



The Commonwealth of Massachusetts Executive Office of Public Safety and Security

One Ashburton Place, Room 2133
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CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

TERRENCE M. REIDY
Secretary

Forensic Science Oversight Board

When: November 18, 2022

Time: 10:00am – 2:00pm

Via Microsoft Teams

Members Present:

Undersecretary Kerry Collins – Chair

Adrienne Lynch, Esq.

Professor Timothy Palmbach

AAG Gabriel Thorton

Richard Lempert

Ira Gant

Sabra Botch- Jones

Gina Papagiorgakis

Dr. Robin Cotton

Lisa Kavanaugh

Judge Nancy Gertner

Dr. Ann Marie Mires

EOPSS Staff: Arielle Mullaney – Board Counsel, Amy Putvinskas

*Members of the Boston Police Crime Lab joined the discussion

Members Absent:

Clifford Goodband

Lucy Davis



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1. Minutes Approval

- a. Summit Minutes passed.

2. Summit Overview

- a. L. Kavanaugh would like to send a survey to those who attended for feedback. For future summits a panel should give input on how to facilitate and advocate for legislative change.
- b. R. Lempert: we should add feedback at the end of the Summit for individuals to submit feedback and ideas on what they would like to see at the next Summit.
- c. Judge Gertner added that the group should take a “bottoms up approach” where the panel shows something that went wrong and then provide an overview of how the issue was rectified. The group should think about a presentation for Judges to have them involved in a more systematic way.
- d. A. Lynch: Is there a contact card on the FSOB webpage for individuals to reach out if they have questions or concerns?
 - i. K. Collins: Yes, we can add a contact card
- e. L. Kavanaugh would like to add a section on the webpage that gives individuals a range of topics that are appropriate to submit to the board.
- f. K. Collins asks T. Palmach and L. Kavanaugh to take a look at when they would like to present to the Board.
- g. A. Lynch adds that the Board had to develop a report in the first year but is unsure that the Legislature gave the Board an ambitious charge and didn’t provide the tools to effectively carry out the mandate.
- h. I. Gant supports Judge Gertner’s idea of presenting to Lawyers and would like to be apart of the conversation.
 - i. Chair Collins would like Ira to lead that discussion.
- i. L. Kavanaugh added that the new Legislative Session begins in January, and it may be valuable to have a brief conversation in December to draft a letter and have it sent to the Legislature by January.
- j. G.Thorton has been sworn in as a voting member of the Board.

3. Boston Police Department Audit

- a. K. Collins would focus the discussion on the submitted comments and hopefully the board can vote on this today.
- b. A. Lynch: language issue – currently reads “Defense Experts” can it be more inclusive and read “members of the Defense Team”
 - i. K. Larade (BPDCL) states that it can be any non- forensic personnel
 - ii. G. Papagiorgakis language will read “Included but not limited to...”



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- c. T. Palmbach – Training experience in Latent Print: it is important to know the qualifications generally since it is a hybrid lab of civilian and sworn personnel. Should include the scope of the work and a description of the work.
 - i. K. Larde (BPDCL) has uploaded the job descriptions to the shared folder and can also include the CVs of those individuals.
 - ii. Does this involve Crime Scene Reconstruction?
 - 1. K.Larade (BPDCL) they may go on site to process prints but they do not reconstruct crime scenes.
 - 2. Include Latent Print Field Processing to the description
- d. G. Papagiorgakis ask for a copy of the Springfield PD Audit
 - i. T. Palmbach – this document is currently still in Draft Form
 - ii. K.Collins would like to know why this hasn't been voted on.
 - 1. T.Palmbach responded that this was the first group that developed an audit of a lab, and the group was establishing how the report would be formatted as a smaller lab.
- e. T.Palmbach – there are 6 points for the lab entity and how they function what is the labs capacity to provide all these practices.
 - i. K. Larade – the Electronic Unit is a culmination of Secret Service and FBI Jurisdiction. The Electronics Unit is a work in progress and is able to provide standard work.
 - 1. T. Palmbach stated that since this is interdepartmental then there is another layer of management. If the lab is overwhelmed, please include those numbers so the Board can provide this information to the Legislatures
- f. I. Gant – Crime Scene Response and Major Case Fingerprints and the Fingerprint Unit how can we make the distinctions clear?
 - i. R. Camper (BPDCL) – We train if it's a Homicide or Sexual Assault. Crime Scene Response does more burglaries or other crimes across the city; it is a case-by-case basis.
- g. Space Issues within BPD Crime Lab
 - i. A. Lynch – clarify language around the space issue. The takeaway from the in-person lab visit was that they had to schedule lab visits if Defense Teams wanted to come in. It compromised the ability to process evidence and limited the number of analysts working in the lab.
 - 1. K. Collins would like the working group to refer to the MSP audit on how language should be written.



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2. T. Palmbach agrees that it sounds like the job can not be carried out efficiently given the space requirements for lab equipment and space restrictions. If this is an issue it should be a highlight in the report.
3. K. Larde (BPDCL) agrees that the lab has outgrown its space however quality and integrity are not being compromised.
4. L. Kavanaugh reminded the group that it is important to not make blanket statements or assessments on the quality of work nor does the group want to endorse the work of a lab.
- h. T. Palmbach recommends that the group add a Legal Counsel
 - i. S. Botch- Jones asked the group if this is something that Mass State Police has either as a liaison or someone directly.
 1. K. Collins – as part of the breathalyzer analysis it was a recommendation.
 2. A. Mires – does it make sense for BPD to have legal counsel.
 - a. I. Gant – with an increase in public records requests it is largely recommended that there be legal counsel specially to assist in matters before they turn into litigation.
 - b. K. Collins stated that it might be more beneficial to develop a letter for BPD so they may be able to use it to advocate for themselves.
 - i. G. Papagiorgakis added that the conclusion has not been worked yet. The conclusion will be finalized once the information above is agreed upon by the board.
 - j. R. Lempert suggested that the group make a recommendation to adjust the hiring requirements regarding education.
 - i. S. Botch-Jones refers to the NAS Report for educational requirements.
 - ii. K. Larade (BPDCL) adds that they do have some leeway but what isn't mentioned is the certification requirements. For some certifications you need a bachelor's degree – further there are some specific courses you need to take in order to be in a unit. He adds that the board can make recommendations, but it is ultimately the Union that will have to be bargained with.
4. **December Meeting**
 - a. The board discussed alternate meeting dates for the month of December. A doodle poll will be sent to members to solidify a new date.
 - b. Meeting Adjourned.