

## From Detroit to Boston - A tale of two cities

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The cover of the October 5, 2009 issue of TIME Magazine said it all- *The Tragedy of Detroit*. It introduced a year-long series to explore the decline of what used to be the fourth largest city in America.

According to Daniel Okrent, “the story of Detroit is not simply one of a great city’s collapse. It’s also about the erosion of the industries that helped build the country we know today.”

Ironically, Detroit was one of the first cities in the United States to establish a scientific crime laboratory in the late 1920’s. So it came as quite a shock last year when problems inside the Detroit crime lab surfaced.

In April 2008, then Detroit Police Chief Ella Bully-Cummings suspended the operations of the crime lab’s firearm section and ordered an independent audit to investigate discrepancies uncovered by a local defense attorney. The attorney hired an independent expert to examine evidence that was originally tested by the Detroit Police Department crime lab, which concluded that a large number of fired cartridge cases came from a single weapon.

The defense expert, however, concluded differently. In fact, at least two weapons were involved in the shooting. After a second independent expert hired by the Wayne County Prosecuting Attorney confirmed the defense’s test results, the Michigan State Police were asked to conduct an independent audit of the Detroit firearms section.

According to a report prepared for the Michigan legislature, the Michigan State Police spent \$596,686 to perform a thorough and time-consuming audit, which revealed an error rate of 10% in the 200 firearms cases it reevaluated. The DNA section of the laboratory was accredited by *Forensic Quality Services – International* at the time of the audit.

On September 25, 2008, the city of Detroit made the decision to shut down the police lab, citing concern that the problems of the firearms unit likely indicated a systemic problem that potentially affected the other forensic disciplines as well. The lab’s sworn police officers were reassigned to other positions in the Detroit Police Department. The civilian employees were either shifted to other jobs within city government or given the opportunity to apply for forensic science positions within the State Police laboratory system.

This decision resulted in a projected 20% increase in cases for the Michigan State Police at a time when it, like many of its state counterparts, was already stressed.

According to State Police estimates, the Detroit lab handled approximately 20,000 cases annually. Their FY 2008-09 budget was approximately \$8.0 million, with support coming from

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the city of Detroit general fund, Federal grant support, \$250,000 from the State Forensic Laboratory Fund, and revenue from forensic science reimbursement fees.

The laboratory provided services in firearms, DNA, latent prints, drug analysis, toxicology, and alcohol analysis. Laboratory staff included 32 uniformed officers and 36 civilian employees.

It would appear that Detroit took the easy way out.

In Boston, however, it was a similar story but an entirely different outcome.

In 1998, Stephan Cowans was convicted of the attempted murder of a police officer after two eyewitnesses and a fingerprint match tied him to the crime. DNA tests conducted some six years later led to Cowan's exoneration.

It was also determined that the fingerprint evidence used to convict Cowans was erroneous. Newly appointed police commissioner Kathleen O'Toole shut down the latent print unit, which also was not accredited, until a Grand Jury had completed its investigation.

An independent review conducted by Ron Smith and Associates contained strong language that summarized the problems: *absence of involvement and administrative supervision from upper management, excellence is not expected, therefore not achieved, many suspect identifications are not being made which could, and should, be made, and ACE-V methodology [is] not being followed.*

Commissioner O'Toole made the decision to rebuild the latent print unit-from scratch. She hired a civilian, Jennifer Hannaford, with previous experience from the nearby Vermont State Police to begin the overhaul. Hannaford had previously worked at the Oakland Police Department for five years before travelling east. She brought another co-worker from Vermont to help with the transformation.

To head off any police union opposition to the hiring of civilians to perform the latent print work, department officials guaranteed a suitable number of jobs for sworn officers working as crime scene technicians.

In a recent article that appeared in *The Weekly Detail*, Hannaford explained that criticism from the Boston press culminated with the May 6, 2004 *Boston Herald* article entitled "Misfits Dumped into Key Cop Unit," which alleged that the latent print unit was "The Land of Misfit Toys," a place where officers with a documented history of trouble, such as drug and alcohol abuse, were exiled.

Hannaford's goal was not to simply restructure the unit, but to build a new unit from the ground up, with the ultimate goal to have the laboratory accredited.

Her first problem was the lack of established policies and procedures. Documents from her two previous employers and the Forensic Group at the Boston Police Crime Laboratory were used as

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the basis for a complete set of policy and procedure manuals. The new documents were evaluated using ASCLD/LAB standards and by the guidelines from the Scientific Working Group for Friction Ridge Analysis Science and Technology (SWGFAST).

According to Hannaford, the first two years brought long hours but the commitment displayed by the staff was tireless.

“We had all walked into a job where none of us had a working knowledge of how the unit had previously functioned. It was a period of creativity and tremendous teamwork among a group united in the task of wringing order from chaos.”

All the hard work and long hours paid off when the Boston Police Department Latent Print Unit successfully achieved accreditation from ASCLD/LAB on October 15, 2009.

Hannaford says there is no secret to their success; it takes a total commitment from the staff and the administration.

“We used resources wisely, sought assistance from our community, and chose from operations that had already demonstrated levels of superior service.”

*Crime Lab Report* salutes the Boston Police Department’s latent print unit and we hope their story will be an inspiration to other organizations that accreditation is well worth the effort.

We also hope organizations that operate crime laboratories understand that the neglect of a laboratory’s organizational culture can quickly morph into a full-blown scientific nightmare.

Science requires strong leadership. The two can never be separated. \*\*\*\*\*

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