tomlin moved on to discuss the standards required to be adopted by employing laboratories of crime scene voluntary licensees. Tomlin explained that the standards or requirements for crime scene are required regardless of whether one is accredited or not but that they will be important to address, particularly for agencies that are unaccredited because most accredited agencies have already implemented these standards.

Tomlin reviewed the recommendations for employing laboratories of voluntary licensees to have policies for competency testing, documenting technical records, documenting disagreements where appropriate, performing technical reviews, and participating in proficiency monitoring for crime scene analysts.

**MOTION AND VOTE:** *Parent moved to recommend that the Commission adopt the employing laboratory quality standards recommended in the chart for crime scene technicians and crime scene reconstruction disciplines in the quality standard provisions for voluntary licensure chart. Wallace seconded the motion. The Committee unanimously adopted the motion.*

Dawn Boswell, University of North Texas Health Science Center – Center for Human Identification, Director of Legal, addressed the Committee to comment that the Commission’s own recommendation “accreditation checklist” requirements (such as those recommendations included in its recent Colone report) should be included in the quality standards chart.

**MOTION AND VOTE:** *Parent moved to add Commission standards and requirements issued in Commission reports to the quality provisions required of employing laboratories of voluntary licensees chart. Sanchez seconded the motion. The Committee unanimously adopted the motion.*

- 8. Update from August 25, 2023 meeting regarding possible Latent Print/Crime Scene Model Training Academy in collaboration with DPS and Texas Division of the International Association for Identification and discussion of possible recommendations to full Commission on rulemaking proposal related to the training programs as necessary.**

Garcia stated that DPS partnered with Texas State University last legislative session on an exceptional item to their budget to develop a crime scene training academy at Texas State University, but the exceptional item did not pass. Currently, many go to the National Forensic Academy in Tennessee, and it is very costly and not everybody can do it. The idea that Texas should have its own crime scene training academy has been around a long time. Garcia stated

that she and a group of stakeholders are talking with DPS and Senator Juan “Chuy” Hinojosa to pilot a program on what that might look like in the next session.

**9. Update on status of rule proposal and timeline for changing license expiration dates to expiring on last day of birth month of licensee rather than each even-number year in the Fall.**

Tomlin updated members that the Governor’s office is reviewing the rulemaking. The rule will take effect at the end of December. The next time a license expires effective January 1, 2024, the next expiration of a licensee’s license will be on the last day of their birth month.

Tomlin added that based on their expiration, they will gain or lose the continuing education hours required, and they will pay more or less depending on the candidate’s birth month and current expiration date. Parent requested an example. Tomlin stated an example would be if a license was going to expire on January 1, 2025, and their birthday was also in that month, they would be granted a two-year license. Garcia stated that after this meeting, staff will send each lab their spreadsheet with their staff and their expiration dates and when they would renew again.

**10. Consider proposed agenda items for next quarterly Committee meeting.**

Staff will include all discussed items on the next Committee meeting agenda and circulate the proposed agenda for additions.

**11. Update from the Texas Association of Crime Laboratory Directors.**

Peter Stout, President of the Texas Association of Crime Lab Directors (TACLD), did not attend the meeting. The TACLD will meet again in January 2024 in coordination with the Licensing Advisory Committee and Commission’s quarterly meetings.

**12. Schedule and location of future Committee quarterly meetings January 25, 2024 quarterly meeting and April 2024 meeting.**

The next Committee meeting will be held on January 25, 2024. The date for the April meeting has been set for April 25, 2024.

**13. Hear public comment.**

Staff noted no public comment other than that noted throughout the agenda.

**14. Adjourn.**

**MOTION AND VOTE:** *Parent moved to adjourn the meeting at 12:56 p.m. The Committee adjourned the meeting.*

Committee approved minutes

January 25, 2024