

# Policy Trends in Forensic Science: **Case Integrity & Review**

Rob Moran

Chief of Special Investigations

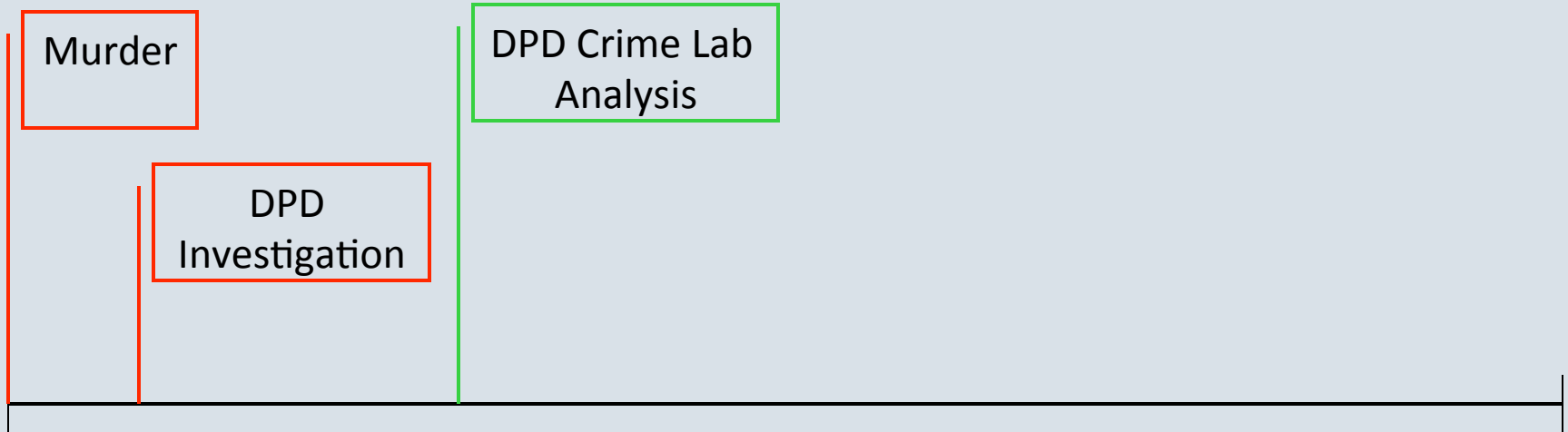
Wayne County Prosecutor's Office, Detroit, Michigan



