



TEXAS FORENSIC SCIENCE COMMISSION

Justice Through Science

MEETING AGENDA

October 5, 2016 at 9:00 AM

Omni Austin Southpark
4140 Governor's Row
Austin, Texas 78744
(512) 448-2222

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

1. Review and adopt minutes from July 8, 2016 Forensic Science Commission Quarterly meeting.
2. Office administrative update (FY2016 budget closing; FY2017 budget status report; 85th Legislative Session Legislative Appropriations Request; technology/database/website improvements, including implementation of updated VoIP digital telephone system, purchase of server for required support, and acquisition of content management software required for the FSC Licensing Program). (Garcia/Savage/Adams)
3. Update regarding task force on Commission reporting requirements and general notification issues.
4. Discuss and consider recommendations from complaint screening committee concerning pending complaints and laboratory self-disclosures and all complaints or self-disclosures received through September 20, 2016. (Barnard)

Disclosures Pending from July 8, 2016

1. No. 15.05; DPS—Weslaco (Latent Print)

Disclosures Received as of September 20, 2016

1. No. 16.01; Austin Police Department Crime Laboratory (Serial Number Restoration)
2. No. 16.02; Harris County Institute of Forensic Sciences (Toxicology, Blood Alcohol)*

*Note: The Harris County Criminal Defense Lawyers Association submitted a complaint and the Harris County District Attorney's office submitted a letter request related to this disclosure that will be discussed in combination with this agenda item.

Complaints Pending from July 8, 2016

1. No. 16.09; Kujala (Fort Worth Police Department Crime Lab, Firearm/Tool mark)
2. No. 16.36; Dunnivant (DPS—Garland and DPS—Abilene, Controlled Substance)

Complaints Received as of September 20, 2016

1. No. 16.42; Kennemur, Kevin (Yoakum County Hospital, Blood Alcohol)
2. No. 16.45; Anonymous (Texas Department of Public Safety Crime Labs, Toxicology)
3. No. 16.46; Nix, Thomas E. (Texas Ranger Steven Black; Forensic Hypnosis)
4. No. 16.49; Sosa, David (Houston Police Department; Firearm/Tool mark)
5. Discuss status and any updates for crime laboratory accreditation program, including possible review of forensic disciplines previously exempted by DPS, discussion of whether to include in meeting materials accreditation non-conformances received each quarter, discussion and vote on rulemaking request for exemption regarding age estimation and human identification, and Attorney General Opinion request regarding reporting requirements for unaccredited disciplines under Texas Code of Criminal Procedure article 38.01. (Garcia/Savage)
6. Discuss licensing advisory committee progress and updates, including August 23, 2016 licensing advisory committee meeting and development of forensic discipline and sub-discipline categories for licensing, development of requirements to fulfill each component to obtain a license, development of general forensic exam, acquisition of necessary software and other technology, including discussions regarding iMIS content management system, definitions of the terms technician vs. forensic analyst, scheduling of additional meetings and next steps. (Mozayani/Hilbig)
7. Discuss Rio Grande Identification Project progress, including teleconferences and collaboration efforts with EAAF, UNT, pathologists and medical examiners (Farley, Stern, and Peerwani), status of comparison of EAAF reference samples to UNT local databank, execution of MOU with instruction and requirements about cross-referencing samples between BODE (which houses EAAF DNA databank) and UNT's local databank of missing person samples, organization of future collection of reference samples in each country to be submitted by an investigative agency that satisfies federal requirements, review and adoption of final report for recommendations regarding the collection and preservation of biological and other forensic evidence for identification of remains found within 120 miles of the Texas border, and other next steps. (Hughes-Stamm/Garcia/Savage)
8. Update from Texas Association of Crime Laboratory Directors. (Kahn or designee)
9. Update on Retrograde Extrapolation Education Project. (Alpert)
10. Update from Clark (Harris County IFS, HPD, Harris County Sheriff's Department; GSR, DNA; Blood Spatter) #16-41 investigative panel. (Peerwani, Alpert, Di Maio)
11. Update from Hair Microscopy Panel. (Garcia/Vilbas)

12. Update regarding Bite Mark Panel (Chaney–National Innocence Project) #15-07, including record collection and case review. (Garcia)
13. Discussion regarding President’s Council of Advisors on Science and Technology’s report on the scientific validity of expert testimony.
14. Status of DNA Mixture Interpretation Review, including:
 - a. Laboratory progress—(private);
 - b. Update on publishing of DNA mixture interpretation guidance manuscript in international journal, BioMed Central;
 - c. Update and review of progress regarding recommendations in Austin Police Department DNA Lab Report approved at July quarterly meeting;
 - d. Update on notification issues;
 - e. Update on letter to ASCLD/LAB;
 - f. Training for lawyers and scientists, including: August 12, 2016 Forensic Science Commission Regional DNA Training, September 9, 2016 Travis County District Attorney’s Office training, September 16, 2016 Capital Area Defender’s training, August 29-30, 2016 CAILAW Establishing Innocence or Guilt training; and September 28-29, 2016 International Symposium for Human Identification conference;
 - g. Status of case review, including collection of DNA review forms, triage of cases and any expected retesting thus far. (Wicoff/Garcia)
15. Report from presentations for various regional conferences, including August 10, 2016 DPS – Houston Forensic Science Week presentation and September 25, 2016 Southwestern Association of Forensic Scientists annual conference presentation. (Garcia/Savage)
16. Consider proposed agenda items for next quarterly meeting. (Di Maio)
17. Schedule and location of future panel and quarterly meetings. (Di Maio)
18. Hear public comment. (Di Maio)
19. Adjourn.

To increase public access to meetings, the Commission will endeavor to live-stream all 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 the Commission Coordinator, Kathryn Adams, at (512) 936-0770 or kathryn.adams@fsc.texas.gov.