



Office of the Public Defender
City and County of San Francisco

Jeff Adachi
Public Defender
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Chief Attorney

Informal Request for Discovery

Defendant's name:	Courtno: 2441234
Attorney's name:	Phone No.: 415-553-XXXX
Next court date & Dept.:	Date served: March 25, 2010

Notice is hereby given pursuant to Penal Code §§ 1054 et seq., § 1054.5(b) and *Brady v. Maryland* (1963) 373 U.S. 83, that the above-named defendant is requesting disclosure and production of the following materials and information as soon as possible and no later than fifteen days from the date of service of this request:

Discovery related to the SF Crime Lab

1. Standard Operating procedures and Quality Control and Quality Assurance Manuals for the narcotics section of the SF Crime Lab;
2. Calibration and maintenance logs of all machines used in the testing in this case including quality control records of reagents; including any technical review log from the testing laboratory pertaining to one month prior to the testing in this case and including the testing in this case.
3. Actual test results in this case, including but not limited to photographs, bench notes, electronic data and any GC/MS traces. Please include all negative and positive control results as well.
4. *Curriculum Vitae* of analyst Debbie Madden;
5. Proficiency test results for analyst Madden since accreditation of the lab in 2005, including but not limited to all records of results in those proficiency tests, any remedial actions taken due to the tests and any comments or corrective actions based on proficiency test results;
6. Records of any event in the narcotics sections in which contamination was detected either in a control or evidence sample and documentation of any corrective actions taken;
7. Written policy on the destruction of documents and evidence in the lab and a written explanation of why documents or results relating to this case were not maintained in the case file;
8. Incidents in which the analyst was disciplined for actions taken in the lab including those noted in a corrective action log or personnel file;

9. All audit reports, both internal and external, of the laboratory including correspondence between the lab and the auditing agency, internal memorandum based on audit findings, any corrective actions taken based on audit findings and a record of any appeals of findings that the lab took, including those that were successful, from 2004 through the present;
10. The original bench notes for *any* testing done in the crime lab, including bench notes, test results in whatever format called for by the testing method, including but not limited to hand-written observations, photographs, drawings, electronic data and any output of any machine used in testing such as for GC/MS, as well as all calibration and maintenance logs related to this case.
11. Debbie Madden's personnel file — to the extent any documents contained therein provide evidence of tampering, theft, or acts of moral turpitude as defined by *People v. Castro* (1985) 38 Cal.3d 301.

Discovery related to S.F.P.D. investigation of Debbie Madden

12. All materials relating to the San Francisco Police Department investigation of theft from the SF Crime Lab and tampering with SF Crime Lab evidence including, but not limited to:
 - 12A. Any and all statements of Debbie Madden to law enforcement — including but not limited to statements made to Lt. Peter Walsh or any other member of S.F.P.D. — as well as any video and audio tapes;
 - 12B. Any and all statements of Debbie Madden to her superiors — including but not limited to statements made to Lois Woodworth — including any video and audio tapes;
 - 12C. The results of the S.F.P.D. investigation of Debbie Madden's conduct, including but not limited to police reports, supplemental statements and chronologies;
 - 12D. S.F.P.D. interviews with any and all witnesses — including Ms. Madden's sister and any lab personnel and any internal or external memorandum discussing the conduct of Ms. Madden;
 - 12E. Any and all search and arrest warrant affidavits regarding Debbie Madden

Discovery related to Debbie Madden's criminal record

13. All court records relating to Ms. Madden's arrest and conviction in San Mateo County;

13A. Any and all police reports and witnesses statements relating to her October, 2007 arrest for domestic violence and vandalism in San Mateo County;

13B. Any and all probation reports and witnesses statements relating to her October, 2007 arrest for domestic violence and vandalism in San Mateo County;

13C. Any and all 911 recordings and transcripts relating to her October, 2007 arrest for domestic violence and vandalism in San Mateo County;

13D. Any and all record of arrests and police reports of Madden's acts of moral turpitude — other than the October, 2007 domestic violence arrest. (Madden appears to have committed multiple acts resulting in multiple police incident reports);

13E. Any and all records and reports relating to the March, 2010 arrest of Ms. Madden regarding a gun found in her residence.

13F. Any and all probation reports, supplemental probation reports and any petitions to revoke probation of Debbie Madden relating to the March, 2010 arrest where a gun was found in her residence.

Other relevant discovery

14. All potentially exculpatory evidence related to the chain of custody, testing, recording of test results, and maintenance of the alleged controlled substances in this case. Evidence is "favorable" if it either helps the defendant or hurts the prosecution. (*Izazaga v. Superior Court* (1991) 54 Cal.3d 356; *Brady v. Maryland* (1963) 373 U.S. 83; *People v. Coddington* (2000) 23 Cal.4th 529, 589, overruled on other grounds in *Price v. Superior Court* (2001) 25 Cal.4th 1046, 1069.)
15. Any information, no matter how or if recorded, of prior acts adversely reflecting on honesty, whether or not they resulted in arrests or convictions for felonies or misdemeanors, of any witnesses to be called to testify against the defendant. (Ca. Const., Art. 1, section 28(d); *People v. Wheeler* (1992) 4 Cal.4th 284; *People v. Coyer* (1983) 142 Cal.App.3d 839; *In re Ferguson* (1971) 5 Cal.3d 525, 533; *People v. Lang* (1989) 49 Cal.3d 991; *People v. Harris* (1989) 47 Cal.3d 1047; *Roland v. Superior Court* (2004) 124 Cal.App.4th 154.)
16. Any information material to the credibility of any witnesses that the prosecution intends to call at the trial (*Davis v. Alaska* (1974) 415 U.S. 308; *U.S. v. Bagley* (1985) 473 U.S. 667; *Giglio v. United States* (1972) 405 U.S. 150), including psychiatric records of the alleged victims in the possession of the District Attorney (*People v. Pack* (1988) 201 Cal.App.3d 679; *Pennsylvania v. Ritchie* (1987) 480 U.S. 39; *In re Maria V.* (1985) 167 Cal.App.3d 1099; *People v. Caplan* (1987) 193 Cal.App.3d 543; *Lorenza P. v. Superior Court* (1988) 197 Cal.App.3d 607).