

Scientists sue state police over 'pro-prosecution' DNA lab

February 19 2016, by Michael Virtanen

Three scientists who worked at the New York State Police crime lab have sued the agency, alleging administrators retaliated against them for finding flaws in processing DNA evidence and pushing for new testing that would identify past errors.

Shannon Morris, Melissa Lee and Kevin Rafferty are seeking unspecified damages in federal court. They cited blowback for supporting the computerized DNA analysis called TrueAllele that state police began implementing then rejected.

The three scientists said that had the system remained in place, it would have exonerated "a small percentage" of suspects who were convicted using evidence involving scenes with mixed genetic material.

"There are people that are very pro-prosecution. They were putting pressure on scientists to reach conclusions that were not scientifically valid," their lawyer, John Bailey, said Friday. "That's what my clients were objecting to."

Morris was the associate lab director until she was fired last year. Lee and Rafferty, both lab supervisors, still work there, but faced disciplinary proceedings and have been reassigned. All worked for the state police for nearly 20 years with otherwise unblemished records, Bailey said.

Their suit alleges that they're protected from retaliation as government

employees for speaking out on matters of public importance.

A state police spokeswoman declined to comment on the pending litigation.

According to their court filing this week, the scientists were disciplined over alleged testing violations during training for implementing TrueAllele, the computerized DNA interpretation program they were advocating. It removes an element of subjectivity from the analysis called Combined Probability of Inclusion that the agency has been using for mixed DNA from crime scenes, which is inaccurate especially concerning relatives with similar genetics, they said.

The three maintain that all 37 forensic scientists in the TrueAllele training were encouraged to collaborate in learning its software, including sharing pretests. They say they were singled out in an internal investigation and cited for ethical violations because of their outspoken criticism of the old analysis method, a pretext for silencing them and blocking the new program.

State Police spokeswoman Kristin Lowman said the agency exercised the TrueAllele contract option last fall to cancel it with one year left in the five-year contract. "The program was not progressing because of the internal investigation. The State Police is committed to the technology and is seeking a new request for proposals to move forward," she said Friday.

They are not concerned about previously presented DNA evidence, Lowman said. "We were audited by the American Association for Laboratory Accreditation on all aspects of our forensic biology (DNA) operation and are in full compliance with all of our accrediting and oversight body requirements."

In New York City this week, a doctor who said she was forced out of her job at the medical examiner's office after raising questions about the city's use of a disputed technique for analyzing trace DNA samples also filed a federal lawsuit.

© 2016 The Associated Press. All rights reserved.

Citation: Scientists sue state police over 'pro-prosecution' DNA lab (2016, February 19) retrieved 26 April 2024 from <https://phys.org/news/2016-02-scientists-sue-state-police-pro-prosecution.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.