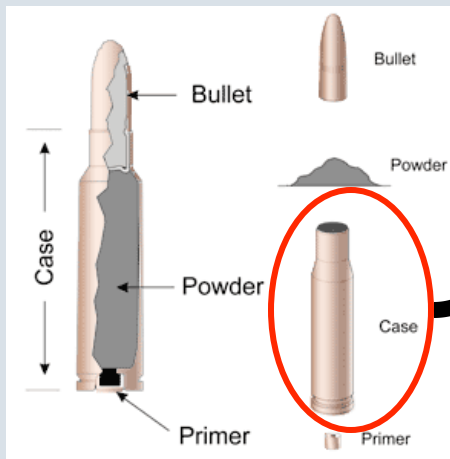
# Problems Uncovered

*People v. Jarrhod Williams*

# *People v. Jarrhod Williams*

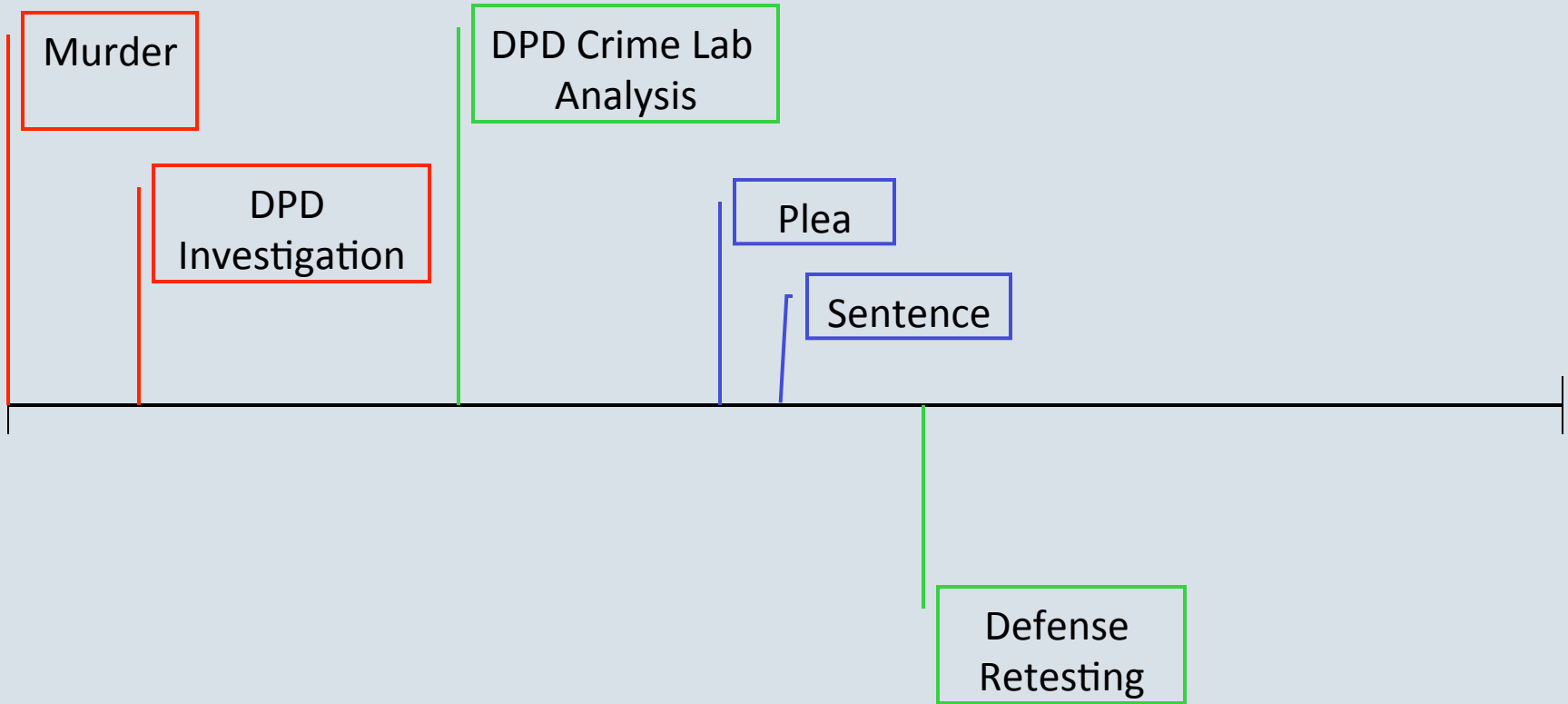


# *Detroit PD Crime Lab Conclusion*



- AK-47 Recovered
- 42 – Casings Recovered
- **Recovered gun fired ALL of the casings**

