SENATE DOCKET, NO. 1674 FILED ON: 1/18/2013

SENATE . . . . . No. 1175

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing oversight of crime labs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bruce E. Tarr	*First Essex and Middlesex*
Michael R. Knapik	*Second Hampden and Hampshire*
Robert L. Hedlund	*Plymouth and Norfolk*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Shaunna O'Connell	*3rd Bristol*

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1175) of Bruce E. Tarr, Michael R. Knapik, Robert L. Hedlund, Richard J. Ross and others for legislation to provide oversight of crime labs. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

An Act providing oversight of crime labs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 6 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 184A the following section:-

SECTION 184B. (a) There shall be established a forensic services drug laboratory oversight board within, but not subject to the control of, the executive office of public safety and security. The board shall consist of the secretary of public safety and security or a designee; the governor or a designee; the attorney general or a designee; the inspector general or a designee; and the colonel of state police or a designee.

(b) At the direction of the board, the undersecretary of public safety for forensic sciences shall advise and report to the board on the administration and delivery of forensic services at such facilities.

(c) The board shall have oversight authority over all commonwealth facilities engaged in forensic services in criminal investigations. The board shall ensure every such facility is actively accredited with the American Society of Crime Laboratory Directors/Laboratory Accreditation Board and compliant with standards promulgated by the International Organization for Standardization (ISO). The board shall receive quarterly reports from the undersecretary for forensic sciences which shall include, but not be limited to, the following information:

(i) the volume of forensic services at each facility;

(ii) the volume of forensic services of each employee at such facilities;

(iii) the costs and length of time from submission for testing or procedures and the return of results from such facilities;

(iv) compliance with accreditation standards of such facilities; and

22 (v) facility employee records, qualifications, and incident reports; provided, however,
23 that any suspected or potential criminal wrongdoing shall be promptly referred to the attorney
24 general for prosecution.

25 An electronic summary of said reports shall be submitted to the clerks of the senate and
26 house of representatives and the chairs and ranking minority members of the joint committee on
27 public safety and homeland security.

28 (d) The board shall promulgate rules and regulations necessary to carry out this section;
29 provided, however, that said regulations shall require:

30 (i) facilities engaged in forensic services in criminal investigations to be actively
31 accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation
32 Board and compliant with standards promulgated by the International Organization for
33 Standardization (ISO);

34 (ii) the forensic sciences advisory board to hold not less than 1 public hearing a year;
35 and

36 (iii) the undersecretary for forensic sciences to receive anonymous complaints of
37 employee or facility misfeasance or deviation from accreditation standards;

38 The oversight board shall consider the input of the forensic sciences advisory board prior
39 to implementing said rules and regulations.