AUSTIN POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
(CRASH/INTOXICATION ASSAULT)
GO# 2017-1430155
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<tr>
<td>Occurred On</td>
<td>MAY-23-2017 (TUE.) 0238</td>
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<td>AP3446 - MOSTIA, MICHAEL</td>
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<td>Report Submitted By</td>
<td>AP7448 - WYNN, STEVEN</td>
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<td>DWI TEAM 2 REG III HWY ENFORCEMENT</td>
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<td>Address</td>
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**Offenses (Completed/Attempted)**

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Related Event(s)

1. CP 2017-1430155
2. AB 2017-19321

Related Person(s)

1. VICTIM # 2 -

CASE SPECIFIC INFORMATION

Sex       FEMALE
Race      BLACK
Date Of Birth [redacted]
Address [redacted]
Municipality [redacted]
State      TEXAS
ZIP Code  [redacted]

PERSON PARTICULARS

Ethnicity NOT-HISPANIC OR LATINO

MASTER NAME INDEX REFERENCE

Name [redacted]
Sex       FEMALE
Race      BLACK
Date Of Birth [redacted]
Ethnicity NOT-HISPANIC OR LATINO
Address  [redacted]
Municipality [redacted]
State      TEXAS

PHONE NUMBERS

HOME [redacted]
CELL PHONE [redacted]
ALIAS(ES)

Name | Address | Sex | DOB
--- | --- | --- | ---

LINKAGE FACTORS

Resident Status: NONRESIDENT OF AUSTIN
Age Range: 30-49 YEARS
Type Of Injury: POSSIBLE INTERNAL INJURY, OTHER MAJOR INJURY, UNCONSCIOUSNESS
Access To Firearm: NO

2. ARRESTED # 1 - TITUS, HERMAN

CASE SPECIFIC INFORMATION

Sex: MALE
Race: BLACK
Date Of Birth: 
Address: 
Municipality: AUSTIN
State: TEXAS
ZIP Code: 

PERSON PARTICULARS

Ethnicity: NOT-HISPANIC OR LATINO
Height: 5'11
Weight: 159 LBS.

MASTER NAME INDEX REFERENCE

Name: TITUS, HERMAN JR
Sex: MALE
Race: BLACK
Date Of Birth: 
Ethnicity: NOT-HISPANIC OR LATINO
Address: 
Municipality: AUSTIN
State: TEXAS
ZIP Code: 

Apartment: 

For AP6380 Printed On Sep-26-2018 (Wed.)
### CHARGE SUMMARY

**CHARGE # 1**
- **Offense Date**: MAY-23-2017 (TUE.)
- **Offense**: REQUEST TO APPREHEND PAROLE VIOLATION - COMPLETED
- **Charge Statute**: F* 4000
- **Warrant #**: 0523201708161806
- **Domestic Violence**: NO
- **Court**: STATE

**CHARGE # 2**
- **Offense Date**: MAY-23-2017 (TUE.)
- **Offense**: CRASH/INTOXICATION ASSAULT W/VEHICLE SBI - COMPLETED
- **Charge Statute**: F3 54040032
- **Domestic Violence**: NO

### LINKAGE FACTORS
- **Resident Status**: RESIDENT OF AUSTIN
- **Condition**: ILLEGAL DRUG CONTRIBUTED
- **Age Range**: 18-21 YEARS
- **Access To Firearm**: NO
- **Armed With**: NONE (MUTUALLY EXCLUSIVE)
- **Offense**: 2105-0 CRASH/INTOXICATION ASSAULT - COMPLETED
- **Arrest Date**: MAY-23-2017 (TUE.)
- **Arrest Type**: ON VIEW ARREST (LOCAL ARREST NO WARRANT)

### Related Unidentified Person(s)

#### 1. VICTIM # 1
- **Sex**: FEMALE
- **Race**: BLACK
- **Ethnicity**: NOT-HISPÁNIC OR LATINO
- **Possible Names**:

### LINKAGE FACTORS
AUSTIN POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
(2105-0 CRASH/INTOXICATION ASSAULT)

Age Range  UNKNOWN
Access To Firearm  NO
Victim Of  2105-0 CRASH/INTOXICATION ASSAULT - COMPLETED

RELATIONSHIP(S) BETWEEN VICTIM TO OFFENDER(S)
Relationship  VICTIM WAS ACQUAINTANCE
Offender's Name  TITUS, HERMAN (DOB:  
Offender's Role  ARRESTED #1

Related Vehicle(s)

1. DAMAGED # 1 - [

CASE SPECIFIC INFORMATION
License Number  
State Of Issue  
VIN  
License Type  PASSENGER
Year Of Issue  
Type  AUTOMOBILES (SUV, MINI VANS)
Make And Model  TOYOTA CAMRY
Style  4DR AUTOMOBILE
Year  2007

MASTER VEHICLE INDEX REFERENCE
License Number  
State Of Issue  
License Type  
Year Of Issue  

OWNER INFORMATION
Owner Type  PERSON
Owner Role  DAMAGED
Date of Incident: 5/23/17 (Monday night)

Time of Collision: 0238
Time arrived: 0251
Arrest Time: 0355
Time of Consent Blood Draw: 0456

Arrested party and impounded vehicle:

Titus, Herman; B/M;  

Unknown vehicle - At the time of this report the vehicle is still underwater and there is no known vehicle information.

Unknown passenger - At the time of this writing, the only thing known about the passenger is that her name is [redacted]. To my knowledge, no identification was found on her. Titus is the source that said her name is [redacted].

Event:

911 received a call about a single vehicle leaving the roadway in the 5700 block of Ed Bluestein Blvd NB. One caller saw an "unconscious person in a red hoodie face down in the water." Both occupants of the vehicle were transported to Seton Medical Center. Hospital staff stated that the passenger had [redacted].

Officers initially searched for the vehicle but could not locate it. Other information came in stating another caller saw headlights in the water. Officers were later flagged down at the above location and saw that the vehicle did indeed leave the roadway and that it crashed approximately 30-35 feet down into a creek bed. The vehicle was located between the northbound and southbound bridges of Ed Bluestein Blvd. The vehicle was almost completely submerged; only the damaged windshield and roof were visible. The driver, later identified as the arrested Herman Titus, stated that he was driving northbound on Ed Bluestein and "fell asleep". He stated that the last thing he remembered was getting onto the highway.
I arrived on scene and waited on the bridge while emergency crews tended to the passenger. It appeared to me that she was unresponsive and unconscious. She did not appear to be moving any of her body parts on her own accord. Her eyes appeared shut and her mouth open as if she was sleeping. While crews were tending to her, I was watching Titus. He was standing in chest deep water by his car. Titus was talking and gesticulating, seemingly to himself, because no first responders were communicating with him. His hands and arms were fidgety. His overall physical demeanor suggested he was restless and anxious. At times he looked around wide-eyed before focusing back on the scene. When he looked up at the bridge towards me he was still wide-eyed and his mouth was agape. Titus later inexplicably sat down in the water rather than get onto the land. He was sitting in the water with his arms around him as if he was cold but he continued to sit in the water. Officers had to call to him to get him onto land. When Titus finally walked up and got onto the road he was swaying as he walked and stood. I heard him speaking to EMS and his speech was stuttered and mumbled.

When Titus was still in the water he seemed to be focused on the aid being given to him. Later at the hospital, however, I did not once hear Titus ask anyone about the wellbeing of anyone else until after he was informed that he was under arrest and that the level of his charge depended on the severity of his injuries. Only then did I hear Titus ask about

Titus was placed onto a gurney and loaded into the back of an ambulance (D5). I stayed out of the way of medical personnel but I could still hear Titus speaking. Even though he seemed restless and animated when he was in the water, his speech was slow, mumbled, and sometimes slurred when he was speaking with medical personnel. Later, at the hospital, I also heard slurred speech and I noted that his speech was sometimes low and raspy.

EMS transported Titus to Seton Medical Center and I followed. He was first brought into the emergency room and was placed beside though they were separated with a curtain. Once staff determined that Titus was stable he was taken to a different room where we were able to speak largely uninterrupted.

I asked the following questions throughout the interview:

WHERE ARE YOU COMING FROM? Titus said that he was coming from a party on Santa Rita. Titus said that he and [redacted] fell asleep at the party and that he slept "until I was good". I usually hear persons say that who are intoxicated and try to "sleep it off" for a few hours before driving.