# *People v. Jarrhod Williams*

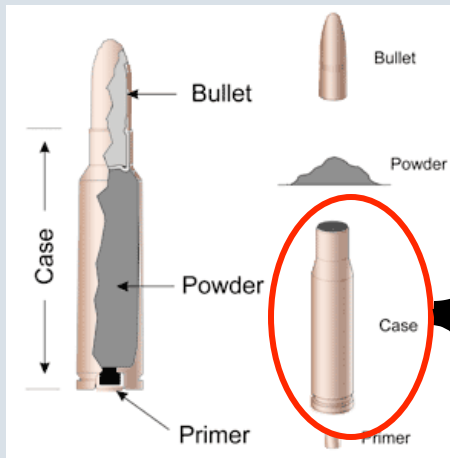


# *Independent Lab Conclusion*



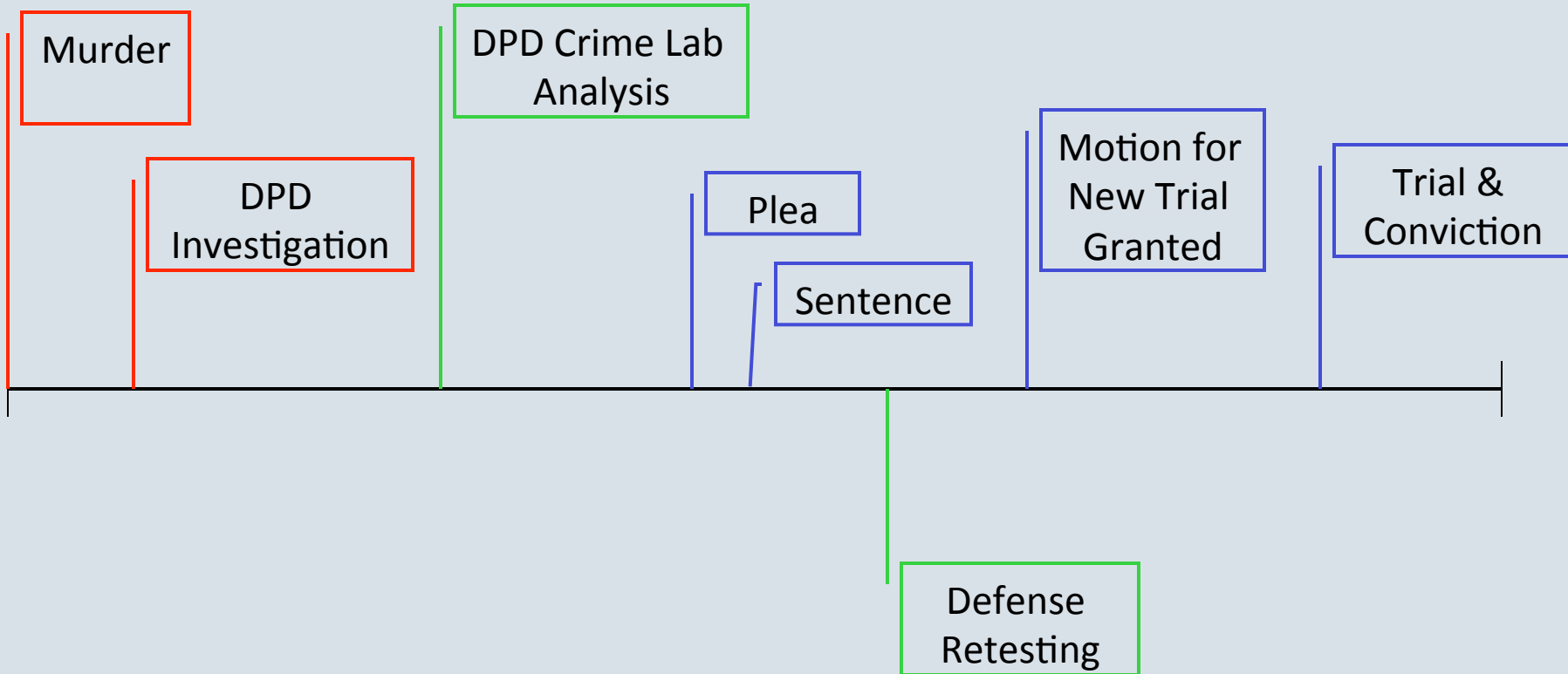
- AK-47 Recovered
- 42 – Casings Recovered

DPD Conclusion



- **Recovered gun fired NONE of the casings**
- **Casings were fired in 2 other AK-47s**

# *People v. Jarrhod Williams*



Scale of Problem Realized



# Michigan State Police Audit



- Retested 333 Cases
  - 300 Randomly Pulled
  - 33 referred by Prosecutor
- Found 10% Error Rate in the DPD Crime Lab results

# Prosecutor Responds

# Prosecutor Calls for Lab to Close

- In light of the 10% error rate:
  - Kym Worthy calls for DPD to close the lab
  - DPD Chief Barren agrees and shuts the lab, personnel reassigned.
- Lab functions assumed by the State Police

