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Drug lab 'laughed at' problems, ex-tech says

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Wednesday, April 14, 2010

**(04-13) 18:22 PDT SAN FRANCISCO --**

The former technician at the center of the San Francisco Police Department's drug-evidence scandal told investigators that she had consumed only spilled remnants of cocaine from a crime lab where large discrepancies in narcotics weights were "laughed at" and considered routine.

The transcript of Deborah Madden's Feb. 26 interview with police was among more than 2,700 pages of documents that a judge on Tuesday told prosecutors to turn over to defense attorneys, who argue that their clients should go free because of shoddy evidence work in the drug analysis section of the crime lab.

Madden, 60, has not been charged with stealing drugs from the lab where she spent 29 years as a civilian employee before she went on leave in December. She retired March 1.

Madden told inspectors with the police special investigations unit that she had stolen cocaine five times from evidence samples over a three-month period in late 2009. She said she had put the trace cocaine in bindles and had taken it home, where she used it.

She also said she had taken lab vials home - investigators later found 21 of them at her San Mateo house - but said they were always empty and that she had used them to mix paint for plastic models that she builds.

'Huge discrepancies'

Madden said other technicians at the Hunters Point lab handled drugs carelessly, resulting in "huge discrepancies" when narcotics were weighed.

Drug-evidence weight is a major factor for prosecutors in determining the severity of charges against a defendant.

"You just have to check weights of a lot of stuff, because you will see discrepancies," Madden said. "That's all I'm going to say. I mean, I think you want to put everything on me, and you can't because that's not right."

She said the discrepancies of as much as a gram in cocaine weights were never noted in crime lab records. When police asked why, Madden said, "I don't know, we just kind of, just laughed at it."

Drug unit closed

Police Chief George Gascón cited Madden's description of lab practices in ordering the drug analysis unit shut down March 9, pending an outside audit that later found the lab was badly understaffed and that its work was slipshod.

The drug analysis unit remains closed while police try to fix the problems, and prosecutors - concluding they were unable to vouch for the work of Madden and other technicians - have dropped hundreds of narcotics cases. The larger crime lab is still open.

Assistant Chief Jeff Godown, put in charge of the crime lab last month, had no comment Tuesday on Madden's interview with police.

Madden told police she started using cocaine after getting some from a friend last year. Around October, she said, she began pocketing and taking home trace amounts of cocaine that were spilled in the lab.

"I was trying to control my drinking," said Madden, who entered treatment for alcoholism in December. "I thought that I could control my drinking by using some cocaine. ... I don't think (it) worked."

Dumped drugs down drain

Police confronted her with findings that 11 cocaine samples from the lab - reviewed by her civilian boss at police request - showed evidence that the staples used to close them had been removed and the packages restapled.

Madden denied going into the envelopes to remove drugs for personal use. She said she had removed cocaine from evidence samples on a weekly basis for testing purposes, but had fallen behind on her work and often dumped the drugs into a hazardous waste bin or down the drain.

She consumed cocaine that spilled at her work station, but never on the job, Madden said.

"If some fell on the counter or something and it was sitting there afterwards, I may have taken that," she told police. "But no, I didn't scoop it out of evidence."

At another point, she admitted to going into a colleague's locker, where nearly a gram of cocaine was later discovered missing from an evidence sample. But Madden said she had only been looking for a police report.

"I did not go into her locker and steal cocaine that day," she said.

Madden's interview and hundreds of other pages of material about the crime lab from the Police Department and District Attorney Kamala Harris' office will soon be in defense attorneys' hands, thanks to Tuesday's order by Superior Court Judge Anne-Christine Massullo.

Judge grills prosecutor

The public defender's office has sought crime lab documents in 63 pending cases. In 16 of those cases, narcotics were first tested by Madden, who has told the court through her attorney that she will assert her right against self-incrimination and will refuse to testify.

During a hearing, Massullo asked prosecutor Sharon Woo whether the district attorney's office has a policy about alerting defense attorneys when the prosecution's police witnesses have criminal records.

Madden fell into that category after being convicted of misdemeanor domestic violence in 2008, but the Police Department has admitted that it mistakenly failed to tell prosecutors about her case. Defense attorneys can use such information to cast doubt on a witness' character.

"What does your office do?" the judge asked Woo. "If there isn't a protocol, I'd like to know why."

Woo said she needed to check with officials in Harris' office and would respond in writing.

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