AND GOING? Titus said he was going home to his house on Heartstone, which he said was off of Research Blvd.

DO YOU HAVE ANY RECENT HEAD INJURIES? Titus said he hit his head in the collision. I did not see any apparent signs of injury or swelling to his head. Titus told medical staff repeatedly that he was fine. Doctors also cleared him from the emergency room and placed him in regular room.
DO YOU HAVE VISION IN BOTH EYES? Yes.

DO YOU WEAR GLASSES OR CONTACTS? He said he has [redacted] but he does not wear glasses or contacts.

DO YOU HAVE ALLERGIES? No

DO YOU TAKE ANY MEDICATIONS? No

WHAT DRUGS HAVE YOU TAKEN, RECREATIONAL OR PRESCRIBED? Titus said he took MDMA (aka Ecstasy) at 5pm on Sunday. He said it was referred to as Dolphin. He described it as a small pill but did not know the dosage. Titus denied taking any other drug or medication.

DO YOU HAVE ANY PROBLEMS WALKING? No

DO YOU HAVE ANY MEDICAL AND PHYSICAL PROBLEMS? No

HOW MUCH ALCOHOL HAVE YOU HAD TONIGHT? None

ON SCALE OF 1-10 (1 SOBER/10 NOT) WHAT ARE YOU? 2

Field Sobriety Tests:

I administered the following Field Sobriety Tests to determine impairment of mental and physical faculties:

HORIZONTAL GAZE NYSTAGMUS - I am certified to administer HGN. I observed equal pupil size, equal tracking, and no resting nystagmus. Titus was seating in a hospital bed. Still, Titus had difficulty keeping his head still during HGN.

[ X ] L    [ X ] R Lack of Smooth Pursuit

[ X ] L    [ X ] R Distinct and Sustained Nystagmus at Maximum Deviation

[ X ] L    [ X ] R Onset of Nystagmus Prior to 45 Degrees

Vertical Nystagmus- NO

WALK AND TURN - Titus was in a hospital bed with wires attached to him. We were unable to attempt the Walk and Turn exercise.

ONE LEG STAND - Titus was in a hospital bed with wires attached to him. We were unable to attempt the One Leg Stand exercise.

MODIFIED ROMBERG - Titus estimated 22 seconds as 30. He displayed eyelid tremors and body tremors when performing the exercise. I asked Titus how
much time he had just estimated and he laughed, saying that he thought it was 30. He said that he counted by numbers.

I asked Titus to count backwards from 74-55 and he was unable to do without error. Titus counted from 74 to 60 but then, instead of continuing to 59, he started back at 69 and continued counting down. He nearly did the same thing again but corrected himself at the last minute.

I asked Titus to say the alphabet forward from F to W, without singing it. He laughed again and said he could not say the alphabet without singing. Titus said he could not spell the word "respect" without singing it. Titus again laughed.

I asked Titus to perform the finger-count test. In this exercise, Titus was asked to touch his thumb to his index finger (on the same hand) while simultaneously counting "1", then thumb to middle finger counting "2", and so on until he is touching his pinkie to his thumb and counting "4". He was instructed to then reverse the sequence before beginning all over again. For example, the counting should go 1-2-3-4-3-2-1-1-2-3-4-4-4-3-2-1...

Titus was only able to perform the first four fingers without messing up the sequence. He again laughed when he realized he was unable to do the exercise without error.

Titus provided a PBT sample of 0.00 at 0355.

At this time, I formed the opinion that Titus had lost the normal use of his mental or physical faculties due to the introduction of a CNS Depressant and Cannabis into his system. My radio was not getting signal inside the new hospital so I stepped outside to get my MDT and relay information, specifically to call for the on-call DRE. I returned about 7-10 minutes later and learned that Titus was given Fentanyl, but it was after my initial investigation. Even though Fentanyl is a Narcotic Titus did not have constricted pupils. I read the DIC-24 (Statutory Warning) to Titus and he consented to blood. I went back outside to print the paperwork and I met with Officer Jelani, the on-call DRE.

Titus signed the consent for in the presence of Officer Ascensio. Two tubes of blood were drawn at SMC by the RN at 0456 and he affixed SMC labels to the vials that contained Titus's information. I took custody of the two tubes of blood and later submitted them at Arrest Review. I provided SMC personnel with a copy of the signed Consent Blood Draw form and TLE-51. I later provided Titus a copy of the Consent Blood Draw form and the DIC 23.

Titus refused to cooperate with a DRE investigation by Officer Johnson. He stated that his lawyer had previously told him not to cooperate with such inquires.

I left Titus in the custody of CHAR sector officers and went to TSCO where Judge Lander signed the PC affidavit.
License Confiscated: NO - No license

Video Turned into Evidence: DMAV

The vehicle is still submerged. The APD Dive Team advised to leave it where it was at until conditions are more favorable for extraction.

SLW/NOI
Myself and Officer Kafena assisted with this call by entering the water, wearing dry suits, to secure a tow strap to the vehicle so that the tow truck could remove the vehicle from the creek. The vehicle was safely removed from the creek.

NOI
Collins 6963
Follow Up Report # 1

ASSIGNMENT INFORMATION

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<td>Org Unit</td>
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SUBMISSION INFORMATION

| Submitted On      | MAY-23-2017 (TUE.) 0618   |
| Checked By        | AP4846 - JONES, RICKEY    |
| Approved On       | JAN-03-2018 (WED.)        |
| By                | AP4846 - JONES, RICKEY    |

FOLLOW UP CONCLUSION

Follow Up  YES
Concluded
On 05/23/2017 at approximately 0238 I, Officer Richardson #8010 responded to a Crash Hotshot in the 5700 block of Ed Bluestein Blvd SB. A summary of the call text stated that the complainant went off the roadway down into the creek. The complainant was a passerby who did not remain on scene and confirmed on call back that the vehicle was going SB.

I arrived on scene and exited my patrol car and began searching under the bridge with my flash light. During this time I could hear a male yelling "Help!" I continued walking NB from my patrol vehicle and observed a black male in the water yelling up at me, and a black female on the NB side of the creek face down with her face out of the water but the rest of her body in the water.

I was able to access the river from the N3 side of the road by going down the concrete incline and heavy vegetation (trees and bushes). I made contact with the black male who was later identified as:

Herman Titus

Titus told me that he was the driver and that no one else was in the vehicle. Titus had his hands in the air and told me that he wasn't going anywhere and remained in the water next to the vehicle. I began speaking with the female who was injured. At the time of this report she has not been identified and is currently in the operating room for a spinal injury, a brain bleed, and a traumatic hernia.

The female was conscious and breathing but was not alert. She told me that she hurt everywhere and that she was unable to move. Believing the had suffered a [injury] I waited for EMS and AFD to arrive onscene with a [injury] and then myself, AFD, and Officer Asencio #7837 pulled the female from the river, placed her on the backboard, and strapped her in. I then assisted EMS and AFD in carrying the female up the hill. She was then transported to Dell Seton my EMS.

I completed a CR-3 to document the crash. I also took pictures of the crash scene and the vehicle. Pictures were uploaded at the East Substation. The
vehicle remained in the river and was unable to be identified until APD dive
team responds in the morning to assist in towing the vehicle out.

Officer Wynn #7448 is a DWI unit and responded to the hospital to conduct a
SFSTs on Titus. At the conclusion of his investigation Officer Wynn placed
Titus under arrest for Intoxication Assault. I stayed with Titus until
replaced by Officer Neel #7860. See other officers report and supplements
for further details.

NOTE: at the time of this supplement the female victim has been labeled by
Dell Seton as: [blurred text] for recording purposes.
Follow Up Report # 2

**ASSIGNMENT INFORMATION**

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**SUBMISSION INFORMATION**

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<td>JAN-03-2018 (WED.)</td>
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<td>By</td>
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**FOLLOW UP CONCLUSION**

Follow Up: YES
Concluded: YES
On 5/23/2017 at 4:20 am I Officer Ladd was working patrol with the C800's. I assigned to a crash HS call in the 5700 block of Ed Bluestein Blvd S/b. I arrived on the scene to replace out of sector units & assist as needed.

I assisted by blocking traffic to provide the wrecker crew a safe lane to work in. Due to the complexity of the recovery a Class C wrecker was requested to recover the vehicle which was partially submerged in a creek over 100 feet below the surface of the bridge.

