

Felon or Fall Guy ?

By Darin Bufalino

The saga of the Annie Dookhan state lab scandal continues to spew forth like a long dormant volcano under intense pressure. The details like a steady flow of lava, scorch and burn upon release as evidenced by the recent resignation of a Norfolk County Assistant District Attorney. He is certainly not the first casualty nor will he be the last. As recently reported Mr. Dookhan had contacted this Norfolk County prosecutor because there had been so much contact between him and his wife Mr. Dookhan asked if he was romantically involved with his wife.

Having watched Annie Dookhan being led into the courtroom for her initial arraignment, she appeared resigned to her fate like a criminal defendant who knows her pals who once swore to a common cause have switched teams and are now pointing the finger. How unfortunate for this woman who for years was the go-to person at the state lab for countless prosecutors. Time will tell if these prosecutors will get burned as more details come to light like slow flowing lava. Ms. Dookhan became the go-to person at the state lab for a reason and if those prosecutors profess ignorance then they should be reminded that ignorance is no defense against the law, will this recent resignation amount to a high paying job elsewhere ? Again he is not the first.

The spreading lava flow has everyone near this scandal looking for refuge or someway to dampen the damage. Advice for Annie Dookhan ? Do not be the fall guy, you have admitted tampering and falsifying evidence. Your co-workers and supervisors were suspicious of your actions for years.

It is incredulous that this situation was allowed to continue for years with not only these so called professionals not speaking up but those countless prosecutors, officers of the court one and all as well.

Was it because you thought you were on the side of good against evil in the war against drugs ? If so you have learned a life lesson, when you stoop to the level of your opponent (in this case criminals) you become one. If you were looking to gain the affection of the aforementioned prosecutor, as he was well aware as evidenced by his resignation is it possible or probable he and his fellow prosecutors looked the other way or expected the implausible work product you put out ?

Now hundreds of men and women are being released from jails and prisons as the result of what was allowed to happen at the state lab. The public brays for justice, the state pols see another opportunity to finagle federal funds. The Attorney General's Office declares jurisdiction thereby ensuring state prosecutors are investigating state prosecutors who were convicting men and women who may or may not have already been criminals but some who were completely innocent maybe someones father or mother, son or daughter ? Think about how many families had their lives turned upside down by the " Good Guys ".

Law enforcement is threatening those being released with intense scrutiny, severe punishment for any future offenses, mandatory programs and more. Their position begs the question, why have not these ideas been implemented on a daily basis before now if they are such a great deterrent ? Prosecutors indignant over defense attorneys demands that charges resulting from any testing done at the state lab be dismissed. What option do they have ? Ms. Dookhan among other things has admitted making samples positive by adding an illegal drug to them but no-one knows which ones.

There is another segment of society voicing their opinion, unfortunately from where they stand it is nearly impossible for them to be heard by the public at large, even if the public wanted to hear them.

Specifically prisoners incarcerated in Massachusetts and with the Federal Bureau of Prisons who have been convicted by a system that believes it is above the law. In their opinion Ms Dookhan should not be the only fall guy. It is impossible and improbable that she acted without at least the tacit approval if not with the open encouragement of her co-workers, supervisors and prosecutors. The facts validate this opinion, therefore the question arises has she been questioned about who else was involved and to what extent ?

Ms Dookhan now knows how it feels to be in the dock wondering why she is the only one facing a hostile courtroom. Law enforcement and prosecutors always ask the question " Who else is involved ? ". Another life lesson, misery loves company Ms Dookhan, you have already acted the felon but do yourself and many others a favor of not being the fall guy for this epic travesty of justice and answer the question. Do not be afraid, for years your actions have caused untold misery to thousands of men and women. Forget the criminal penalty that may be imposed, you have a moral penalty and an obligation to expose every facet of this scandal not only for those convicted by your actions, not only to the public and every honest person who works in criminal justice but to every person who was convicted and sent to prison because of perjured evidence or testimony. This scandal is the tip of the iceberg in opening the publics eyes. The criminal justice system has its bad apples too. Judges and juries are not infallible when presented with tainted evidence.

Those who have been thru the system know you were not acting alone, you want to put criminals behind bars ? Answer the question.

