

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
SKYLOR HEARN  
FREEMAN F. MARTIN  
RANDALL B. PRINCE  
DEPUTY DIRECTORS



COMMISSION  
STEVEN P. MACH, CHAIRMAN  
A. CYNTHIA LEON  
STEVE H. STODGHILL

October 02, 2019

On June 18 and June 19, 2018, D. Jody Koehler, a former DNA Section Supervisor for the Texas Department of Public Safety Austin Crime Laboratory testified in a pre-trial Daubert hearing in a homicide case in Travis County, Texas. During her testimony, she indicated that she had not followed laboratory procedures in regards to interpretation guidelines and the use of probabilistic genotyping software. As a result of her testimony, the judge ruled on June 20, 2018 that the DNA results from two items of evidence would be excluded from trial. The judge's ruling was grounded in Ms. Koehler's admission of violating laboratory procedures and did not address the validity of the science or the specific probabilistic genotyping software that was used.

The laboratory notified the Texas Forensic Science Commission (FSC) of the event through a self-disclosure process. At the time, Ms. Koehler was an employee of the FSC. As a result, the FSC convened an external review panel to investigate the self-disclosure. The final report regarding the FSC investigation has been released and can be found on their website for your review: [External Review Investigative Panel Report: DPS Self-Disclosure in State v. Criner.](#)

The panel concluded that Ms. Koehler's behavior constituted professional negligence with respect to her testimony. The panel further determined that Ms. Koehler violated the *Texas Code of Professional Responsibility for Forensic Analysts and Crime Laboratory Management*, and the *ANSI National Accrediting Board's Guiding Principles of Professional Responsibility for Forensic Service Providers and Forensic Personnel*.

The panel was able to classify the issues regarding her testimony into three primary categories:

1. An apparent lack of understanding of STRmix™ concepts and DPS protocols at the time of testimony;
2. Testifying that she failed to follow SOPs; and
3. Inadequate preparation.

The laboratory system also completed an extensive root cause analysis of this event and is in the process of implementing action items to help prevent future events of this nature. If you have questions or specific concerns regarding Ms. Koehler's work or testimony in your jurisdiction, please contact [DPSLabServices@dps.texas.gov](mailto:DPSLabServices@dps.texas.gov).