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April 22, 2025

The Honorable Robert E. Craven, Sr.
House Committee on Judiciary
State House
82 Smith St.
Providence, RI 02903

RE: H 6229 – An Act Relating to Criminal Procedure -- State Crime Laboratory Commission

Dear Chair Craven:

Please accept this letter, with concerns, regarding H 6229, legislation that would establish a State Crime Laboratory under the oversight of the Rhode Island Office of the Attorney General through the consolidation of forensic laboratory testing services provided by both the Rhode Island Department of Health (RIDOH) and the University of Rhode Island (URI).

The National Academies of Sciences report, entitled *Strengthening Forensic Science in the United States: A Path Forward*, specifically recommends removing all public forensic laboratories and facilities from the administrative control of law enforcement agencies and prosecutors' offices (See page 24: [National Academies of Sciences Report](#)). H 6229 would directly contradict this best practice recommendation in placing forensic testing under the authority of the Office of the Attorney General. RIDOH's State Health Laboratories (RISHL) serves as a neutral third party for testing of evidence submitted in support of a variety of law enforcement activities.

RIDOH's forensic laboratories provide evidentiary analysis and courtroom testimony at no cost to both the defense and prosecution. RIDOH believes that the laboratory needs to remain a neutral party in the analysis of evidence and not report directly to the agency prosecuting a case. Housing the State Crime Laboratory under the authority of prosecutors creates due process issues for defendants. If the defense wants to contest the neutrality of the laboratory providing the analysis, the defendant would be left to secure their own testing services at a great expense. Not all defendants would be able to afford this service, thus creating greater disparities amongst under-served or marginalized communities.

RIDOH cautions against making major changes in the oversight of crime laboratory services until a comprehensive and thoughtful discussion takes place. Such discussion must include all public entities involved, including, but not limited to, the postal inspector, municipal law enforcement, the Rhode Island State Police, the Rhode Island Department of Transportation, the Rhode Island Department of Environmental Management, the State Court System, The Public Defender's Office, and the State Fire Marshal. RIDOH welcomes the opportunity to participate in a thorough examination of the current structure and processes.

H 6229 does not include mention of funding to implement the provisions of the proposed legislation. To effectuate improved coordination and efficiencies in crime laboratory services in Rhode Island, adequate and sustainable funding is critically needed regardless of which public entity has administrative authority of State Crime Laboratory services.

RIDOH's laboratory staff have worked for years to achieve excellence in their fields, aiming to follow high ethical norms, develop sound professional standards, ensure accurate results in their practices, and

improve the processes by which accuracy is determined. I thank you for the opportunity to comment on the proposed legislation.

Sincerely,

A handwritten signature in black ink, reading "Jerome M. Larkin". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Jerome M. Larkin, MD
Director

CC: The Honorable Members of the House Committee on Judiciary
The Honorable Matthew S. Dawson
Nicole McCarty, Esquire, Chief Legal Counsel
Lynne Urbani, Director of House Policy
