

**Texas Forensic Science Commission  
Minutes from October 15, 2010 Meeting in Austin, Texas**

The Texas Forensic Science Commission met at 9:30 a.m. on Friday, October 15th, 2010, at the Omni Austin Southpark, 4140 Governor's Row, in Austin, TX. Members of the Commission were present as follows:

Members Present: Bradley, Kerrigan, Peerwani, Adams, Hampton, Eisenberg, Evans, Farley  
Members Absent: Hamilton  
Staff Present: Leigh Tomlin, Commission Coordinator

**Adoption of minutes**

Texas Forensic Science Commission September 17, 2010 meeting minutes

**MOTION AND VOTE:** *Adams moved for approval of the minutes from the September 17, 2010 meeting. Hampton seconded the motion. The FSC unanimously approved the minutes.*

**Discuss and consider FSC organizational structure and alternatives for administrative support**

The FSC heard invited testimony from Michael Lacy, Deputy Executive Director of the Texas Facilities Commission. Mr. Lacy offered information concerning potential alternatives for administrative support in Austin and use of state conference and meeting rooms.

**Public Comments**

Stephen Saloom

**Discuss and consider complaint #09-02 (Moon)**

Panel members discussed hiring Dr. Shaler and proceeding with the original contract. Farley, Evans and Tomlin will work on specific language to be added to the contract. Eisenberg will contact Dr. Shaler to find out if he is still available.

**MOTION AND VOTE:** *Bradley moved for the FSC to give authorization to the investigative panel to proceed as described by Eisenberg. Adams seconded the motion. The FSC unanimously approved the motion.*

Panel members also discussed staff obtaining clearer copies of the lab reports for further examination and requesting an official response from DPS. Eisenberg will work with Tomlin on drafting a letter to DPS requesting an official response.

## **Discuss liabilities, immunities, and processes re authority and scope of FSC**

At this time, the FSC broke for an executive session with counsel, Barbara Deane. The FSC met in executive session beginning at 10:11 a.m. and reconvened at 11:24 a.m.

## **Discuss and consider complaint #09-01 (Willingham)**

FSC members discussed inviting several experts to answer specific questions about the case.

**MOTION AND VOTE:** *Bradley moved to delegate authority to Evans for planning and execution of the expert panel meeting. The motion was seconded by Hampton. The FSC unanimously approved the motion.*

Evans will work with staff in organizing expert panel and meeting date and location.

## **Review and consider proposals for general counsel position**

**MOTION AND VOTE:** *Bradley moved for a panel of 3 members, Bradley, Hampton and Evans to interview potential general counsel candidates. The motion was seconded by Eisenberg. The FSC unanimously approved the motion.*

## **Discuss and consider budget to be presented to legislature**

The FSC discussed possibilities for moving the budget line item to another agency. Adams will meet with Dean Webb at SHSU to update him on the potential appropriations move.

## **Discuss and consider amendment to policies and procedures for anonymous complaint and complaint form**

Adams will draft proposed language to update the policies and procedures and also to appear on the anonymous complaint form and send to Barbara Deane for review. The language will be approved at the next quarterly meeting.

## **Discuss and consider amendment to policies and procedures for conflicts (relationships and monetary interests)**

Peerwani and Eisenberg will draft a policy with Barbara Deane to be presented at the FSC's next quarterly meeting.

## **Discuss and consider recommendations from Complaint Screening Committee**

**MOTION AND VOTE:** *Hampton moved that all CSC and investigative panel meetings be posted as open meetings. Adams seconded the motion. The FSC unanimously approved the motion.*

Tomlin will work with Peerwani on dates and locations for the Complaint Screening Committee to meet next.

## **Update on status of records retention policy**

Tomlin provided a brief update on the status of the records retention policy amendment submitted by the FSC.

## **Update from Forensic Development Committee**

Kerrigan explained that the FDC did not meet since the last quarterly meeting, due to other more pertinent FSC activities.

## **Update from Legislative Development Committee**

FSC members discussed preparing questions to propose to legislators regarding the clarification of the FSC statute. Peerwani and Evans will work together in developing legislative recommendations for the FSC. The legislative recommendations will be presented at the next full meeting of the FSC.

## **Feedback from Commission Coordinator on how FSC organizes and delivers materials to commission members**

FSC members briefly discussed their satisfaction with the organization and distribution of FSC materials.

## **Consider proposed agenda items for January 21, 2011 meeting**

Staff will include all agenda items discussed or proposed at this meeting on the January 21<sup>st</sup> agenda.

## **Consider locations for April 15, 2011 and July 15, 2011 meetings**

**MOTION AND VOTE:** *Adams moved for the April and July 2011 meetings to be held in Austin. Peerwani seconded the motion. The FSC unanimously approved the motion.*

## **Adjourn**