# Kym Worthy Responds

- “We do not want any of our activities to result in someone being imprisoned that doesn’t belong there.” – 9/26/08 New York Times

# Kym Worthy's Plan

- A comprehensive review by the Special Investigations Division
- Review all convictions from 2003 – 2008

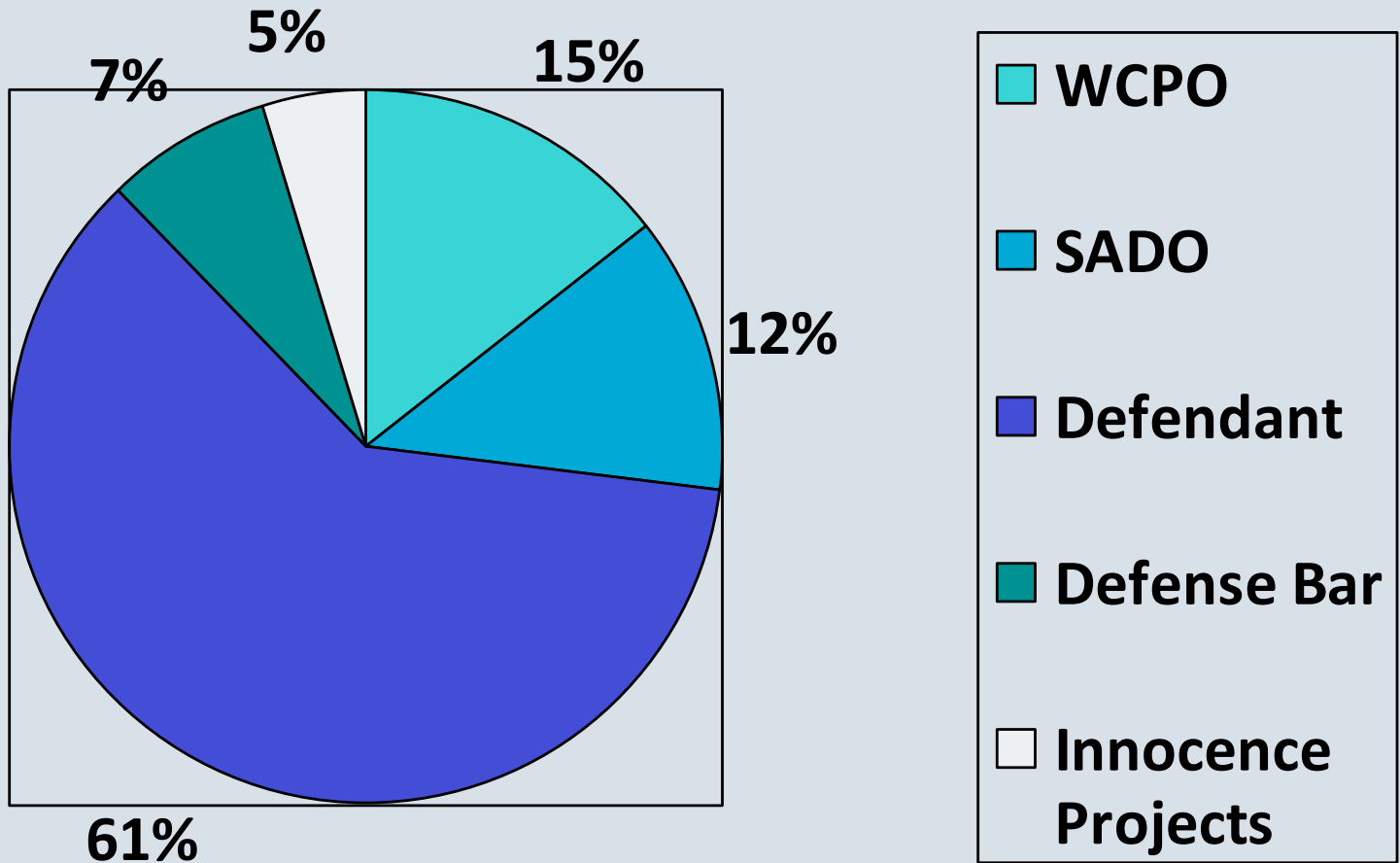
# Determined Response Resolved

- Detroit City Council
- County Commissioners
- No State Response
- No Federal Response

