

September 27, 2010

Texas Forensic Science Commission
Sam Houston State University
College on Criminal Justice CL 17
P. O. Box 2296
816 17th Street
Huntsville, Texas 77341-2296

RE: Complaint on Behalf of Sonia Cacy

Dear Members of the Texas Forensic Science Commission:

Sonia Cacy is an innocent person who was convicted of an arson/murder and sentenced to life in prison. She did not commit arson or murder and did not cause the death of her beloved uncle Bill Richardson. Ms. Cacy was convicted based on the professional negligence or misconduct of the Toxicology Laboratory of the Bexar County Medical Examiner/Forensic Science Center. The Assistant Chief Toxicologist of the Bexar County laboratory misinterpreted a gas chromatography/mass spectrometry test on Bill Richardson's clothing and testified that there was gasoline on the clothing. In fact, as determined by no less than 10 independent experts, there was no gasoline on Mr. Richardson's clothing.

Ms. Cacy was tried and convicted by a jury in Pecos County, Texas in 1993. The jury heard none of the substantial testimony demonstrating the error in the analysis of the testing by the Bexar County laboratory. There is no doubt that if the jury had learned of the professional negligence and misconduct by the Bexar County laboratory, Ms. Cacy would not have been convicted.

Following Ms. Cacy's conviction, various attorneys and arson experts became aware of her case and volunteered their time to help correct this injustice. Among these volunteers were Dr. Gerald Hurst, a renowned arson expert, Austin Attorney Gerry Morris and Dallas Attorney George Milner. Most importantly, Austin Attorney Eric Rabbanian, who was a recent law school graduate, devoted countless hours to gathering evidence of Ms. Cacy's innocence for presentation to the Texas

Board of Pardons and Paroles, and in 1998, the parole board granted Ms. Cacy's parole after service of 6 years of a life sentence.

The material submitted by Mr. Rabbanian to the parole board included numerous expert reports refuting the claim that there was gasoline on Mr. Richardson's clothing. The state's case against Ms. Cacy was based on the claim that Ms. Cacy had poured gasoline on her uncle and set him on fire. The only evidence that supported this was the false conclusion by the Bexar County lab that there was gasoline on Mr. Richardson's clothing. The conclusive evidence presented to the parole board showing that the Bexar County lab's claim of gasoline on the clothing was demonstrably incorrect caused the board to take the highly unusual step of granting parole 6 years into a life sentence.

In addition to the numerous scientists and attorneys who took an interest in Ms. Cacy's case, various national and state media organizations also investigated the case. These included NBC News, ABC News and the Wall Street Journal. NBC/Dateline went so far as to hire their own independent experts who confirmed that there was no gasoline on Mr. Richardson's clothing.

The Innocence Project of Texas has spent the last year investigating Ms. Cacy's case. We have concluded that, since Ms. Cacy's conviction was based entirely on professional negligence or misconduct by the Bexar County Medical Examiners Office/Forensic Sciences Center, that the appropriate venue for a review of this matter is the Texas Forensic Science Commission.

We recognize that the mandate of the Forensic Science Commission is not to determine innocence or guilt and we are not asking you to do so in this case. Rather, we are asking the Commission to review the scientific testimony used to convict Ms. Cacy and determine if it was the result of professional negligence or misconduct.

We recognize that the Texas Forensic Science Commission has a difficult job and we commend you, and your commissioners for the important work you are engaged in. Thank you for your willingness to review this case.

Respectfully submitted,

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