The Austex wrecker driver (Luke Turner 512-970-9383) requested the assistance of the APD dive team. I contacted Sgt R. Jones #4846 to inform him of the circumstances & he approved paging a member of the APD Dive Team.

I was contacted by Sgt Crawford #2172 and advised him of the incident. The decision was made to leave the vehicle in place temporarily because there was no immediate threat to life therefore an recovery was not crucial at that time. He advised they would come back out during daylight hours when conditions would be more favorable for the recovery. This would also give rush hour traffic time to subside & not cause a major traffic impediment in that section of the roadway.

I informed dispatch to put a note in in case road construction crews saw the vehicle & called it in.

DMAV
Ladd #7957
NOI
Follow Up Report # 3

ASSIGNMENT INFORMATION

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<td>DWI TEAM 1 REG III HWY ENFORCEMENT</td>
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SUBMISSION INFORMATION

| Submitted On      | MAY-23-2017 (TUE.) 0535 |
| Checked By        | AP4702 - LILLIE, RYAN   |
| Approved On       | MAY-24-2017 (WED.)     |
| By                | AP4702 - LILLIE, RYAN   |

FOLLOW UP CONCLUSION

| Follow Up | YES |
| Concluded |     |
On 05-23-17 I Officer Johnson attempted to perform a DRE with the subject, who refused. A recording of the refusal and of the consensual blood draw were downloaded for evidence.

NOI/EOR
Johnson 7450
Follow Up Report # 4

ASSIGNMENT INFORMATION

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SUBMISSION INFORMATION

| Submitted On    | MAY-23-2017 (TUE.) 0755 |
| Checked By      | AP4846 - JONES, RICKEY |
| Approved On     | JAN-03-2018 (WED.)     |
| By              | AP4846 - JONES, RICKEY |

FOLLOW UP CONCLUSION

| Follow Up       | YES |
| Concluded       |     |
DMAV... I, Officer Neel 7860, took custody of Herman Titus at room 34 at Dell Seton University Hospital. I replaced Officer Keane 8010 at approximately 0545 hours and remained on scene until Herman was released from the hospital.

Herman was transported to Travis County Jail without incident and he and his belongings were handed over to Travis County Sherriff's Office personnel.

NOI... Neel 7860
Follow Up Report # 5

ASSIGNMENT INFORMATION

Assigned To: AP8010 - RICHARDSON, KEANE
Capacity: SUPPLEMENTAL
Assigned On: MAY-23-2017 (TUE.) 1337
Report Due On: MAY-24-2017 (WED.)

Org Unit: CHARLIE 800 REG III PATROL
By: AP8010 - RICHARDSON, KEANE

SUBMISSION INFORMATION

Submitted On: MAY-24-2017 (WED.) 0546
Checked By: AP4846 - JONES, RICKEY
Approved On: JAN-03-2018 (WED.)
By: AP4846 - JONES, RICKEY

FOLLOW UP CONCLUSION

Follow Up: YES
Concluded

For AP6380 Printed On Sep-26-2018 (Wed.)
Officer Richardson #8010

This supplement is being submitted to document the now known identity of the female passenger who was injured in the crash:

[Redacted]

Is listed in critical condition and is currently in Dell Seton ICU for the following injuries:

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
### ASSIGNMENT INFORMATION

<table>
<thead>
<tr>
<th>Assigned To</th>
<th>AP2764 - HORN, MARK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capacity</td>
<td>LEAD INVESTIGATOR</td>
</tr>
<tr>
<td>Rank</td>
<td>DETECTIVE</td>
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<tr>
<td>Org Unit</td>
<td>VEHICULAR HOMICIDE HWY ENFORCEMENT</td>
</tr>
<tr>
<td>By</td>
<td>AP6322 - KUNKEL, BRANDEN</td>
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<tr>
<td>Assigned On</td>
<td>MAY-26-2017 (FRI.) 0943</td>
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<tr>
<td>Report Due On</td>
<td>JUL-10-2017 (MON.)</td>
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### SUBMISSION INFORMATION

| Submitted On      | JUN-27-2017 (TUE.) 1209 |
| Checked By        | AP2440 - SLATER, JEFFREY |
| Approved On       | JUN-30-2017 (FRI.)     |
| By                | AP2440 - SLATER, JEFFREY |

### FOLLOW UP CONCLUSION

Follow Up  YES
Concluded  

Follow Up Report #6
Related Attachment - ATTACHMENTS

Cause No. D10-17-03552

THE STATE OF TEXAS

VS.

Herman Titus

IN THE 167TH JUDICIAL DISTRICT COURT

TRAVIS COUNTY, TEXAS

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her District Attorney, and respectfully requests the Court to dismiss the above entitled and numbered criminal action in which the defendant is charged with the offense of Intoxication Assault, for the reason:

☐ The evidence is insufficient;
☐ The defendant was convicted in another case;
☐ The complaining witness has requested dismissal;
☐ The case has been refiled;
☐ The defendant is unapprehended;
☒ The defendant is deceased;
☐ The defendant has been granted immunity in light of his testimony;
☐ Completed drug court program;
☐ Other;

and for cause would show the Court the following:

WHEREFORE, it is prayed that the above entitled and numbered cause be dismissed.

Respectfully submitted

[Signature]

Assistant District Attorney

ORDER

The foregoing motion having been presented to me on this the 29th day of June, A.D. 2017, and the same having been considered, it is, therefore, ORDERED, ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed.

[Signature]

Judge of the 167th Judicial District Court of Travis County, Texas

Original-White: Defendant's Copy-Yellow; State's Copy-Pink
this case was dismissed as the defendant died in jail. disposition is attached.
## ASSIGNMENT INFORMATION

<table>
<thead>
<tr>
<th>Assigned To</th>
<th>AP7932 - ERMERT, JILL</th>
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</thead>
<tbody>
<tr>
<td>Capacity</td>
<td>VICTIM ASSISTANT</td>
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<td>Assigned On</td>
<td>JUN-14-2017 (WED.) 1655</td>
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<td>Report Due On</td>
<td>SEP-12-2017 (TUE.)</td>
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<td>Rank</td>
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<td>Org Unit</td>
<td>VICTIM SERVICES (VCAP)</td>
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<tr>
<td>By</td>
<td>AP2718 - LAPARTE LITTON, DOLORES</td>
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## SUBMISSION INFORMATION

| Submitted On    | JUN-27-2017 (TUE.) 1559 |
| Approved On     | JUL-05-2017 (WED.)     |
| By              | AP2718 - LAPARTE LITTON, DOLORES |

## FOLLOW UP CONCLUSION

| Follow Up Concluded | YES |

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<td><strong>Document</strong></td>
<td>VICTIM SERVICES</td>
</tr>
<tr>
<td><strong>Author</strong></td>
<td>AP7932 - ERMERT, JILL</td>
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<td><strong>Subject</strong></td>
<td>CASE REVIEW</td>
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<tr>
<td><strong>Related Date/Time</strong></td>
<td>JUN-15-2017 (THU.)</td>
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### Clearance Information

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<th>AUSTIN POLICE DEPARTMENT (AP)</th>
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<td><strong>Cleared Status</strong></td>
<td>CLEARED EXCEPTIONALLY - DEATH OF OFFENDER</td>
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<tr>
<td><strong>Cleared On</strong></td>
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<td><strong>Complainant/Victim</strong></td>
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<td><strong>Notified</strong></td>
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</table>
**Related Property Report(s)**

**REPORT INFORMATION**

- Property Report #: 2483933
  - Case Status: SEIZED (EVIDENCE)
  - Submitted On: MAY-23-2017 (TUE.)
  - By: WYNN, STEVEN

**RELATED EVENTS**

- Offense: GO 2017 - 1430155
- Related Items: 1

**ARTICLES - EVIDENCE**

- Status: SEIZED (EVIDENCE)
- Tag #: 2483933 - 1
- Article: YBLOOD- MISCELLANEOUS
- # Of Pieces: 2
- Serial #: 1 UNKOWN
- Value: $0.00
- Description: 2 VIALS OF HUMAN BLOOD
- Recovered Value: $0.00
- Flags: EVIDENCE
- Current Location: BL 86
**Related Arrest Report AB# 2017-19321**