# Comprehensive Review Commenced

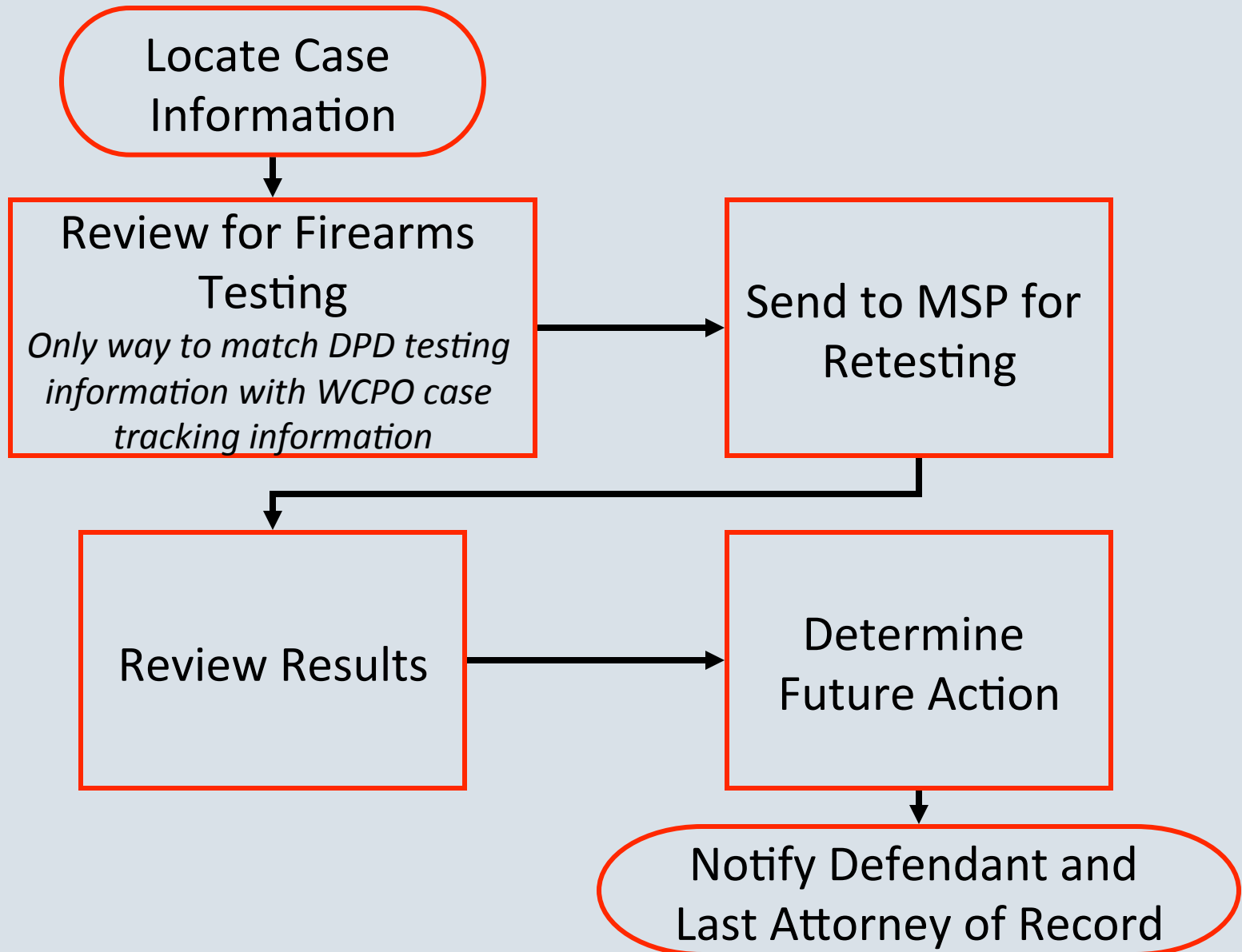
- Not auditing WCPO actions
- Reviewing influence of firearms evidence at trial
- Conviction Integrity Unit
  - 1 Director
  - 3 Contract Attorneys
  - 1 Investigator
  - 1 Assistant
  - 1 File Clerk
- Independent Review
  - Retired MI Supreme Court Justice
  - Expert Defense Attorney

