



TEXAS FORENSIC SCIENCE COMMISSION

Justice Through Science

MEETING AGENDA

November 3, 2017 at 8:00 AM

Omni Austin Southpark
4140 Governor's Row
Austin, Texas 78744

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 August 2, 2017 combined Clark (Harris Co. IFS, HPD, Harris Co. Sheriff's Department; GSR, DNA, Blood Spatter) #16-40 case and Bryan (Robert Thorman; Blood Spatter) #16.56 case Investigative Panel, August 17, 2017 Complaint Screening Committee meeting, and August 18, 2017 Forensic Science Commission Quarterly meeting. (Barnard) (2 min)
2. Office administrative update (FY2017 budget close; FY2018 budget status report; status of transition from Sam Houston State University to the Office of Court Administration; update regarding content management software ALIS required for the FSC Licensing Program; introduction of new Commission employee—Senior Scientific Advisor; OCA MOU with SHSU). (Garcia/Savage) (15 min)
3. Discuss and consider pending complaints and laboratory self-disclosures as well as new complaints and self-disclosures received through October 19, 2017. (Daniel) (20 min)

Complaints and Disclosure Pending from August 18, 2017

1. No. 17.04; Gefrides, Lisa (Houston Forensic Science Center)
2. No. 17.13; Hill, Anthony (Max Courtney; Crime Scene Reconstruction)
3. No. 17.45; DPS Tyler (Seized Drugs/LIMS)

Disclosure Received as of October 19, 2017

4. No. 17.53; Houston Forensic Science Center (Latent Print Comparison)
4. Discuss status of crime laboratory accreditation program, including accreditation non-conformances received since August 2017 quarterly meeting. Consider whether to exempt non-human DNA analysis. Discuss whether to exempt crime scene reconstruction

analytical disciplines (including but not limited to blood spatter analysis) from the accreditation requirements. Discuss attorney general opinion request regarding whether postmortem toxicology is subject to Commission accreditation requirements. (Garcia/Savage) (15 min)

5. Review and adopt draft rules mirroring the Commission's complaint and disclosure process published in its Policies and Procedures to comply with Administrative Procedures Act requirements. (Savage) (10 min)
6. Discuss licensing advisory committee program, including adjudication of public comments and updates from October 26, 2017 Licensing Advisory Committee meeting. Review final revisions to proposed licensing program rules (including changes resulting from comments). Discuss feedback from survey on general forensic exam topics. Discuss Code of Ethics for Forensic Analysts. (Hilbig/Garcia/Savage) (45 min)
7. Discuss the applicability of the Rules of Judicial Administration, Rule 12, the Open Meetings Act and the Public Information Act to Commission activities under the Commission's new administrative attachment to the Office of Court Administration; presentation by David Slayton, Executive Director of the Office of Court Administration. (Daniel/Slayton/Garcia) (15 min)
8. Update from investigative panel regarding Harris Co. Institute of Forensic Sciences (Toxicology, Blood Alcohol) #16.48. (Drake/Kerrigan/Daniel) (20 min)
9. Update from investigative panel regarding combined Clark (Harris Co. IFS, HPD, Harris Co. Sheriff's Department; GSR, DNA, Blood Spatter) #16-40 case and Bryan (Robert Thorman; Blood Spatter) #16.56 case. (Johnson/Hughes-Stamm/Parsons) (20 min)
10. Update from investigative panel regarding Houston Forensic Science Center Self-Disclosure (Crime Scene) #17.22. (Garcia/Hervey) (5 min)
11. Update from investigative panel regarding DPS Garland (Blood Alcohol) #17.28 (Wirskye/Mills/Garcia) (5 min)
12. Update from investigative panel regarding findings of fact, conclusions of law and order by Judge Herbert B. Dixon in United States v. Torney, correspondence with NMS counsel and consideration of appropriate next steps under art. 38.01 TEX. CODE CRIM. PROC. (Parsons/Daniel/Kerrigan/Johnson) (20 min)
13. Discuss letter to ANSI/ASQ regarding the scope and purpose of ANAB audits and accreditation. (Garcia) (5 min)
14. Discuss letter to NMS regarding the issue of interns performing casework. (Garcia) (5 min)

15. Update on statewide & Co.-based defense triage projects for DNA mixture review. (Wicoff/Boswell/Strassburger) (10 min).
16. Review and adoption of Bitemark Case Review final report. (Garcia) (15 min)
17. Discuss progress on project to standardize sexual assault kits. (Downing) (5 min)
18. Review and adopt revised draft of Commission Policies and Procedures. (Garcia/Savage) (5 min)
19. Update from Texas Association of Crime Laboratory Directors. (Kahn or designee) (5 min)
20. Report from Austin meeting with Japanese criminal justice representatives working on forensic reform in Japan. (Garcia) (2 min)
21. Consider proposed agenda items for next quarterly meeting. (Barnard)
22. Schedule and location of future panel and quarterly meetings. (Barnard)
23. Hear public comment. (Barnard)
24. 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.