

TEXAS FORENSIC SCIENCE COMMISSION Justice Through Science

1700 North Congress Ave., Suite 445 Austin, Texas 78701

May 10, 2023

DNA Reference Lab, Inc. M. Ali Salih, Ph.D., Laboratory Director 5819 NW Loop 410, Ste. 166 San Antonio, Texas 78238

RE: <u>Suspension of Texas Forensic Science Commission Accreditation Effective 11/28/2022</u>

Dear Dr. Salih:

The Texas Forensic Science Commission ("Commission") recently became aware that on **November 28, 2022**, the American Association for Laboratory Accreditation ("A2LA") suspended DNA Reference Lab, Inc.'s accreditation under its Forensic Examination Accreditation Program, pursuant to ISO/IEC 17025 General Requirements and R221 Specific Requirements. The Commission's recognition of accreditation is contingent upon the actions taken by the recognized accrediting body with respect to the applicable accreditation program.¹ Thus, the Commission hereby suspends the full accreditation of DNA Reference Lab, Inc., effective retroactively to November 28, 2022. The Commission's period of suspension will extend at least as long as the A2LA suspension period. Pursuant to its authority under Code of Criminal Procedure Article 38.01 §§ 4(3) and 4-d, the Commission may take additional action, including but not limited to an audit, extended suspension, or revocation of the laboratory's accreditation.

As you know, employment by an accredited crime laboratory is a threshold requirement to forensic analyst or technician licensure in the State of Texas.² Accordingly, the Commission has also placed any forensic analyst or technical licenses associated with DNA Reference Lab, Inc. in an *Inactive* status during the affected period.

Commission accreditation is contingent upon continued compliance with Title 37, Texas Administrative Code, Chapter 651, *including requirements of reporting correspondence, reports or communication between the laboratory and the accrediting body.*

According to the Commission's records, DNA Reference Lab, Inc. did **not** notify the Commission of its suspension of accreditation during the relevant period. The Commission requests the laboratory immediately forward all correspondence related to the suspension of accreditation by A2LA immediately, but in no case later than May 17, 2023. Finally, please be advised it is DNA Reference Lab, Inc.'s responsibility to ensure all affected stakeholders are notified of the changes to accreditation and licensing status.³

¹ <u>37 Tex. Admin. Code § 651.11(1).</u>

² <u>37 Tex. Admin. Code § 651.201(b).</u>

³ <u>37 Tex. Admin. Code § 651.219(b)(7) and (8).</u>

Please let us know what questions you may have.

Sincerely,

Leigh M. Tomlin Leigh M. Tomlin

Leigh M. Tomlin Associate General Counsel (512) 936-0661