New charges for Mass. chemist in drug lab scandal

DENISE LAVOIE - AP Legal Affairs Writer - Associated Press

State Attorney General Martha Coakley said a Massachusetts chemist accused of deliberately faking test results on drug samples in criminal cases has been indicted on 27 charges.

Annie Dookhan, 35, of Franklin, was indicted Monday by a grand jury on 17 counts of obstruction of justice, eight counts of tampering with evidence, perjury and pretending to hold a college degree.

She is scheduled to be arraigned Thursday in Suffolk Superior Court.

"We allege that Annie Dookhan tampered with drug evidence and fabricated test results on multiple occasions," Coakley said. "Her alleged actions have sent ripple effects throughout the criminal justice system."

Dookhan's alleged misconduct led state police to shut down a state lab used by police departments to test drugs in criminal cases.

Since the lab was closed in August, judges have released about 200 defendants from prison and put their cases on hold while their lawyers challenge their convictions. Many more cases could be affected because authorities have said Dookhan tested more than 60,000 samples involving 34,000 defendants during her nine years at the lab.

Her lawyer, Nicolas Gordon, did not immediately return a call seeking comment on the indictment.

Dookhan was first arrested in September on two counts of obstruction of justice and one count of pretending to hold a degree. She pleaded not guilty to the original charges and has been free on $10,000 bail. She has not publicly commented on the accusations.

An assistant district attorney in Norfolk County resigned in October after it was revealed that he received sometimes-personal phone calls and emails from Dookhan, a violation of protocols.

During her arraignment on the original charges, Assistant Attorney General John Verner said state police learned of Dookhan's actions after a chemist at the lab said he had observed "many irregularities" in Dookhan's work.

Verner said Dookhan later acknowledged to state police that she sometimes would test only five out of 15 to 20 samples but would list them all as positive for the

presence of a drug. She also allegedly acknowledged that sometimes, if a sample tested negative, she would take known cocaine from another sample and add it to the negative sample to make it test positive.

The only motive authorities have described is that Dookhan wanted to be seen as a good worker.

When she was interviewed by state police in August, Dookhan said she just wanted to get the work done and never meant to hurt anyone.

"I screwed up big-time," she is quoted as saying in a summary of the interview. "I messed up bad; it's my fault. I don't want the lab to get in trouble."

Dookhan's co-workers began expressing concern about Dookhan's work habits several years ago, but her supervisors allowed her to continue working. She was by far the most productive chemist in the lab, routinely testing more than 500 samples a month, compared with the 50 to 150 tested by her co-workers.

Dookhan was suspended from lab duties after she was caught forging a colleague's initials in June 2011. She resigned in March during an internal investigation by the Department of Public Health. State police took over the lab in July as part of a state budget directive.

Coakley said an investigation by her office revealed that Dookhan allegedly tampered with evidence by altering the substances in vials being tested at the lab to cover up her alleged routine practice of "dry labbing," a term used to describe visually identifying samples instead of conducting required chemical tests.

Typically, drug samples are then sent for a second test. If the second test does not confirm the initial results, the vial is sent back to the primary chemist. Authorities allege that when samples were sent back to Dookhan, she tampered with the vials before resubmitting them to make them consistent with the inaccurate and positive results reached as a result of her "dry labbing."

Coakley said recent testing done on these samples by the Massachusetts State Police Crime Laboratory corroborates the allegations.

She said authorities allege that Dookhan obstructed justice by falsely certifying drug analyses when she knew the results were compromised. The drug certifications were submitted in court as evidence and relied on by prosecutors and defense attorneys.

Coakley said Dookhan obstructed justice and committed perjury by falsely testifying during court proceedings that she held a master's degree in chemistry from the University of Massachusetts.

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