



Home Delivery e-Edition Boston Herald Store

Newsletters Fun & Games Obituaries

38°F

Custom Search

NEWS OPINION SPORTS ENTERTAINMENT LIFESTYLE BUSINESS BLOGS PHOTOS VIDEO RADIO CLASSIFIEDS

Local Coverage Local Politics Columnists National U.S. Politics International Offbeat News Obituaries



Morning Meeting with Hillary Chabot, Tom Shattuck

LISTEN LIVE

Lab crisis hits state house

New lawsuit targets top officials

Erin Smith Sunday, May 26, 2013



Credit: Angela Rowlings

LEGAL MESS: A new lawsuit sparked by the state's drug lab scandal lets chemist Annie Dookhan, pictured, off the hook but names lab bosses and state officials, including JudyAnn Bigby and John Auerbach. The crisis has the potential to haunt Gov. Deval Patrick, observers say.



Facebook Twitter Google+ Reddit

A man whose drug conviction was reversed after he was sprung from prison because of the massive drug lab scandal is targeting former top state officials in a potential

START NOW

Start Download - View PDF

Convert From Doc to PDF, PDF to Doc Simply With The Free Online App!

HERALD COLUMNISTS



HOWIE CARR
Carr: 'Personal reasons' don't merit free pass



JOE BATTENFELD
Battenfeld: Mayor avoids potential trouble, starring trial role



MICHAEL GRAHAM
Graham: Bomber sparks political outrage



STEVE BUCKLEY
Buckley: Welcome to Boston, NCAA Tournament. Sorry we're just not that interested

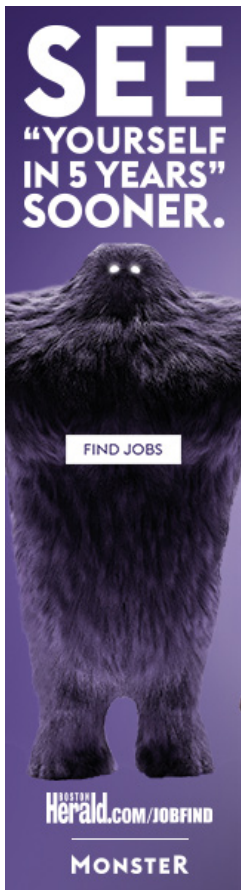
TRENDING NOW

Memory of late Stoneham hockey player has big impact on family and teammates

Frank Avruch, TV personality who played Bozo the Clown, dies at 89

Memory of late Stoneham hockey player has big impact on family and teammates

Carr: 'Personal reasons' don't merit free pass



“nightmare” lawsuit experts say could cast a spotlight on policy failures in the Patrick administration and dog the governor if he pursues a White House bid in 2016.

“Once you get into discovery, it could be a nightmare,” said Boston University political history professor Thomas Whalen. “Gov. Patrick has said he had no knowledge of this, so we’ll see who knew what. The courts will open this up. It could be a can of worms for the Patrick administration.”

David Jones, who spent more than two years in prison based on drug evidence analyzed by rogue chemist Annie Dookhan before his convictions were overturned in March, is suing former Secretary of Health and Human Services JudyAnn Bigby, former state Public Health commissioner John Auerbach and three former top lab bosses.