**Arrestee**  TITUS, HERMAN  
**Date Of Birth**  [redacted]  
**Related CD#**  628930

### Arrest Information

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<tr>
<td>Arrest Date</td>
<td>MAY-23-2017 (TUE.) 0404</td>
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<tr>
<td>Rush File Required</td>
<td>NO</td>
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<td>Booked Into Cell</td>
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<td>Arrest Agency</td>
<td>AUSTIN POLICE DEPARTMENT</td>
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<td>Arresting Officer(s)</td>
<td>AP7448 - WYNN, STEVEN</td>
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<tr>
<td>Summary Of Facts</td>
<td>ARRESTED</td>
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</tbody>
</table>

**ARREST LOCATION**

- **Address**: 5700 ED BLUESTEIN BLVD NB  
- **Municipality**: AUSTIN  
- **County**: TRAVIS COUNTY  
- **District CH Beat 4 Grid 301**:  
- **SODA Zone**: NO  
- **Drug Free Zone**: NO

### ADDITIONAL ARREST INFORMATION

- **Case Screened**: NO  
- **Notify Victim On Release**: NO  
- **Juvenile**: NO  
- **Armed With**: NONE (MUTUALLY EXCLUSIVE)  
- **Diversion**: NO  
- **Recommended Interpreter Needed**: NO  
- **Rights Given**: NO  
- **Mental Exam Required**: NO  
- **Statement Taken**: NO  
- **Fingerprinted**: YES  
- **Photo Taken**: YES  
- **CD Updated**: YES  
- **Family Notified**: NO  
- **Family Notified**: NO  
- **Lawyer Called**: NO  
- **Meal Given**: NO  
- **Coffee Given**: NO  
- **Detained**: NO
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<th>RELATED WARRANTS</th>
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Related Attachment - AUDIO RECORDING

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# Related Attachment - AUDIO RECORDING

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Related Attachment - FINGERPRINTS

Description: FINGERPRINTS FROM HOSPITAL - CD#523462
Reference Number: GO# 2017-1430155

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<td>Reference Number</td>
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<table>
<thead>
<tr>
<th>Hair</th>
<th>Eyes</th>
<th>HT.</th>
<th>WT.</th>
<th>Birth Date</th>
<th>OCC.</th>
<th>A5234L02</th>
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Signature: [Signature]

For AP6380 Printed On Sep-26-2018 (Wed.)
AUSTIN POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
(2105-0 CRASH/INTOXICATION ASSAULT)

Related Attachment - ATTACHMENTS

Description
Reference Number CR3
### Intoxication Assault

**Case ID:** 171430155

<table>
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<th>Time To</th>
<th>Reason For</th>
<th>Time of Occurrence</th>
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<td>06/12/2017</td>
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<tr>
<td>2</td>
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### Vehicle Information

- **Make:** DELL SETON
- **Model:** AUSTIN TRAVIS COUNTY ERS

### Driver Information

- **Name:** DELL SETON
- **License:** AUSTIN TRAVIS COUNTY ERS

### Additional Notes

- **Witness:** Not Applicable

---

**Investigator's Narrative:**

On 06/12/2017 at approximately 0238, POLICE, FIRE, and EMS responded to a crash involving a vehicle in the creek. The primary occupant of the vehicle and the driver were rescued and transported to Dell Seton Hospital. At the time of this report, the passengers of Unit 1 were in critical condition due to serious injuries. The driver is currently charged with Intoxication Assault.

**Summary:**

- **Driver:** The driver of Unit 1 advised that he was driving along Ed Burleson Blvd when he hit the median and went down a steep embankment into a creek. Due to construction and other vehicles who had driven through the area, it is difficult to determine the exact direction of travel.

**Witness:**

- **Name:** KEANE RICHARDSON
- **Relationship:** AUSTIN POLICE DEPARTMENT
Related Attachment - ATTACHMENTS

Description
Reference Number  DWI PAPERWORK

AUSTIN POLICE DEPARTMENT
BILLING FOR SERVICES

PURSUANT TO THE CODE OF CRIMINAL PROCEDURE, SECTION 102.018: "If a person commits an offense under Chapter 49, Penal Code, and as a direct result of the offense the person causes an incident resulting in an accident response by a public agency, the person is liable on conviction for the offense for the reasonable expense to the agency of the accident response. A person's liability under the subsection for reasonable expense of an accident response may not exceed $1600 for a particular incident.

ACCIDENT INFORMATION

Location of Accident: 5700 ED BLUESTEIN BLVD SB
Date of Accident:  5/23/2017  Day of Week:  Tuesday  Time:  02:37 AM
Austin Police Dept Case #:  17-1430155  Municipal Court Cause #:  D1DC17203552
Driver:
Name: TITUS, HERMAN
Address:  
Date of Birth:  
Driver License #:  37089439

Description of services

<table>
<thead>
<tr>
<th>OFFICER'S NAME</th>
<th>Rank</th>
<th>Hourly Rate</th>
<th>Number of Hours Worked</th>
<th>Total</th>
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<tr>
<td>6794 Lehman Derrick</td>
<td>Officer</td>
<td>$36.24</td>
<td>1.13</td>
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<td>4678 Rauert Michael</td>
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<td>2.2</td>
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<td>7537 Fisher, Jeremy</td>
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<td>$36.24</td>
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<td>$36.24</td>
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<td>7637 Asencio, Juan</td>
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Total Amount Due:  $851.64

For AP6380  Printed On Sep-26-2018 (Wed.)  Page 37 of 57
Date: 6/2/2017

Failure to pay this obligation within 90 days, will be turned over to the City of Austin Legal Department for collection. Make remittance payable to: Austin Police Department, c/o Finance Division P.O. Box 689001, Austin, Texas 78766-9001

Submitted by: [Signature]

Approved by: [Signature]
Incident Detail Report

Data Source: Data Warehouse
Incident Date: 02/27/17
Last Updated: 02/27/17 12:44:38

Incident Information
Incident Type: Legacy
Primary Location: Legacy

Alarm Level: INTOXICATION ASSAULT
Agency: AUSTIN PD
Situation: CHARLESE

Incident Description:
- Received in Queue
- Call Taking
- Call Received
- Call Assigned
- Assigned to 1st Enroute
- Enroute to 1st Arrived
- 1st Enroute
- 1st Arrived
- Incident Duration

Incident Date: 02/27/17

Resources Assigned

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Pre-Scheduled Information

No Pre-Scheduled Information

Transport

- Unit: C001
- Location/Address: 5700 E BLUESTEIN BLVD
- City: AUSTIN
- Patient: Yes
- Mode: Car
- Protocol: Car
- Vehicle: Car
- Transport: Yes
- Transport Number: 0211463
- Transport OnScene: 02/27/17 16:15:22
- Transport Left Scene: 02/27/17 16:15:22
- Transport Complete: 02/27/17 16:15:22

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:

I have good reason to believe and do believe that

(Suspect) Herman Titus  
(Race) Black  
(Sex) Male  
(DOBO) 

On or about 05/23/2017, in the incorporated limits of the City of Austin, County of Travis, Texas, did then and there commit the offense of:

INTOXICATION ASSAULT

My belief of the foregoing statement is based upon personal knowledge.

Officer WYNN, STEVEN - AP4468 observed the aforesaid accused after driving operating the following vehicle, Vehicle is currently under arrest and unknown vehicle information upon 5700 Ed Bluestein Blvd SE, a public place in Austin, Texas.

Officer WYNN, STEVEN - AP4468 contacted Herman Titus (Black / Male born 1971, weight 160, TX DL 827604350) for the following reasons: 911 received a call about a single vehicle leaving the roadway in the 5700 block of Ed Bluestein Blvd SE. One caller saw an "unconscious person in a red handle fire down in the water." Both occupants of the vehicle were transported to Seton Medical Center. Hospital staff stated that the passenger had lacerations from the roof and left ear, bleeding from the brain, a traumatic brain injury, and "possible paralysis" from the waist down.

The offense was: Officers were later flagged down at the above location and saw that the vehicle did indeed come to a rest on the roadway and that it crashed approximately 30-35 feet down into a creek bed. The vehicle was almost completely submerged, save the damaged windshield and rearview mirror. The driver, later identified as the arrested Herman Titus, stated that he was driving northbound on Ed Bluestein and "felt asleep." He stated that the last thing he remembered was getting onto the highway.

