

October 22, 2009

John Bradley, Chairman, Texas Forensic Science Commission

Dear Chairman Bradley,

Congratulations on your recent appointment as Chairman of the Texas Forensic Science Commission. The Commission has an important mandate, and is facing a critical juncture in its history. As Texas residents, are writing to express our hope that under your leadership, the Commission will continue working to ensure the integrity of the forensic analyses that our criminal justice system relies upon to provide safety and justice across the state.

Texas has had its share of forensic problems; detailing them is not necessary here. What is less well known, but as important, is that Texas has taken charge of those problems and addressed them head-on. Houston's past crime lab problems are notorious; Houston's efforts to address those problems have been admirable. The legislature created the Texas Forensic Science Commission to root out forensic problems statewide because better forensic evidence provides police with better tools to identify criminals, enables prosecutors to have stronger cases, and provides confidence in criminal convictions.

The Willingham case raises serious questions about forensics and justice in Texas. Your predecessors and colleagues on the Commission were on the right course when they decided to look seriously at that case. The expert report was only the first major step in that process. The agenda from the meeting scheduled to be held earlier this month shows that the Commission planned not just to question that expert, but to also craft their questions for the Fire Marshall's office, and consider what other perspectives they needed from Texas agencies to decide the question before the Commission. Importantly, the question before the Commission was never whether an innocent person had been executed that's not the Commission's charge. Instead, the Commission has spent more than two years looking thoughtfully and objectively at whether the forensic evidence considered in the case was problematic.

The expert report on the Willingham case confirms what every other independent expert has found for the last five years. It raises serious questions that need to be explored and answered. Unless that report gets a fair hearing and the Commission finishes its work in this case, Texans' faith in our criminal justice system will suffer a terrible blow.

The Governor has decided to abruptly change horses in the midst of a major stream, and it is now yours to navigate. Yes, you need time to get your bearings, but undue delay – much less a complete change of course – seems destined to sweep this investigation, Texans' faith in forensic evidence and our criminal justice system, maybe even jurors' willingness to convict, away with it.

Your leadership of the Texas Forensic Science Commission can bring the state toward transparency, truth and justice in our criminal justice system. We're writing to let you know of our regard for the importance of this moment in Texas's history of justice, and our hope for the leadership you have been asked to provide.

Sincerely,

Texans Exonerated Through DNA Testing After Spending Years in Prison for Crimes They Didn't Commit

A.B. Butler
Tyler, TX

Steven Phillips
Carrollton, TX

Josiah Sutton
Houston, TX

Kevin Byrd
Houston, TX

Anthony Robinson, Esq.
Houston, TX

Ronald Taylor
Atlanta, GA

Charles Chatman
Carrolltown, TX

George Rodriguez
Houston, TX

Keith Turner
Dallas, TX

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Ben Salazar
Austin, TX

James Waller
Haynesville, TX

Thomas McGowan
Garland, TX

Ernest Sonnier and Altha Davis
Houston, TX

Patrick Waller
Carrolltown, TX

Attorney Christopher Ochoa
Madison, WI

Concerned Texas Citizens

Kari Guest
San Antonio, TX

Martha Jaime
Adkins, TX

Diane Legons
Dallas, TX

Madonna Regalado
Duncanville, TX

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Houston, TX

Tim Duda
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Copperas Cove, TX

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San Angelo, TX

Lucy Tarwater
Austin, TX

Martha Jaime
Adkins, TX

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Austin, TX

Alison Dieter
Austin, TX

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Donna, TX

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Malakoff, TX

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Denton, TX

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Corpus Christi, TX

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The Woodlands, TX

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Beaumont, TX

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Lewisville, TX

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Austin, TX

Bea Pratt
Fritch, TX

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Houston, TX

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Amy Hauck Austin, TX	Margarita Medrano Austin, TX	Lynnette Gray Katy, TX	Lisa Groves Friendswood, TX
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