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## Stumbles at the FBI crime lab

The shoddy practices and prosecutorial bias at the Federal Bureau of Investigation's vaunted crime lab, revealed in a 500-page report by the Justice Department's inspector general, are certainly cause for concern.

The inspector general's 18-month inquiry into the laboratory's explosives, chemistry and toxicology and materials-analysis units discovered widespread sloppiness in forensic work and exaggerations and unsubstantiated claims in the testimony of 14 agents.

Some of the scientific chicanery involved the most serious cases on the FBI's plate, like the World Trade Center and Oklahoma City bombings; the outcomes of several hundred other cases are being called into question.

Part of the problem may be the large extent to which federal law enforcement has usurped the role of state and local agencies. As a result, the slip-ups of a few agents in Washington can taint evidence used by prosecutors across the country.

Fortunately, the problems at the crime lab do not seem as severe as some of the more hysterical media accounts suggest. In most instances, it appears the inaccuracies were inadvertent, and rarely dispositive in any prosecution.

The Justice Department has identified 55 prosecutions where the errors were serious enough for the evidence to be re-examined. In the 13 of these cases that have gone to trial again, the verdicts have not changed.

Mistakes will happen in law enforcement as in any human endeavor. The

Constitution guarantees only due process, not perfect process. The mistakes made by a few agents do not justify a wholesale overturning of verdicts that involved crime-laboratory evidence. Nor should prosecutors shy away from using the lab in the future.

What is particularly unnerving is that none of this would have come to light were it not for the efforts of one conscientious whistle-blower, Frederic Whitehurst, a chemist in the explosives lab. Whitehurst has been put on administrative leave. Such punishment seems designed to discourage internal criticism and thus may hinder the cleanup process which is sorely needed at the crime lab.

As trials come to depend increasingly on esoteric scientific knowledge, experts' testimony has taken on the aura of gospel, with little inquiry being made into whether their conclusions are backed by evidence. The integrity of experts has thus become as important as that of cops, since no one in the jury is likely to be able to detect false testimony.

The Justice Department report proposes 40 ways for improving the FBI's crime lab, including hiring an outside scientist to supervise the agents. We hope these recommendations will be fully carried out and any agents guilty of perjury be punished.

Meanwhile, the crime lab's 23 remaining units — in addition to the three analyzed by the inspector general — should certainly be looked into as well, so that the FBI can with confidence get back to the business of catching crooks.