(describe offense if other than collision)

Officer WYNN, STEVEN - AP4468 observed the said accused at the scene of said offense and formed the opinion the said accused was intoxicated based upon the following conditions exhibited by the said accused:

Clothing:  
Alcoholic Beverage Odor: None  

Eyes: Watery, Glazed  
Balance: Unsteady  

Speech: Slurred, Confused  
Attitude: Sleepy  

Walking: Unsteady  
Turning: Unsteady  

Unusual Actions: Laughing, Body Tremors  

PD00418
The following field sobriety tests were administered in order to determine impairment of physical and mental faculties:

- **HORIZONTAL GAZE NYSTAGMUS (HGN)**
  - Yes ☐ No ☐ I am certified to administer the HGN test
  - L E R - Lack of smooth Pursuit
  - L E R - Ostial of Nyxstagnus Prior to 45 degrees
  - L E R - Distinct & Sustained Nyxstagnus at Maximum Deviation
  - Yes ☐ No ☐ Vertical Nyxstagnus

- **WALK & TURN**
  - Performed as instructed ☐ Failed to touch heel to toe ☐ Turned improperly ☐

- **ONE LEG STAND**
  - Performed as instructed ☐ Swayed ☐ Hopped ☐ Used arms for balance ☐
  - Put foot down ☐

- **ROMBERG BALANCE** (Also known as the Head, Tilt or Modified Attestation)
  - Exhibited inch away from to back ☐
  - Exhibited inch away side to side ☐
  - Exhibited inch circular away ☐
  - Estimated 30 seconds as 22 seconds ☐

Field Sobriety Tests Were Not Administered Because (if applicable): Titus was in a hospital bed with wires connected to him and it was not possible to conduct Walk and Turn, and One Leg Stand.

Collision ☐ Yes ☐ No ☐
Serious Injury ☐ Yes ☐ No ☐
If Yes, Victim is

Medication Taken? ☐ Yes ☐ No ☐
If Yes, What?

Accused in Possession of Alcohol/Drugs ☐ Yes ☐ No ☐
Describe:

Drug Recognition Evaluation (DRE) ☐ Yes ☐ No ☐ Describes: Describe: Titus refused to cooperate with a DRE examination by Officer Johnson. He stated that his lawyer had previously told him not to cooperate with such inquiries.

Pre-Arrest Admissions by Accused: Titus said he took MDMA (aka Ecstasy) 5pm on Sunday. Titus denied taking any other drug or medication. Other signs: Titus displayed small tremors and body tremors during Modified Romberg.

Other Field Sobriety Test Administered/Signs of Intoxication (other than those stated above, if any): I first observed Titus at he was standing in chest deep water by his car. Titus was talking and speaking loudly to himself, because no first responders were communicating with him. Titus later, inappropriately sat down in the water rather than get onto the land. Once at the hospital, Titus was unable to count backwards from 75-55 without error. Titus was unable to count the alphabet forward from E-W without doping it. Titus was unable to perform the finger-count test without error.

Was the motor vehicle occupied by a child younger than 15 years of age? ☐ Yes ☐ No ☐
If Yes, quantity and age

Time of call: 0230
Time of Intox Test: 0300
Intox Test Administered? ☐ Yes ☐ No ☐
Refused ☐

PBT (preliminary breath test) ☐ Yes ☐ No ☐
Refused ☐
If yes, Results:

Blood Test Administered? ☐ Yes ☐ No ☐
Refused ☐
If yes, Results: 0355

Previous Driving While Intoxicated Convictions? ☐ Yes ☐ No ☐
Count/Date:

Sworn and subscribed to before me by the said Affiant on this 23rd day of May 2017.

Affiant

Bennett

Magistrate in and for the

Bennett

Magistrate in and for the

Bennett

Magistrate in and for the

Judge Beverly

Austin Municipal Court

For AP6380 Printed On Sep-26-2018 (Wed.) Page 41 of 57
PEACE OFFICER'S SWORN REPORT

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority; on this day personally appeared WYNN, STEVEN - AP7448 known to me to be a credible person, who having been duly sworn, deposed as follows:

My name is WYNN, STEVEN - AP7448 and I am a Texas Peace Officer. I certify that the following information is true and correct: I had probable cause to believe and do believe that Herman Titan (Black / Male born 10/31/1971, height 5'11, weight 160, TX DL #378694939) was driving or in actual physical control of a motor vehicle in a public place, or watercraft powered by an engine having a manufacturer's rating of 50 horsepower or above, in this State while intoxicated or under the influence of alcohol. Facts in support of this belief are:

☐ A. Contained in report(s) incorporated by reference for all purposes as if written and copied herein. Specify report(s) or document(s): AUSTIN MUNICIPAL COURT AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION (2 Pages)

☐ B. Noted in the following:

I. On or about a was involved in a traffic accident
☐ was observed by in the following public place:

☐ B. Reasonable suspicion to stop or make contact:

III. The driver was identified to me as:

☐ B. Probable cause for arrest and detention:

☐ a. Signs of intoxication (or consumption of alcohol, if subject is a minor):

☐ b. Sobriety tasks requested, if any, and performance obtained (explain):

☐ I am not certified to administer standardized field sobriety tests ☐ including ☐ not including horizontal gaze nystagmus.

☐ Continuation page(s) incorporated by reference for all purposes as if written and copied herein.

Check one:
☐ subject provided specimen - intoxilizer results: __________ / __________
☐ subject refused test
☐ subject gave blood specimen, results pending
☐ subject was a minor and was not requested to give a specimen, as alcohol was detected or measured by other means.

The statutory warning given to the person set out in detail in the Document DIC-24, which is incorporated by reference for all purposes as if written and copied herein.

FOR DEPARTMENT USE ONLY

WYNN, STEVEN - AP7448
Printed Name
Austin Police Department
Agency

Sworn and Subscribed before me on the 23rd day of May, 2017

Peace Officer in and for the State of Texas
Herman Titus
SUBJECT'S NAME

PHYSICAL DESCRIPTION (If unlicensed): Black Sex: M Height: 5'11 Weight: 160 Eyes: BRD Hair: BLK

DATE OF ARREST: 02/23/2017 TIME OF ARREST: 06:55 AM COUNTY OF ARREST: Travis County

You are under arrest for an offense arising out of an alleged to have been committed while you were operating a motor vehicle in a public place, or a watercraft, while intoxicated, or an offense under Section 106.041, Alcoholic Beverage Code. You will be asked to give a specimen of your blood or urine. The specimen will be analyzed to determine the alcohol concentration or the presence of a controlled substance, drug, dangerous drug, or other substance in your body.

If you refuse to give the specimen, that refusal may be admissible in a subsequent prosecution. Your license, permit, or privilege to operate a motor vehicle will be suspended or revoked for not less than 180 days, whether or not you are subsequently prosecuted for this offense.

If you refuse to submit to the taking of a specimen, the officer may apply for a warrant authorizing a specimen to be taken from you.

If you are 21 years of age or older and submit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of 0.08 or more, your license, permit, or privilege to operate a motor vehicle will be suspended or revoked for not less than 90 days, whether or not you are subsequently prosecuted for this offense.

If you are younger than 21 years of age and have any detectable amount of alcohol in your system, your license, permit, or privilege to operate a motor vehicle will be suspended or revoked for not less than 60 days. However, if you admit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of less than 0.08, you may be subject to criminal penalties less severe than those provided for under Chapter 49, Penal Code.

If you were operating a motor vehicle and you refuse to give the specimen or provide a specimen that shows you have an alcohol concentration of 0.08 or more, you may be disqualified from driving a commercial motor vehicle for a period of not less than one year.

You may request a hearing on the suspension or denial. This request must be received by the Texas Department of Public Safety at its headquarters in Austin, Texas, no later than 15 days after you receive or are presented to have received notice of suspension or denial. The request can be made by written demand, fax, or other form presented by the Department.

I certify that I have informed you both orally and in writing of the consequences of refusing to submit to the taking of a specimen or providing a specimen. I have provided you with a complete and true copy of this statutory warning.

I am now requesting a specimen of your □ Blood

□ Breath

Subject refused to allow the taking of a specimen and further refused to sign below as requested by this officer.

OR

□ Subject refused to allow the taking of a specimen as evidenced by his/her signature below.