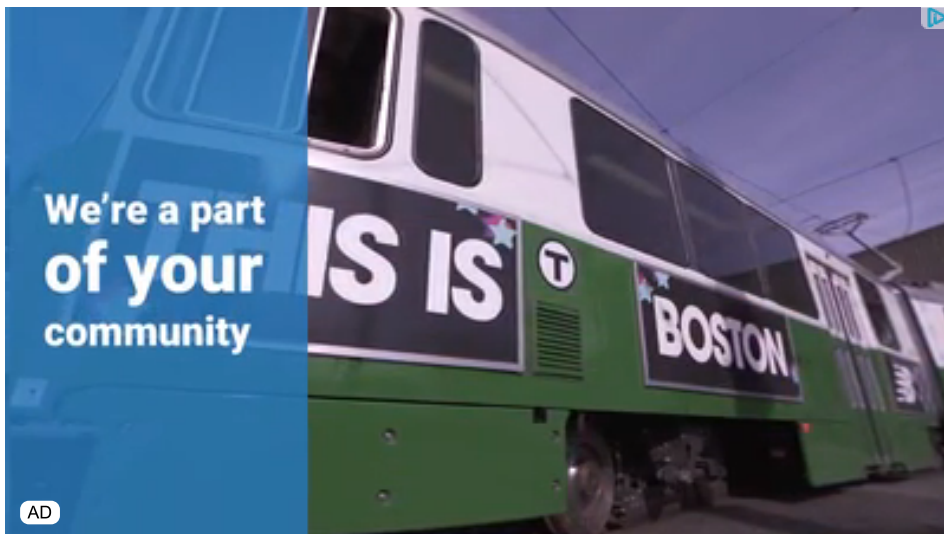
Unlike a previous federal lawsuit filed in February that names Dookhan, Bigby, Auerbach and prosecutors, Jones’ complaint leaves Dookhan, who is accused of tainting drug evidence in thousands of cases, and prosecutors off the hook and places the blame squarely on the administration.

“Her misconduct is widely known and she’s being held

START NOW

Start Download - View PDF

Convert From Doc to PDF, PDF to Doc Simply With The Free Online App!



It Girl: Rita Ora

Sponsored by Connatix

accountable in the criminal courts, but at this point no one is holding her supervisors accountable,” said attorney Michael Tumposky, who filed the suit on behalf of Jones. “The purpose of this lawsuit is to highlight the policy failures as well as the failure of the supervisors who should have seen what was going on and to a certain extent knew what was going on and didn’t do anything to stop it.”

DPH officials declined comment on the lawsuit, and efforts to reach Bigby and Auerbach yesterday were unsuccessful.

The state could face hundreds of similar lawsuits, said Douglas Sheff, incoming Massachusetts Bar Association president.

“Some of these cases can be worth a great deal of money. There are enough people affected that the state should consider a means to group all the cases together and

Tweets by @bostonherald

Boston Herald Retweeted

Jason Mastrodonato @JMastrodonato

Craig Kimbrel dominant in return to action as he looks to Opening Day
bostonherald.com/sports/red_sox...

[Embed](#) [View on Twitter](#)

This Week's Circulars

LOWE'S FRIDAY DEALS: 30% APPLIANCE SPECIAL VALUES

StopsShop: SAVE HUNDREDS WITH DIGITAL COUPONS, FREE \$10 gift card

JCPenney: Spring SALE

Advance Auto Parts: PUT YOUR TAX REFUND TO WORK, BUILD YOUR OWN OIL CHANGE SPECIAL

handle them in a fair and efficient manner," Sheff said.

Whalen said the scandal could resurface if Patrick seeks higher office or an Obama administration job.

"He's been portraying himself as the guy who you can count on to get things done," he said. "Based on this drug scandal, it would cause people to doubt whether this narrative is accurate."

But Stonehill College political studies director Peter Ubertaccio said Patrick may not face more blowback than he already has from the scandal because Dookhan's crimes don't appear to be politically motivated.

"It doesn't mean it will not hurt his administration. I'm just not sure how deep of a wound it will be," he said.

Ubertaccio and Whalen agree the full political ramifications won't be known until administration emails and memos are dredged up as evidence in the case.

"It's a potential snake pit for the administration," said Whalen.

Key dates in state crime lab scandal

- June 2011: Problems at the William A. Hinton State Laboratory Institute first come to light internally.
- Aug. 30, 2012: State officials finally close the state drug lab and drop the bombshell announcement that state drug lab chemist Annie Dookhan may have tainted thousands of criminal cases.
- Sept. 4, 2012: The alarm goes out to thousands of defense attorneys statewide that problems at the Jamaica Plain lab could have serious impact on their clients' drug convictions and cases still in the pipeline.
- Sept. 14, 2012: State bosses fired over the lab scandal failed to see the significance of the rogue chemist's mishandling of drug evidence for years, officials say.
- Sept. 20, 2012: David Meier, a former Suffolk homicide prosecutor, is named to review thousands of potentially tainted cases.
- Sept. 26, 2012: A police report says Dookhan admits to cops she "messed up bad" by forging signatures, sneaking evidence out of a drug safe and tainting drug samples over the years.
- Oct. 5, 2012: The first defendants are freed because of Dookhan's alleged mishandling of drug evidence.
- Nov. 1, 2012: The attorney general agrees to appoint an independent investigator to look into the scandal as state officials set aside \$30 million to reimburse agencies and cities for costs.

