

**CITY OF BALTIMORE  
COUNCIL BILL 10-0200R  
(Resolution)**

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Introduced by: Councilmembers Branch, Curran, Cole, Henry, Holton, Conaway, Welch,  
Middleton, Clarke, Reisinger, Stokes

Introduced and read first time: April 12, 2010

Assigned to: Public Safety and Health Committee

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REFERRED TO THE FOLLOWING AGENCIES: Police Commissioner, Department of Finance,  
Baltimore City State's Attorney's Office

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Informational Hearing - Baltimore Police Department Crime Lab**

3 FOR the purpose of requesting the Baltimore Police Commissioner, the Director of the Baltimore  
4 Police Crime Lab, the Director of Finance, and the Baltimore City State's Attorney to  
5 address the Council on the operations of the Baltimore Crime Lab; to report on the reliability  
6 and integrity of current DNA testing protocol; and to assess the impact of any staffing  
7 shortages on the outcome of cases being processed throughout the criminal justice system.

8 **Recitals**

9 In August 2008, it was widely reported that employee contamination of DNA evidence,  
10 which led to the dismissal of the Crime Lab director at that time, could call into question the  
11 professionalism of the state's biggest and busiest crime lab and further erode the public's already  
12 tenuous confidence in the City's ability to deliver a fair and impartial criminal justice process.

13 In fact, the following January 2009, a defense attorney unsuccessfully tried to argue for a  
14 new trial in the case of a young man accused of killing a Baltimore police officer based on the  
15 DNA cross-contamination in the Crime Lab. Once again Crime Lab staff had to testify as to the  
16 legitimacy of the Lab's findings and defend the integrity of personnel and process.

17 Although the Baltimore Police Department Crime Lab reportedly received a positive review  
18 of operations by the Society of Crime Laboratory Directors, the Innocent Project, which has been  
19 instrumental in freeing persons falsely convicted, largely on the basis of DNA evidence, called  
20 for the Maryland State Police to investigate the Lab's management that same month.

21 Media reports of the findings of an independent audit released around the same time by the  
22 Police Department did little to restore public confidence, finding that "the lab was inadequately  
23 staffed, equipment to analyze narcotics had long been out of order, faulty paperwork sometimes  
24 made it difficult to establish a chain of custody for evidence, and evidence was stored in rooms  
25 that were too warm, which could cause it to degrade."

26 January 2010, may have ushered in a new era of improved forensics throughout Maryland.  
27 At a joint news conference the Maryland State Police Superintendent and the Baltimore Police  
28 Commissioner announced that "by eliminating the offender sample backlog and passing

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

**Council Bill 10-0200R**

1 legislation requiring persons arrested for violent crimes to submit samples, Maryland’s DNA  
2 database is operating more efficiently than ever before and is helping dedicated law enforcement  
3 personnel in Baltimore and across the state to unlock the secrets of crime scene evidence and  
4 bring those responsible for violent crime in Maryland to justice.”

5 Baltimore City Police reportedly received funding from the Governor’s Office of Crime  
6 Control and Prevention to hire additional staff to help process more DNA evidence. This, and  
7 news of continued improvements, would seem to indicate that conditions at Baltimore’s Police  
8 Crime Lab are improving.

9 In a City where the relationship between law enforcement and the citizenry is tenuous at best,  
10 a criminal investigation system must be as near perfect as is humanly possible.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the  
12 Baltimore Police Commissioner, the Director of the Baltimore Police Crime Lab, the Director of  
13 Finance, and the Baltimore City State’s Attorney are requested to address the Council on the  
14 operations of the Baltimore Crime Lab; to report on the reliability and integrity of current DNA  
15 testing protocol; and to assess the impact of any staffing shortages on the outcome of cases being  
16 processed throughout the criminal justice system.

17 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the  
18 Baltimore Police Commissioner, the Director of the Baltimore Police Crime Lab, the Director of  
19 Finance, the Baltimore City State’s Attorney, and the Mayor’s Legislative Liaison to the City  
20 Council.