

LAPD blames faulty fingerprint analysis for erroneous accusations

An audit finds shoddy work by specialists and cites two cases in which charges had to be dropped. The total number of such instances is unknown and officials say they lack the money to determine it.

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October 17, 2008

The Los Angeles Police Department has acknowledged in a confidential report that people have been falsely implicated in crimes because the department's fingerprint experts wrongly identified them as suspects.

The 10-page internal report, obtained by The Times, highlighted two cases in which criminal defendants had charges against them dropped after problems with the fingerprint analysis were exposed. LAPD officials do not know how many other people might have been wrongly accused over the years as a result of poor fingerprint analysis and do not have the funds to pay for a comprehensive audit to find out, according to police records and interviews.

"This is something of extraordinary concern," said Michael Judge, public defender for Los Angeles County. "Juries tend to accord the highest level of confidence to fingerprint evidence. This is the type of thing that easily could lead to innocent people being convicted."

The two cases were used by investigators to illustrate broader problems with shoddy work and poor oversight that have plagued the department's Latent Print Unit. Rhonda Sims-Lewis, chief of the LAPD's administrative and technical bureau, acknowledged the findings, but said changes to the unit's leadership and protocols were made last year after senior officials became aware of problems.

Internal discipline investigations led to the firing of one fingerprint analyst, who had been involved in both of the mishandled cases. Three other analysts received suspensions, Sims-Lewis said. In addition, two supervisors responsible for overseeing the unit were replaced, staff was bolstered and oversight tightened, she said.

"This is very, very serious," Sims-Lewis said. "We feel very compelled to take quick action when something like this arises. Guilty people can be set free and innocent people can be jailed."

There are 78 forensic print specialists assigned to the unit, according to the department's website. They are not sworn police officers but among the hundreds of civilians who fill specialty jobs in the department. After prints are lifted from a crime scene, the specialists run them through automated databases to find possible matches and then analyze those to seek a more precise match. Two other analysts are then supposed to check the work for accuracy.

Sims-Lewis and other department officials, however, described a poorly run operation, in which records and evidence were left lying around or misplaced, and supervisors "were stuck in the old way of doing things." Pressed to explain the sloppy work of the unit, Yvette Sanchez-Owens, commanding officer of the Scientific Investigation Division, speculated that "people were reviewing the work of friends and just rubber stamping it without really reviewing it."

In one of the cases highlighted in the report, a man was extradited from Alabama to face burglary charges after an analyst matched his prints to those found at the scene. The mistake was missed by two reviewers and was caught only when a third reviewer was preparing to testify at the trial.

In the other example, Maria Delosange Maldonado, a pregnant hospital technician, was charged in February 2006 with breaking into a San Fernando Valley cellphone store. When questions were raised about the accuracy of the print analysis, the LAPD said the prints could not be reexamined because they had been lost. The audit characterized the fingerprint identification in that case as "erroneous."

Sandi Gibbons, a spokeswoman for Dist. Atty Steve Cooley, said the D.A.'s office was "looking into" the question of what, if anything, prosecutors should do to better guard against faulty evidence making it into a courtroom.

The LAPD's internal investigation challenges the widely held view that forensic matches made by fingerprint experts are airtight. The authors of the internal LAPD report recalled the infamous example of an Oregon man who was linked through faulty fingerprint analysis by three federal agents to the 2004 terrorist train bombings in Madrid.

Jack Weiss, chairman of the City Council's public safety committee said there was "nothing more basic and more bread and butter than fingerprints. You have to be able to take each one of them to the bank."

He said he will hold hearings on the issue and call fingerprint lab employees to testify before his panel. "We want to know the extent of it and whether it affects any other cases. We want to know how far back it goes," he said.

Los Angeles police officials had initially planned to hire an outside expert last year to conduct a top-to-bottom review of the unit. They failed, however, to secure the \$325,000 to \$450,000 from city coffers needed for the review. In-house auditors were used instead, but Sims-Lewis acknowledged that they did not have the expertise required to comprehensively examine the unit's past and current practices.

"We still want outside eyes to come in and make sure we're doing things right," she said. The focus of the audit would be improving the operation, officials said, but they also believe it would uncover past errors if any had been made.

Although there is no way to be certain without the full audit, Sim-Lewis said she was confident that faulty work by the unit had not sent an innocent person to prison or freed someone who was guilty. Mistakes, she said, would have been caught by experts hired by defense attorneys.

Judge, the public defender, disputed that notion and called on the city to hire the outside auditor. "Law enforcement should take seriously this matter by investing more in testing and studies, and by focusing more on these people they are sending into court with very powerful evidence."

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