



File photo

Former FBI forensic scientist Frederic Whitehurst, shown in his Maryland home in 1997, now runs a one-man crime lab where he reviews cases based on suspect scientific data.

FBI lab critic still has whistle

N.C. native's group targets bad science in criminal cases

By **CAROL D. LEONNIG**
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WASHINGTON — In the cluttered basement of a Georgetown law office, Frederic Whitehurst runs a one-man crime lab with an evangelist's heart and a scientist's calculating mind.

His mission: Free innocent people.

The expelled FBI scientist is searching for justice in boxloads of case files, two decades of paper trails that show how the FBI tagged the bad guys for their crimes.

Now, as he begins to leaf through reports on gun residue, blood and chemical explosives, Whitehurst is hunting for clues that the FBI may have used bad science to get those

convictions.

"We want to find out who got hurt," Whitehurst said in an interview. "It's too easy, too simple, to say the FBI is evil and go home."

Whitehurst, a Greenville, N.C., native who got his doctorate in chemistry from Duke University, called the FBI all sorts of names last year. He was forced out of his supervisor's job at the FBI crime lab after he repeatedly complained that lab managers were doctoring reports to steer the prosecution toward conviction.

Justice Department officials portrayed him

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as a mentally off-balance perfectionist. But an inspector general's audit confirmed dozens of Whitehurst's complaints. The report also forced the FBI to begin reforming its lab operation.

Now, as part of a recent \$1.46 million settlement with the government, Whitehurst, 50, agreed not to go back to his old job. At a time he could be thinking retirement, he is launching something called the Forensic Justice Project.

Whitehurst and a tiny staff will use his settlement money to take on two mammoth criminal justice tasks.

First, they will review two decades of FBI cases — roughly 185,000 pages of documents — involving a half-dozen FBI lab workers whom Whitehurst believes had doctored reports to help government prosecutors make their case.

One case already on Whitehurst's mind: a man convicted of murder with the help of FBI testimony that he had poison in his possession. Whitehurst says the man actually had a harmless kind of children's medicine.

Secondly, Whitehurst and a newly formed board of forensic experts will help review any cases — federal, state or local — whenever attorneys, parents or victims call the Forensic Justice Project's office with complaints that these cases hinge on bad science.

"I'd like to open the forensic science of all these cases to the light of day," Whitehurst said. "Science should stand up to review — or at least that's what I was taught at Carolina and Duke."

Frederic Whitehurst and his attorneys formally launched the Forensic Justice Project with a low-key reception last week at a Capitol Hill office.

Whitehurst and his attorneys — now his friends — formally launched the Forensic Justice Project with a low-key reception last week at a Capitol Hill office. Already he's getting calls — and checking out leads.

Federal authorities are re-scrutinizing some cases Whitehurst reviewed during the course of his lawsuit, said Stephen Kohn, one of Whitehurst's attorneys and chairman of the National Whistleblower Center.

For instance, Kohn said, a death row murder convict in Florida won an indefinite stay of his execution. The man's defense attorney questioned the evidence, and Whitehurst's check revealed problems in the FBI crime lab's testimony about toxics in the case.

"That's an example of what we're all about," Kohn said. "You should not rely upon bad forensics to put someone in jail and execute them."

Kohn said Whitehurst will present a report to federal authorities about his review of the FBI cases, probably in September.

Kate Hill-Germond sees Whitehurst's project as a lifeline for victims of overeager prosecution. She works as an investigator for Centurion Ministries, a Princeton, N.J.-based advocacy group that represents people they believe were imprisoned unfairly.

"Frequently our cases involve bad science or no science," she said. "If we need to know about sniffing dogs or gun residue, we

can just call him and tap that expertise."

Whitehurst's own quality of life has improved since he gave up his FBI badge in February.

He no longer wakes at 4 a.m. to commute from his southern Maryland home to the Justice building in downtown Washington. Instead, he plays Mr. Mom to his 6-year-old daughter Jharna in the morning and early evening.

His wife, Cheryl, who still works for the FBI, is still suffering through the resentment of Whitehurst's old colleagues, he said. Co-workers and some of her own subordinates refuse to speak to her. Often, he says, the stress feels like bricks pressing down on her rib cage.

"She's still getting harassed pretty bad," Whitehurst said. "It's not the whole FBI — it's a few self-righteous folks who think I'm a traitor and they're being loyal to the bureau. They're getting me back by getting her."

Last summer, in the middle of his lawsuit against the bureau,

Whitehurst insisted he would win and be returned to his \$103,000-a-year lab job. Now he has a new definition of winning.

"This is better," he said. "Now I get to work full time on the thing that I was really the most concerned about."

And Whitehurst concedes his colleagues may be better able to fix the lab problems without a whistleblower around.

"They're going to work through this in a much less-stressful environment, without worrying about Fred Whitehurst reporting it if anybody sneezes,"

he said.



Associated Press file photo

Frederic Whitehurst, a Greenville, N.C., native, testified on Capitol Hill on May 13, 1997.