

**Texas Forensic Science Commission  
Minutes from September 17, 2010 Meeting in Dallas, Texas**

The Texas Forensic Science Commission met at 9:30 a.m. on Friday, September 17<sup>th</sup>, 2010, at the Embassy Suites Dallas Love Field, 3880 West Northwest Highway, in Dallas, TX. Members of the Commission were present as follows:

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

**Adoption of minutes**

Texas Forensic Science Commission July 23, 2010 meeting minutes

**MOTION AND VOTE:** *Peerwani moved for approval of the minutes from the July 23rd, 2010 meeting. Adams seconded the motion. The FSC unanimously approved the minutes.*

**Consider disposition for case #09-01 (Willingham-Willis)**

Members moved into a closed session at approximately 9:36 a.m., pursuant to the Texas Open Meetings Act, concerning the TFSC jurisdictional memorandum, to receive legal advice from its attorney under section 551.071 of the Open Meetings Act. Members returned from the closed session at approximately 10:48 a.m.

Members reviewed a draft report based on preliminary conclusions reached at their July 23<sup>rd</sup>, 2010 meeting. Members then discussed their statutory scope and whether or not they have the authority to impose a duty to correct on labs and other agencies and what liabilities and impositions might follow that imposed duty. Members also addressed the separation between scientific and investigative standards at the time of the trial and investigation and noted the difference between the two.

**MOTION AND VOTE:** *Evans moved to assemble a live panel where named experts will be available for a question and answer session, for the FSC to reconvene after the live panel to draft a preliminary report for review and approval at the January 21, 2010 meeting, and for staff to contact several fire investigator training organizations for information on training content available at the time of the original investigation. Eisenberg seconded the motion.*

**MOTION AND VOTE:** *Evans moved to inquire with the State Fire Marshal's office on what notice they had of writ process from the trial up until the time of Willingham's execution and whether in light of new standards their opinions, trainings, etc. have changed. Kerrigan seconded the motion.*

After further member discussion, Evans volunteered to provide support for the direction of the case, to initiate and coordinate with staff any draft reports or requests for additional information.

**Consider proposed agenda items/recommendations for October 15<sup>th</sup>, 2010 meeting**

Kerrigan discussed a process for meeting and agenda item suggestions and developing a policy for submitting agenda items.

**Public testimony**

Barry Scheck  
Stephen Saloom  
Mark Goodson  
Eugena Willingham  
Patricia Cox  
Judy Cavnar  
Jamie Bush  
Cory Session

**Adjourn**