

Mass. prosecutor quits over drug lab communication

DENISE LAVOIE - AP Legal Affairs Writer - Associated Press

A Massachusetts state prosecutor resigned Wednesday amid revelations that he corresponded with the chemist at the center of the scandal at the now-closed state drug lab, broadening the case's already significant fallout.

Norfolk Assistant District Attorney George Papachristos offered his resignation, and District Attorney Michael Morrissey accepted it. Morrissey said in a statement that Papachristos did not want to distract from the criminal investigation of chemist Annie Dookhan and the probe of what went wrong at the lab.

The Boston Globe reported earlier Wednesday (<http://b.globe.com/U2DBRz>) that sometimes-personal phone calls and emails from Dookhan to Papachristos violated protocol and might give defense attorneys grounds to argue that even more drug cases were compromised and should be thrown out.

Dookhan, 34, of Franklin, is accused of skirting lab protocol and falsifying lab results.

The scandal has thrown the state's judicial system into a tailspin as defense attorneys challenge cases based on Dookhan's alleged misconduct. State police say Dookhan was involved in testing more than 60,000 samples covering 34,000 defendants during her nine years at the lab.

The Globe reported that investigators concluded Dookhan wasn't romantically involved with Papachristos, but that her husband was concerned enough to try to contact him.

Dookhan's attorney, Nicolas Gordon, did not immediately respond to a request for comment from The Associated Press. Papachristos also did not return a call seeking comment.

David Traub, a spokesman for Morrissey, said Papachristos met Dookhan only once, in court, but never saw her socially. Traub said Dookhan never testified in any of Papachristos' cases.

"The information we have is of a single meeting in a professional setting in court," Traub said.

Traub said Morrissey has some emails between Dookhan and Papachristos but does not have many because he considers them investigatory materials in the possession of state Attorney General Martha Coakley, who is conducting a criminal investigation.

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Published on Chem.Info (<http://www.chem.info>)

He said someone in Morrissey's office reviewed all the emails to "verify that their contents did not indicate any criminal wrongdoing."

"Additionally, the DA has had communication with those doing the investigation, who have indicated that they don't have evidence of criminal wrongdoing by anyone in the Norfolk DA's office," Traub said.

The American Civil Liberties Union of Massachusetts has asked Coakley and district attorneys to throw out cases in which a prosecutor directly communicated with Dookhan.

"I think it strengthens our argument quite a lot," Matthew Segal, legal director of the ACLU of Massachusetts, said of the contact between Dookhan and Papachristos.

Anne Goldbach, forensic services director for the Committee for Public Counsel Services, said the correspondence between Dookhan and Papachristos "demonstrates that the amount of contact with the prosecution is even greater than we feared."

"Scientists and chemists are supposed to be objective, and they're not supposed to be advocates," she said. "Repeated contact with the prosecution and law enforcement lends itself to bias, whether conscious or subconscious."

Source URL (retrieved on 10/21/2014 - 8:45am):

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