# Case Referrals





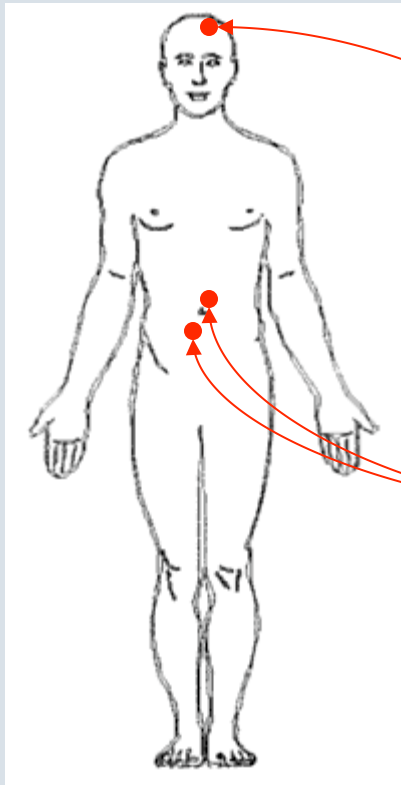
# Review Process



# Current Status

- 3035 Pieces of Evidence Reviewed
  - 69 Destroyed before review
  - 89 Missing
- 713 Defendants in 620 Cases Reviewed
- Over 350 defendants & last counsel notified

# Conviction Integrity



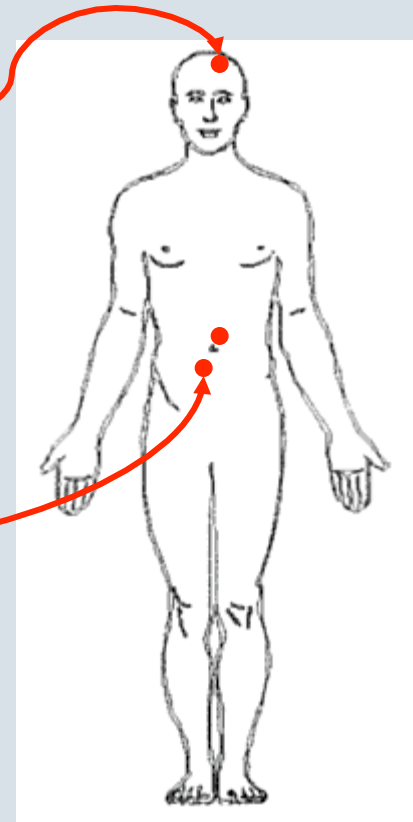
- D.62x39 casing could not be **ANY** of the bullets
- Witnesses: Shooter used AK-47
- 1 – 9mm casing found



