



# The Commonwealth of Massachusetts

## NORFOLK DISTRICT ATTORNEY'S OFFICE

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## Press Release

### Statement of the Norfolk District Attorney September 15, 2016

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Norfolk District Attorney Michael W. Morrissey is in receipt of the Braintree police evidence room audit and appendix released to the public at the close of business yesterday (Wednesday, Sept. 14, 2016). Prosecutors continue to read and digest the contents of this voluminous document.

Four additional criminal cases compromised by the deficiencies and activities documented in the audit were withdrawn from prosecution in the Quincy District Court today by the filing of individual nolle prosequi – an executive action not requiring judicial action.

Even as the NDAO continues to identify undermined cases unilaterally, and is proceeding accordingly, the office is continuing to contact defense attorneys who have had or may have had Braintree clients in the past several years and alerting those attorneys to the additional information. Roughly 200 attorney notification letters have been sent and conversations have been held with senior staff at the Committee for Public Counsel Services offices serving the Quincy District and Norfolk Superior Courts, and the state head of CPCS.

The Norfolk District Attorney's Office has also alerted:

- Commissioner of Probation Edward Dolan (in light of the possibility that an undermined case could be used as grounds for a probation surrender or other proceeding).
- The judiciary
- All other Massachusetts District Attorneys, Attorney General Maura Healey, and the United States Attorney for Massachusetts (in light of the possibility that a compromised case could be the basis for charging a defendant in another jurisdiction with any type of subsequent offense charge, including enhanced penalty.)

District Attorney Morrissey is also mindful of the impact these disclosures may have on public perception and confidence. With those concerns, as well as his obligations to assure the quality of evidence presented in criminal proceedings, he has ordered the following:

1. In the immediate future, the District Attorney's Office will be offering substantial grants to any municipal police departments in Norfolk County that believe that they are due for an evidence audit to defray much or most of the cost of that audit. The amount offered in grant money will be determined through an accounting of available monies in the NDAO drug forfeiture account.
2. The Norfolk District Attorney's Office has begun soliciting information from local and national evidence management training programs. The NDAO will arrange and provide this training to evidence officers at any Norfolk County police department whose evidence officers would benefit from additional training.

The District Attorney and his staff recognize that these are the early days of what will be a long process.