FOR DEPARTMENT USE ONLY

WYNN, STEVEN - AP7448
Officer's Printed Name

AUSTIN POLICE DEPARTMENT
Agency

974-5000
Telephone No.
STATE OF TEXAS

COUNTY OF TRAVIS

AFFIDAVIT OF PERSON WHO WITHDREW BLOOD

Before me, the undersigned authority, personally appeared Justin Raymond, who being duly sworn, deposed as follows:

"My name is Justin Raymond. I am over the age of 18 years and capable of making this affidavit. I am employed by Dell Seton Medical Center as a Registered Nurse."

On May 23, 2017, I withdrew a blood specimen from Herman Titus (Black / Male, born [redacted], height 5'11, weight 166, TX DL #37069439). The blood specimen was taken using reliable procedures as recognized by the scientific community in the State of Texas and in a sanitary place, as required by Texas Transportation Code Ann. § 724.017 Time of Blood Draw: 04:56.

[Signature]
Affiant's signature

Justin Raymond
Affiant's printed name

Sworn and subscribed to before me by the said Affiant on this 23 day of May, 2017.

[Signature]
Peace Officer in and for the State of Texas
SUBJECT CONSENT FORM

THE STATE OF TEXAS

Vs.

HERMAN TITUS

Subject's Full Name

Be it remembered that on this day of May 23, 2017, 4:30 AM, I, Herman Titus, having been placed under arrest on a charge of driving and/or operating a motor vehicle in a public place while intoxicated, do voluntarily give a specimen of my blood to Officer Wynn, Steven - AP7448, of the Austin Police Department.

Signed: Herman Titus

Address: 1915 Heartstone

Austin

TX, 78758

Witnessed by: Wynn

Printed Name

Signature
**AUSTIN POLICE DEPARTMENT**
**FORENSIC SCIENCE SERVICES DIVISION**
812 Springdale Road
PO BOX 689001
Austin, TX 78768-9001

**LABORATORY REPORT**
Blood Alcohol Section
05/31/2017
Information Only Report

<table>
<thead>
<tr>
<th>Laboratory Number: L1705787</th>
<th>Agency: Austin Police Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRN: 1</td>
<td>Offense Number: 2017-1430155</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>LAB ITEM</th>
<th>VERSADEX #</th>
<th>ITEM DESCRIPTION</th>
<th>RESULTS OF EXAMINATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2483933-1</td>
<td>Sealed plastic bag containing 2 plastic gray top tubes with blood.</td>
<td>No analysis. (No blood alcohol analysis was requested, only drug testing. Sample forwarded to DPS for testing.)</td>
</tr>
</tbody>
</table>

Catherine St. Laurent
Forensic Scientist

---

ALL UNCERTAINTIES ARE REPORTED AT A 99.7% CONFIDENCE INTERVAL UNLESS OTHERWISE NOTED
AN ASCLD/LAB ACCREDITED LABORATORY SINCE 2005
Page 1 of 1
APD Blood Alcohol Submission Form

Austin Police Department Chemistry Lab
Blood Alcohol Submission Form
Phone: 512-974-5150 Fax: 512-974-6648

APD Incident Number: 171430155
Lab Number: 1710578708347578

County: ☑ Travis ☐ Williamson ☐ Other
Date of Incident: 05/23/2017 Time of Incident: 03:55 AM

Suspect: Full Name: Herman Titus
Race: Black Sex: M DOB: 
State of Issuance: TX

Victim: Full Name: 
Race: Black Sex: M DOB: 
State of Issuance: 

IT IS REQUESTED THAT AN EXAMINATION BE MADE TO DETERMINE:
☐ Alcohol Content only ☐ Drug Content ☐ Alcohol and Drug Content

Drugs Suspected: CAW/15 LNS PEN HARRY CNS SIML BBN

Specimen Information:
Specimen Collected: ☑ Suspect (and / or) ☑ Living (and / or) ☑ Driver
☐ Victim (and / or) ☐ Decedent (and / or) ☐ Not Driving

Drawn/Collected by: Seton Medical Center Agency: Seton
Occupation (circle one): MD LVN Physician Qualified Technician Other:
Name of Location where blood was collected: Seton Medical
Date specimen collected: 05/23/17 Time specimen collected: 03:55 AM

Investigating Officer: STEVEN WYNN #AP7448 Agency: AUSTIN POLICE DEPT.

Additional Information:
Was Breath Alcohol Test Administered? ☐ Yes ☐ No Result: 0.00
Was DRE Exam Administered? ☐ Yes ☐ No
Offense / Investigation: ☐ DWI ☐ Intoxication Manslaughter ☐ Other:
☐ Intoxication Assault ☐ w/Child ☐ Consensual Blood Sample
☐ Blood Search Warrant ☐ Mandatory Blood Draw

TENSA DEPARTMENT OF PUBLIC SAFETY

CRIME LABORATORY
8800 Guadalupe
Austin, TX 78752
Voice 512-443-3185 Fax 512-443-2661

Laboratory Case Number: AUS-1736-10282
Toxicology Laboratory Report
Issue Date: February 08, 2018

Forensic Chem Section
Austin Police Department
PO Box 680001
Austin, TX 78768-9001

Agency Case Information: Austin Police Department - 20171430155
Offense Information: 5/23/2017 - Travis County

Subject(s): TITUS, HERMAN

Submission Information:
01 - Ziplock Bag on June 07, 2017 by Foight, Lisa VIA In Person

Requested Analysis: Analyze for drug content.

Evidence Description, Results of Analysis and Interpretation:
01 : Ziplock Bag

01-01 : Blood in gray top tubes (2) labeled "Herman Titus"

Imunoassay Screening:

<table>
<thead>
<tr>
<th>Drug Class</th>
<th>Result</th>
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<tbody>
<tr>
<td>Amphetamines</td>
<td>Further Analysis</td>
</tr>
<tr>
<td>Barbiturates</td>
<td>Negative</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td>Negative</td>
</tr>
<tr>
<td>Carisoprodol/Meprobamate</td>
<td>Negative</td>
</tr>
<tr>
<td>Cocaine/metabolites</td>
<td>Negative</td>
</tr>
<tr>
<td>Opiates</td>
<td>Negative</td>
</tr>
<tr>
<td>Phenylcyclidine</td>
<td>Negative</td>
</tr>
<tr>
<td>THC/metabolite</td>
<td>Negative</td>
</tr>
</tbody>
</table>

* Imunoassay screening indicated the need for further analysis; please refer to "Confirmation" section. Further analysis may also have been performed due to submitted case information.

Confirmation:

<table>
<thead>
<tr>
<th>Drug(s)</th>
<th>Result</th>
<th>Method</th>
</tr>
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<tbody>
<tr>
<td>Amphetamine</td>
<td>Less than 0.05 milligrams per liter</td>
<td>GCMS</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>0.16 milligrams per liter</td>
<td>GCMS</td>
</tr>
</tbody>
</table>

The evidence is being returned under separate cover.

ACCREDITED AS AN ACMLLAB International Forensic Science Testing Laboratory UNDER ISO/IEC 17025:2005

COURTESY - SERVICE - PROTECTION

Page 1 of 2

For AP6380 Printed On Sep-26-2018 (Wed.)
AUS-1766-10282

Toxicology Laboratory Report

February 08, 2018

This report has been electronically prepared and approved by:

Sheryl Peyton
Forensic Scientist IV
Texas DPS Austin Crime Laboratory

This report has been issued via email to:

Forensic Chem Section (Forensic.Division@austintexas.gov)

A test report shall not be reproduced except in full, without written approval of the laboratory. This report contains conclusions, opinions, and interpretations based on and supported by data obtained from using appropriate and validated scientific methods and procedures. The laboratory’s current methods and procedures are available online at http://www.txdps.state.tx.us/CrimeLaboratory/Pubs.htm.

In addition to this report, the lab maintains a complete case record which may be discoverable under Article 39.14 of the Texas Code of Criminal Procedure.
The information included on this document is based on Texas DPS Crime Laboratory Service policy published online at www.txdps.state.tx.us/CrimeLaboratory/Pulse.htm, specifically in the Quality Manual (QMG-07-05). The information disclosed is provided in accordance with Brady, Giglio and Michael Morton law and is intended for prosecutor evaluation.

Any events requiring disclosure for the indicated employee are listed below. If there are no disclosure-required events, this will be indicated by listing "None".