Prosecutor: AK fired fatal shots; 9mm unknown

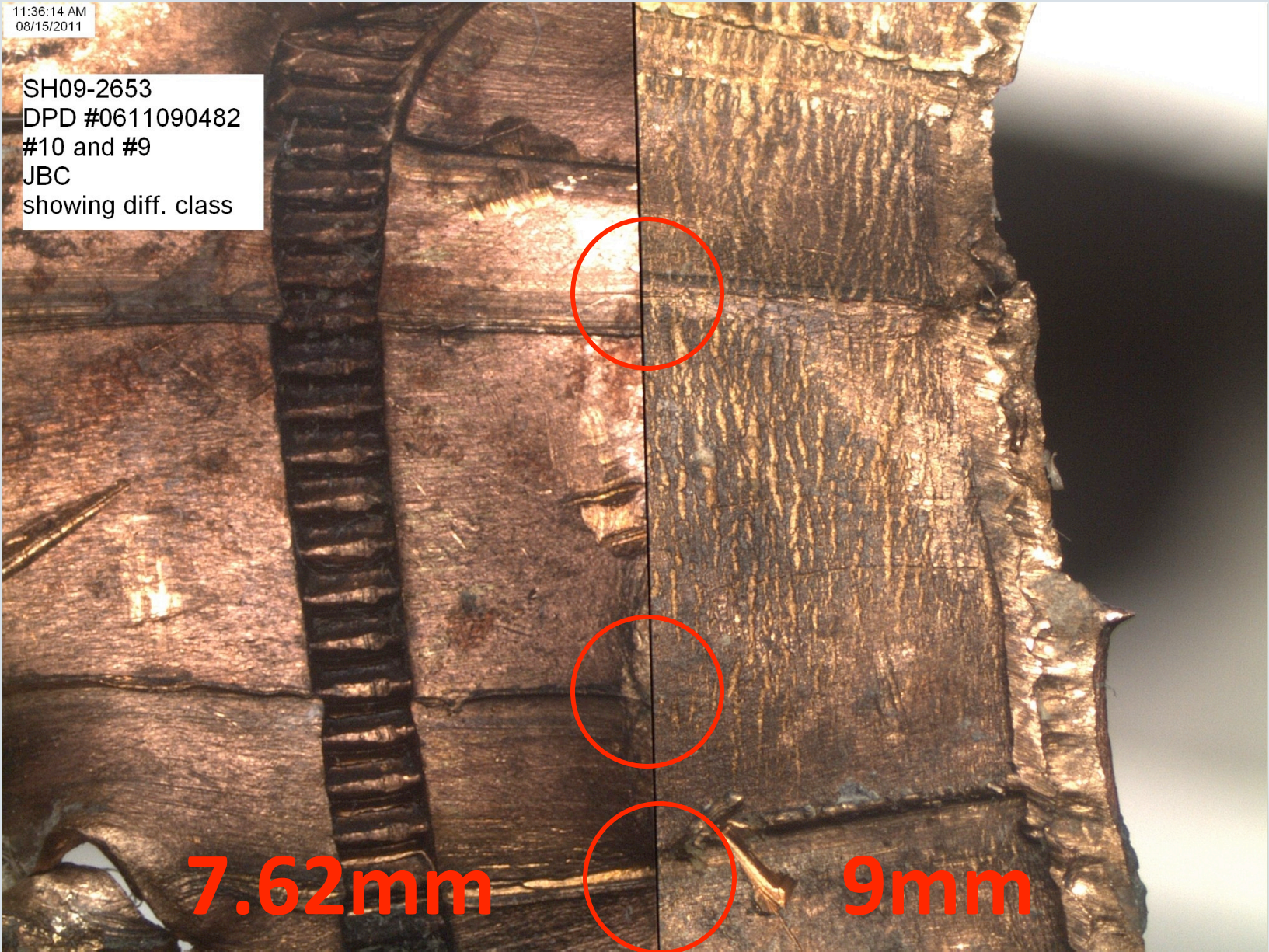
# Conviction Integrity

- MSP ID' d **2** bullets
- 7.62 bullet – abdomen
- 9mm bullet – head
- Third bullet fragment unknown



