



# NEWS RELEASE

From New York State Inspector General  
**Catherine Leahy Scott**

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## **NYS INSPECTOR GENERAL INVESTIGATION REVEALS NYC OFFICE OF CHIEF MEDICAL EXAMINER ANALYST DID SUBSTANDARD WORK FOR A DECADE**

*Investigation Further Finds High Ranking Scientist Did Not Follow  
Protocol Governing Resolution of Scientific Disputes*

The New York City Office of Chief Medical Examiner (OCME) relied upon the substandard work of a lab criminalist for a decade and OCME's deputy director also failed to follow protocol for resolving disputes over scientific findings, according to a [report](#) released today by New York State Inspector General Catherine Leahy Scott.

"Forensic science, by its very nature, relies on exacting analysis," said Inspector General Scott. "Given the growing sophistication of technology and ever evolving nature of forensic science in general, as well as its increased utilization in the criminal justice system, we must ensure that forensic analysts are well trained, knowledgeable and accountable. Equally important is that forensic scientists remain faithful to agreed upon protocols and that laboratory reports are transparent in reflecting significant disagreements."

Inspector General Scott's investigation determined that OCME employed a substandard analyst for 10 years despite consistently poor reviews and underperformance from the beginning of her employment. More significantly, errors by the analyst and the misplacement of items in her cases went undetected for the same period.

Specifically, the Inspector General found that the analyst repeatedly failed a portion of the exam for the title under which she was hired. As a result, OCME reduced the analyst's responsibilities but allowed her to retain the higher salary associated with her title. Despite her reduction in responsibilities, the analyst consistently received subpar evaluations.

Following an attempt to retrain the analyst, errors in her casework became evident. Thereafter, on January 20, 2011, the analyst was permanently suspended from casework. The OCME subsequently took immediate action to review her case work, ensuring all necessary corrective action was identified and addressed.

The Inspector General also found that OCME's former Deputy Director of the Department of Forensic Biology, in two instances, ignored laboratory protocol regarding resolution of scientific disputes by rewriting a final report and reassigning cases when she disagreed with the findings, rather than bringing them to the DNA technical leader for arbitration, as required by laboratory policy. In the wake of scrutiny of these actions, the former Deputy Director resigned her position in April 2013.

Inspector General Scott made the following recommendations, which OCME has accepted and is implementing:

- Institute a zero tolerance policy for employees who do not pass all aspects of their training program;
- Ensure that no criminalist has more than one case open for examination at a time, and that sexual assault kits are secured and returned at the end of each day; only one kit may be released at a time;
- Ensure supervisors have unlimited access to prior evaluations and nonconformities of their supervisees. OCME should make supervisors aware of this accessibility, require review of the documents, and alert Human Resources of this expectation;
- Train all staff on the requirement to have disputes resolved by the technical leader; and
- Ensure if there is significant dissension on findings among criminalists and supervisors, that this be indicated in final reports prepared for criminal prosecution.

Inspector General Scott has provided her findings to and reviewed them with the New York State Commission on Forensic Science. A copy of the report can be found [here](#).

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