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Incident</th>
<th>Description of Incident</th>
<th>Manager Name/Date</th>
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</thead>
<tbody>
<tr>
<td>Peyton, Sheryl</td>
<td>05/13/2017</td>
<td></td>
<td></td>
<td>Valdez, Melissa</td>
</tr>
<tr>
<td>NONE</td>
<td></td>
<td></td>
<td></td>
<td>5/13/2017</td>
</tr>
</tbody>
</table>

This Disclosure Form was generated on 2/8/2018 at 4:29:35PM.
Name: Peyton, Sheryl

Date: 05/11/2017

Laboratory: Austin

Job Title: Forensic Scientist IV

Forensic Testing Categories:

- Blood/Urine Alcohol
- Post-Mortem Forensic Toxicology
- Toxicology

Education:

- University of Maryland - College Park, Maryland: 8/1975 - 5/1976
  - General
  - Major: General
  - Type of Degree Completed: None

  - Biochemistry (Minor
  - Major: Biochemistry
  - Type of Degree Completed: Bachelor of Arts

- University of Texas at Austin: 8/1977 - 5/1980
  - Forensic Sciences (Specialty Toxicology)
  - Major: Forensic Sciences
  - Type of Degree Completed: Masters of Science in Forensic Sciences

- University of Texas Southwestern Medical Center Graduate School of Biomedical Sciences in Dallas: 8/1981 - 6/1985
  - Forensic Sciences
  - Major: Forensic Sciences
  - Type of Degree Completed: Masters of Science in Forensic Sciences

Courtroom Experience:

- Alcohol: 1992-2017, 107 times
- Post-Mortem Forensic Toxicology: 1992-2017, 17 times
- Toxicology: 1992-2017, 14 times

Certifications:

- List certifications held, the issuing body, and dates certified.

Professional Affiliations:

- Society of Forensic Toxicologists (SOF): 1997-2017

Employment History:

- Forensic Scientist IV: 2000-2017
- Tenure: 6/2014 - Present

Job Title: Forensic Scientist IV

Employer: Texas Department of Public Safety Crime Laboratory

Provide a brief description of principal duties:
Forensic Chemist/Forensic Toxicologist. Perform specialized professional chemical toxicological analyses of biological specimens for drugs, alcohol and poisons to aid in the investigation of suspected intoxication and driving cases, sexual assaults, homicides, suicides, questioned death, and violation of probation/parole and other crimes. Analysis of alcohol and other volatiles using Headspace Gas Chromatography (HSGC). Toxicology drug screening of blood and urine using Enzyme Multiplied Immunoassay Technique (EMIT). Drug confirmation and screening with liquid-liquid and solid phase extraction and GCMS analysis. GCMS Screen Method Validation. Clean and maintain all instrumentation used in analyses. Train new forensic scientists. Blood and urine proficiency tests in categories testing. Preserve evidence integrity and chain of custody and disposition. Assist with review and editing protocols. Communicate with criminal and civil justice system. Evaluate analytical data, interpret and present results in case reports. Serve as an expert witness and testify on findings and interpretation of results in court.

Job Title: Forensic Scientist III
Employer: Texas Department of Public Safety Crime Laboratory
Tenure: 9/2012 - 6/2014

Forensic Chemist/Forensic Toxicologist. Perform specialized professional chemical toxicological analyses of biological specimens for drugs, alcohol and poisons to aid in the investigation of suspected intoxication and driving cases, sexual assaults, homicides, suicides, questioned death, and violation of probation/parole and other crimes. Analysis of alcohol and other volatiles using Headspace Gas Chromatography (HSGC). Toxicology drug screening of blood and urine using Enzyme Multiplied Immunoassay Technique (EMIT). GCMS Screen Method Validation. Clean and maintain all instrumentation used in analyses. Train new forensic scientists. Blood and urine proficiency tests in categories testing. Preserve evidence integrity and chain of custody and disposition. Assist with review and editing protocols. Communicate with criminal and civil justice system. Evaluate analytical data, interpret and present results in case reports. Serve as an expert witness and testify on findings and interpretation of results in court.

Job Title: President
Employer: Forensic Sciences Inc.
Tenure: 4/1989 - Present

Provide scientific-legal consultation and research services for civil cases for defendant or plaintiff. Report preparations and presentations. Literature reviews, method and laboratory reviews, depositions, affidavits, courtroom testimony.

Job Title: Criminalist IV
Employer: Texas Department of Public Safety Crime Laboratory

Forensic Chemist/Forensic Toxicologist. Perform specialized professional chemical toxicological analyses of biological specimens for drugs, alcohol and poisons to aid in the investigation of suspected intoxication and driving cases, sexual assaults, homicides, suicides, questioned death, and violation of probation/parole and other crimes. Analysis of alcohol and other volatiles using Headspace Gas Chromatography (HSGC). Toxicology drug screening of blood and urine using Enzyme Multiplied Immunoassay Technique (EMIT). GCMS Target analysis confirmation. Clean and maintain all instrumentation used in analyses. Train new forensic scientists in alcohol analysis. Blood and urine proficiency tests in categories testing. Preserve evidence integrity and chain of custody and disposition. Assist with review and editing protocols. Communicate with criminal and civil justice system. Evaluate analytical data, interpret and present results in case reports. Serve as an expert witness and testify on findings and interpretation of results in court.

Job Title: Research Associate
Employer: Texas Southern University (TSU)/UTHSC (Houston)

Forensic Chemist/Forensic Toxicologist. Perform specialized professional chemical toxicological analyses of biological specimens for drugs, alcohol and poisons to aid in the investigation of suspected intoxication and driving cases, sexual assaults, homicides, suicides, questioned death, and violation of probation/parole and other crimes. Analysis of alcohol and other volatiles using Headspace Gas Chromatography (HSGC). Toxicology drug screening of blood and urine using Enzyme Multiplied Immunoassay Technique (EMIT). GCMS Target analysis confirmation. Clean and maintain all instrumentation used in analyses. Train new forensic scientists in alcohol analysis. Blood and urine proficiency tests in categories testing. Preserve evidence integrity and chain of custody and disposition. Assist with review and editing protocols. Communicate with criminal and civil justice system. Evaluate analytical data, interpret and present results in case reports. Serve as an expert witness and testify on findings and interpretation of results in court.

Job Title: Research Associate
Employer: Texas Southern University (TSU)/UTHSC (Houston)
TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIME LABORATORY

Statement of Qualifications

Name: Peyton, Sheryl

Employer: Southwestern Institute of Forensic Sciences (SWIFS)

Provide a brief description of principal duties:
Forensic Chemist/Forensic Toxicologist/Clinical Chemist, Criminal Investigation Division; drug analysis of physical evidence. Toxicology Laboratory: qualitative and quantitative analysis for drugs, alcohol, and other toxic substances in biological specimens, fluids, and tissues. Work submitted by medical examiners, hospitals, and police agencies. Techniques include: HPLC, UV, RIA, EMT, Thin Layer Chromatography (TLC), Gas Chromatography (GC), Infra-Red Spectroscopy (IR), and Liquid Chromatography (LC).

Job Title: Clinical Chemist
Tenure: 01/1981 - 02/1982

Employer: Parkland Memorial Hospital

Provide a brief description of principal duties:
Therapeutic and emergency analyses of blood and urine for natural body analytes. Proficient in Astra 6, atomic absorption, blood gases, centrifuge, UA-Urine-analysis.

Job Title: Research Assistant
Tenure: 07/1983 - 06/1981

Employer: University of Texas Health Science Center at Houston

Provide a brief description of principal duties:
Analytical Chemistry Cancer Research Assistant. National Institutes of Health (NIH) research grant for elucidation of organic chemical mechanism for induction of renal adenocarcinoma in hamsters by diethylnitrosamine (DEN) and other estrogenic agents. Animal surgery, column chromatography, High-Performance Liquid Chromatography (HPLC), liquid scintillation counting, tissue and cell culture, analyze and interpret data.

Other Qualifications: List below any scientific publication and/or presentation you have authored or co-authored, research in which you are or have been involved, academic or other teaching positions you have held, any awards you have received, and any other information which you consider relevant to your qualification as a forensic scientist.

Publications

Presentations

Research

Academic/Teaching Positions

Awards
Meeting Grant Award for presentation at SAT Meeting, Ft. Worth, Texas 1994.