11:36:14 AM  
08/15/2011

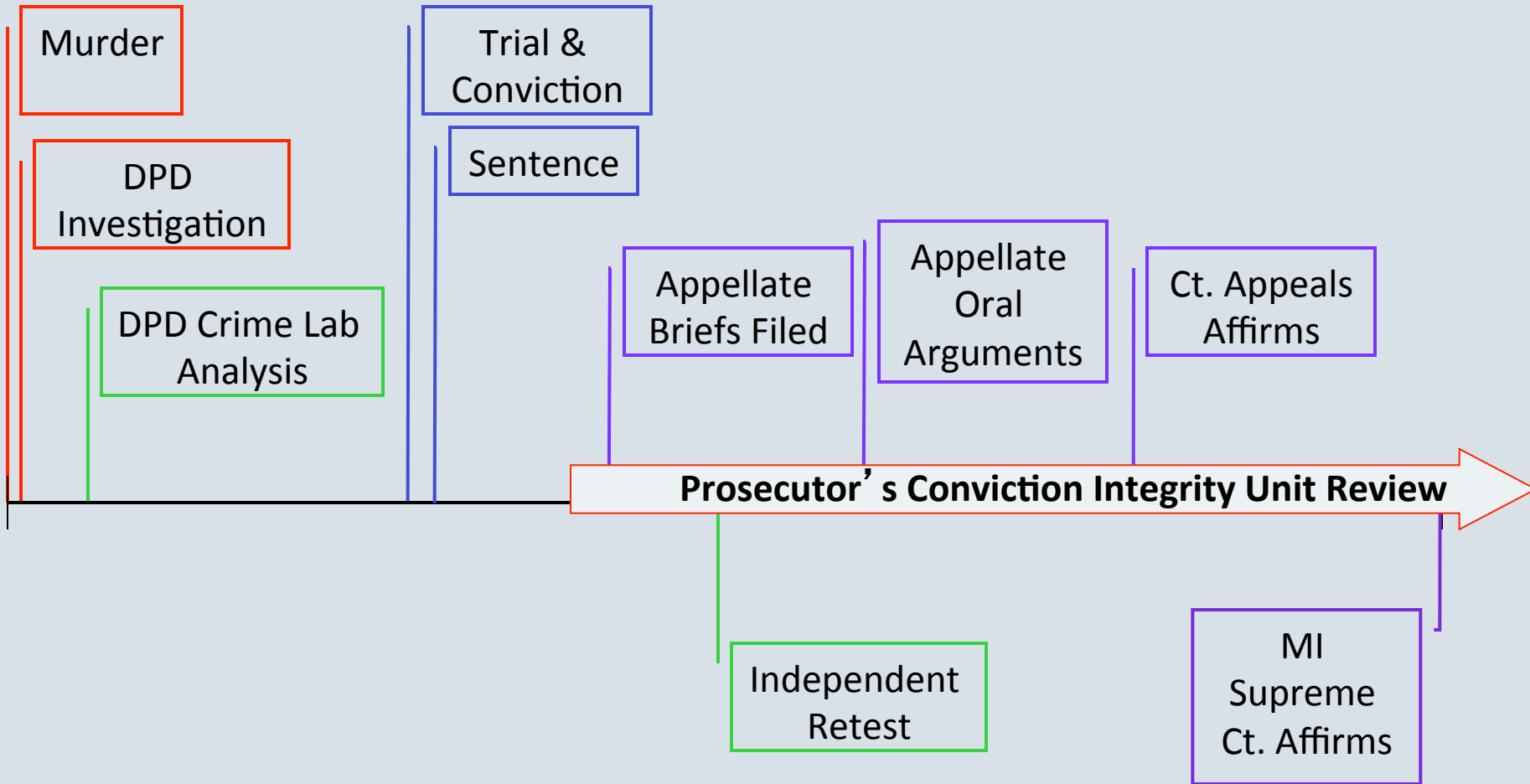
SH09-2653  
DPD #0611090482  
#10 and #9  
JBC  
showing diff. class



7.62mm

9mm

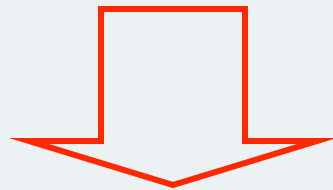
# *People v.*



# Conviction Integrity



Head wound difference



New Trial

“I want people to continue to have confidence in...the criminal justice system. We are addressing this problem in an open and forthright manner.”

– Kym Worthy

12/12/08 Detroit Free Press





COUNTY OF WAYNE  
OFFICE OF THE PROSECUTING ATTORNEY  
DETROIT, MICHIGAN

# Rob Moran

Frank Murphy Hall of Justice  
11<sup>th</sup> Floor  
1441 St. Antoine St.  
Detroit, MI 48226

[rmoran@co.wayne.mi.us](mailto:rmoran@co.wayne.mi.us)  
313-213-0245