



NEWS RELEASE

From New York State Inspector General
Catherine Leahy Scott

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Contact [Bill Reynolds](#): 518-414-1299

STATE INSPECTOR GENERAL FINDS THAT CONTRACTOR AT STATE POLICE FORENSIC LABORATORY INTENTIONALLY MADE INACCURATE ENTRIES IN HIS LABORATORY NOTES

New York State Inspector General Catherine Leahy Scott released a [report](#) today, which found that a contractor hired by the New York State Division of Criminal Justice Services (DCJS), working at the New York State Police Forensic Investigation Center (FIC) intentionally made inaccurate entries in his laboratory notes regarding the results of a firearms analysis of a criminal case. The Inspector General and State Police, however, found that the contractor's misconduct did not affect the outcome of the criminal case because it was discovered prior to a report being issued and disclosed to all parties involved in the criminal case, including the defendant.

Inspector General Scott found that the contractor analyzed a test fire casing provided by the submitting police agency and determined that it did not match either the crime scene evidence or test fire casings generated by the State Police. Despite this finding, the contractor falsely entered into his laboratory notes that he had only inventoried and did not examine the police agency submitted test fire casing. The contractor's conduct violated State Police policy requiring the results of all examinations to be accurately and completely recorded. The Inspector General further found that the contractor's motive for this action was to avoid adversely affecting the prosecution's case.

"Forensic scientists have a professional and ethical responsibility to completely and accurately report all of their findings regardless of the consequences," said Inspector General Scott. "This individual failed to uphold that responsibility – and even more troubling was his motive to protect the prosecution's case in this matter. Such misconduct undermines the faith and credibility of forensic science and the criminal justice system. Fortunately it was discovered and he was held accountable for his actions."

The Inspector General determined that the State Police and DCJS took prompt and appropriate action concerning the contractor's misconduct, which resulted in the termination of his contract. The State Police discovered the discrepancy prior to an official report being issued, and referred the matter to Inspector General Scott. The State Police thoroughly reexamined the evidence in the case to ensure the integrity of the investigation and issued a report, which properly included the full results of its firearms analysis. The contractor had not drafted any other case reports during his brief time as a consultant in the Forensic Investigation Center. In addition, the State Police retained an outside laboratory to reanalyze cases handled by the contractor during his previous employment as a State Police firearms examiner. The outside laboratory found no instances of misidentification or incorrect elimination.

As a result of the Inspector General's investigation, the State Police have fully rewritten their procedures relating to firearms evidence analysis and instructed staff to ensure compliance with recording and reporting requirements.

Forensic labs in New York State are subject to accreditation requirements established by the Forensic

Commission and must be accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). Pursuant to federal law, the New York State Inspector General's Office is designated to conduct independent investigations into allegations of serious negligence or misconduct affecting the integrity of crime labs in New York State.

The Inspector General has referred her findings to the New York State Attorney General's Office.

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