



NEWS

From the Office of the New York State Inspector General
Joseph Fisch

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Inspector General Finds Crime Lab Misconduct in Monroe & Erie Counties

New York State Inspector General Joseph Fisch today released two reports on serious misconduct at the Monroe County Public Safety Laboratory and at the Erie County Department of Central Police Services Forensic Laboratory regarding drug testing in criminal cases. The reports detail the repeated failure of a forensic chemist at each lab to properly test for illegal substances, which could have affected prosecutions.

“This type of deliberate misconduct threatens not only drug prosecutions but also the public trust in our criminal justice system,” Inspector General Joseph Fisch said. “I commend both labs for their diligent reporting of these problems and their prompt action.”

The reports detail the following misconduct:

Monroe County Public Safety Laboratory ([View Report](#))

Forensic Chemist II Linda Teague, 61, of Rochester, repeatedly failed to conduct a required step in testing for illegal substances. As a result, lab officials removed her from casework and recalled 11 drug cases for review from the Monroe County District Attorney and the U.S. Attorney’s office. The lab also reanalyzed 131 of Teague’s 693 cases from 2007 and 2008. Although Teague properly identified the controlled substance in each case, she misreported the weight in 52 cases. Three of these discrepancies affected the level of the related criminal charge. Teague, a 17-year lab veteran, retired in lieu of termination during the investigation.

Erie County Department of Central Police Services Forensic Laboratory ([View Report](#))

Forensic Chemist Kelly McHugh, 36, of Hamburg, falsely reported that she performed a required step when testing for illegal substances. In response, the lab terminated McHugh and notified the Erie County District Attorney, state Attorney General and the U.S. Attorney’s office. Lab officials conducted an extensive review of McHugh’s and other chemists’ casework and issued a report on their findings. In examining 564 of McHugh’s 1402 cases from 2007 to 2009, officials discovered that McHugh falsely reported the presence of cocaine in a Ziploc bag in one case and then failed to report that its retest showed no cocaine. Although the defendant was found not guilty on that particular charge, McHugh’s conduct was misleading and inexcusable.

On Dec. 17, 2009, McHugh pleaded guilty in Buffalo City Court to attempted tampering with public records, a misdemeanor, based on her misconduct.

The Inspector General conducts independent external investigations of public laboratories statewide and reports the findings to the New York State Commission on Forensic Science.

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