Other

Other Training: List continuing education, workshops, in-service and formal training received.
## Statement of Qualifications

**Lab Code**: L02.00.05 Rev 01 08/2017 (3) Missouri, IN

**Name**: Peyton, Sheryl

<table>
<thead>
<tr>
<th>Course Title</th>
<th>Source</th>
<th>Date</th>
<th>Hours</th>
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<tbody>
<tr>
<td>High Pressure Liquid Chromatography</td>
<td>Waters Associates</td>
<td>8/1980</td>
<td>16</td>
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<tr>
<td>Radiation Safety</td>
<td>University of Texas Medical School at Houston</td>
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<tr>
<td>Acute Poisoning and Overdoses Conference</td>
<td>University of Texas Health Science Center at Dallas</td>
<td>10/1983</td>
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<tr>
<td>Drug Seminar - Laws and Safety</td>
<td>Texas Department of Public Safety, Austin, Texas</td>
<td>7/1992</td>
<td>4</td>
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<tr>
<td>AIDS Training</td>
<td>TX DPS, Austin, Texas</td>
<td>6/1992</td>
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<td>Airborne Pathogens</td>
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<td>Cobas Mira Users Workshop</td>
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<td>Breast Alcohol Intoxilizer School</td>
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<td>Advanced Training on Proficiency</td>
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<td>Statistical Approaches to Accuracy Workshop</td>
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<td>Pharmacologic Fundamentals in Forensic Toxicology Workshop</td>
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<td>Physiology and Pharmacology of Alcohol Seminar</td>
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<td>Aging and Driving Class</td>
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<td>Society of Forensic Toxicologists (SOFT)</td>
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<td>Gas Chromatography and Headspace</td>
<td>Perkin Elmer</td>
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<td>New Drugs, New Detection Methodologies and Scientific Sessions</td>
<td>Southwestern Association of Toxicologists (SAT), spring meeting</td>
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<td>Drug Facilitated Sexual Assault Seminar and Scientific Sessions</td>
<td>SAT spring meeting in Houston, Texas</td>
<td>4/1999</td>
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<td>Solid Phase Extraction Seminar and Scientific Sessions</td>
<td>UCT at SAT fall meeting Houston, Texas</td>
<td>9/1999</td>
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<td>Comprehensive Capillary Gas Chromatography Seminar</td>
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<td>Gas Chromatography School</td>
<td>Hewlett Packard</td>
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<td>Immunalysis Workshop and Scientific Sessions</td>
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<td>Pharmacoogy Workshop and Scientific Sessions</td>
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<td>SAT fall meeting in Austin, Texas</td>
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<td>Training in Forensic Sciences and Toxicology Workshop</td>
<td>SAT fall meeting in San Antonio, Texas</td>
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<td>Addiction and Pain Management Therapy for Toxicologists</td>
<td>SOFT/SAT combined meeting in Austin, Texas</td>
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<td>Introduction to Forensic Databases</td>
<td>NURTI - On Demand</td>
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<td>SOFT Scientific Sessions and Annual Meeting</td>
<td>SCFT - Boston, MA 2012</td>
<td>7/2012</td>
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<td>Issues in Drunk Driving and Driving under the Effects of Drugs</td>
<td>SCFT Workshop - Boston, MA 2012</td>
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<td>Opioid Drugs: 21st Century Killers - Workshop</td>
<td>SCFT - Boston, MA 2012</td>
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<td>EEO Compliance Training</td>
<td>TX DPS, Austin, Texas</td>
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<td>Measurement Uncertainty Training</td>
<td>NIST - On Demand</td>
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<td>Basic Forensic Training in Alcohol Analysis - Part I</td>
<td>TX DPS, Austin, Texas (Approval for Independent Certification)</td>
<td>12/2012</td>
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<td>Basic Forensic Training in Alcohol Analysis - Part II</td>
<td>TX DPS, Austin, Texas (Continued Approval)</td>
<td>2/2013</td>
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<td>Breath Alcohol Intoxicazr School - Pharmacoogy/Legal Scientific Sessions</td>
<td>TX DPS, Austin, Texas</td>
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<td>Basic Forensic Training in Blood/Urinal Immunoassay Screening</td>
<td>SAT spring meeting in Ft. Worth, Texas</td>
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<td>Toxicology Blood/Urinal Immunoassay Screening</td>
<td>TX DPS, Austin, Texas</td>
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<td>Forensic Alcohol Interpretation - Robert F. Forney Jr. PhD</td>
<td>TX DPS, Austin, Texas</td>
<td>6/2013</td>
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<td>Promotion by Examination to Level IV Forensic Scientist</td>
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<td>THC Presentation - Sarah Kerrigan, Ph.D.</td>
<td>TX DPS, Austin, Texas</td>
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<td>Statewide Impaired Driving Forum</td>
<td>TX DOT, TX &amp; M, CTS</td>
<td>4/2015</td>
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<td>Documentation, Preservation and Disclosure of Evidence</td>
<td>TX DPS, Austin, Texas (Online)</td>
<td>5/2015</td>
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<td>Robert F. Borkenstein</td>
<td>Course on Alcohol and Drug Safety</td>
<td>Borkenstein - Bloomington, IN</td>
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<td>TX DPS Blood Alcohol/Toxicology Statewide Training</td>
<td>TX DPS, Austin, Texas</td>
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<td>Novel Psychoactive Substances: Challenges and Choices</td>
<td>TX DPS, Austin, Texas (Thermo-Scientific Webinar)</td>
<td>12/2015</td>
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<td>GCMS Fundamentals and Target Training</td>
<td>TX DPS, Austin, Texas</td>
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<td>GCMS Fundamentals and Target Training (Amphetamines)</td>
<td>TX DPS, Austin, Texas (Supervised Work Authorization)</td>
<td>7/2016</td>
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<td>GCMS Target Analysis Training - Blood Amphetamines</td>
<td>TX DPS, Austin, Texas (Approval for Independent Casework)</td>
<td>9/2016</td>
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<td>Blood/Urinalysis Alcohol Analysis with Multipoint Calibration</td>
<td>TX DPS, Austin, TX (Participation in System Method Validation)</td>
<td>6/2016</td>
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<td>Records Management</td>
<td>TX DPS, Austin, Texas (Online)</td>
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<td>Basic Forensic Training in Alcohol Analysis - Supervised Work</td>
<td>TX DPS, Austin, Texas (Certification of Competency)</td>
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<td>360 Degree Leader</td>
<td>TX DPS, Austin, Texas</td>
<td>5/2016</td>
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<td>Answering the NAS: Ethics of Leadership and Leadership of Ethics</td>
<td>NURITI - Forensic ED On Demand</td>
<td>9/2016</td>
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<td>Method Validation for Quant and Qualification of Amphetamines</td>
<td>NURITI - Forensic ED On Demand</td>
<td>9/2016</td>
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<td>SOP Writing for ISO 17025 Accreditation</td>
<td>NURITI - Forensic ED On Demand</td>
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<td>Expert Testimony Training II - for Prosecutor and Scientist</td>
<td>NURITI - Forensic ED On Demand</td>
<td>8/2016</td>
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<td>Fundamentals of LC/MS/MS</td>
<td>NURITI - Forensic ED On Demand</td>
<td>9/2016</td>
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<td>Fundamentals of Mass Spectrometry used in Toxicology</td>
<td>NURITI - Forensic ED On Demand</td>
<td>9/2016</td>
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<td>Fundamentals of Chromatography used in Toxicology</td>
<td>NURITI - Forensic ED On Demand</td>
<td>9/2016</td>
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<td>Robert F. Borkenstein: Effects of Drugs on Humans</td>
<td>Forensic Science Research and Education in Philadelphia, PA</td>
<td>9/2016</td>
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<td>Security Awareness Training for Cyber Security</td>
<td>TX DPS, Austin, Texas (Online)</td>
<td>10/2018</td>
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<td>Records Management</td>
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<td>Texas DPS Statewide Blood Alcohol Meeting Continuing Education</td>
<td>TX DPS, Austin, Texas</td>
<td>10/2016</td>
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<td>EEO Compliance Training</td>
<td>TX DPS, Austin, Texas (Online)</td>
<td>11/2016</td>
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<td>Forensic Pharmacology - with Dr. Lionel Raymon</td>
<td>Forensic Science Research and Education (Live Webinar)</td>
<td>12/2016</td>
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This Statement of Qualifications was generated on 2/8/2018 at 4:29:33PM.