RELATED ARTICLES



War's over, but the pain remains



Labor groups not set on mayor pick



Senate honors Cellucci

▶ TAKE A LOOK

- [Easy Trick "Removes" Wrinkles & Eyebags \(Try This!\)](#)
- [Joanna's \\$5 Wrinkle Buster](#)
- [How Apple Cider Vinegar Leads To Incredible Weight Loss](#)
- [Cornell Student Discovers Incredible Diet Hack](#)
- [Want Better Appetite Control? Do This Once Daily \(Easy But Very Effective\)](#)
- [One Cup of This \(Before Bed\) Burns Belly Fat Like Crazy!](#)
- [How To Fix Your Fatigue \(Do This Every Day\)](#)
- [Optometrist: Glasses Are Gone, This Restores Vision Clarity](#)
- [One Visit & We Bet You're Addicted. More News Than Any Site](#)
- [Are You Aging Too Quickly?](#)

Powered by **FEEDNETWORK**



- Dec. 17, 2012: Dookhan is indicted by a Suffolk Superior Court grand jury on 27 charges.
- March 16, 2013: The costs of the lab scandal to prosecutors alone could rise to \$2.5 million by July.
- May 17, 2013: First defendant is charged with murder after being freed by evidence tainted by Dookhan's alleged actions in drug lab scandal.

More On: [Annie Dookhan](#) [William A. Hinton State Laboratory Institute](#)

SHARE THIS ARTICLE

29

FROM THE WEB

POWERED BY ZERGNET



[How 'Infinity War' Will Change the MCU Forever](#)
Looper.com



[Model Goes Public With Jimmy Garoppolo Romance](#)
Nypost.com



[Mark Gastineau's Ex-Wife Mocks His Dementia](#)
Nypost.com



['Ashamed' Fox News Contributor Calls It Quits](#)
Aol.com

SPONSORED CONTENT



10 Makeup Tips All Older Women Should Know [Photos] Variety Moms



Award-Winning Dermatologist: "It's The Best Thinning Hair Solution No One's Talking..." Vital Updates



Learn How Amanda Found Success With Jenny Craig Jenny Craig



Glasses-Wearers Are Going Crazy Over This Website GlassesUSA



Lynn: Top Bank Announces 1.55% APY Savings Account SmartAsset



Living With the Invisible Symptoms of MS COMPENSATED BY TEVA NEUROSCIENCE, INC. - TEVA'S LIFT MS®

Recommended by



News

- Local Coverage
- Local Politics
- Columnists
- National
- US Politics
- International
- Offbeat News
- Obituaries

Opinion

- Op Ed
- Letters to the Editor
- Editorials
- Send a Letter

Sports

- Red Sox
- Patriots
- Celtics
- Bruins
- Columnist
- College
- Soccer
- Golf
- High School
- Other

Entertainment

- Inside Track
- Celebrity News
- Arts & Culture
- Movies
- Music
- Television

LifeStyle

- Food & Beverage
- Style & Fashion
- Travel
- Health & Fitness

Business

- Automotive
- Real Estate
- Technology
- Markets

More...

- Classifieds
- Radio
- Horoscope
- Lottery
- Crossword
- Contests
- Weather
- RSS Feeds
- Archives
- Log In
- Legal Notices

[Advertise](#) [Purchase Back Copies](#) [Send a News Tip](#) [Contact Us](#) [Home Delivery](#) [e-Edition](#) [Mobile Apps](#) [Herald Newsletters](#)

[Send a Letter to the Editor](#)

©Copyright by the Boston Herald and Herald Media

No portion of BostonHerald.com or its content may be reproduced without the owner's written permission.

[Privacy Commitment](#) [Terms Of Use](#)

Top