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OF COUNSEL

December 15, 2009

Anne Goldbach, Forensic Services Director  
Committee for Public Counsel Services  
44 Bromfield Street  
Boston, MA 02108-4909

Re: Greg Danas

Dear Ms. Goldbach:

I am a bar advocate attorney and I want to pass along an experience I had with a ballistics expert, Greg Danas. I believe he is on your list of experts qualified in that field.

My client was charged with assault to murder for a shooting that took place in May of last year. Police were called to a Dorchester neighborhood just after 8:00 A.M. where they found a gun shot victim on the sidewalk and the side window of a motor vehicle nearby. Witnesses gave a description of a tan Oldsmobile. They further stated that the shooter got back into the front passenger side of the vehicle which then drove off. Five minutes later they stopped a tan Oldsmobile with a window missing approximately one mile from the shooting. My client was in the passenger seat.

While my client insisted in a very convincing way that he was not the shooter, the initial circumstantial evidence was rather compelling. Grand Jury testimony, however, from the eye witnesses described the shooter as a dark skinned black male with braids and a black hoodie. My client is light skinned with no braids and a brown jacket. It appeared to be very defensible until the results of certain gun shot residue tests came back positive for my client and negative for the driver. They never found the firearm and assumed that it had been discarded somewhere along the one mile route.

Not knowing anything about GSR evidence, I sought help from Greg Danas. He

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was very helpful in educating me on the properties of gun shot residue and the proper collection procedures which should be used by law enforcement. We were surprised by the disclosure of the chemist's reports on the day of trial. The evidence was admitted over my objection and Greg did his best to impune the integrity of their findings. The trial ended in a hung jury.

The re-trial took place just two weeks ago. With more time to review their findings, Greg was able to completely discount their evidentiary value. We established through his testimony that FBI protocols require (1) GSR evidence should be gathered immediately, preferably at the crime scene (2) handcuffs should be avoided (3) excessive handling by law enforcement should be avoided and (4) contact with the seats of police cruisers should be avoided. All four of these protocols were violated and in our case. Greg also obtained a copy of the Boston Crime Lab Policy on the collection and use of GSR evidence. Their policy, in short, is not to bother with it because they have such misgivings about its usefulness. He then went on to testify to the properties of GSR and why such strict protocols are called for. It was the best use of expert testimony in a criminal case I have ever been involved in. After a 6 day trial with 48 exhibits, the jury took 2 hours to return a verdict of not guilty.

Please put Mr. Danas' name at the top of your list when considering attorney referrals for ballistics experts. You will be doing him a favor.

Please give me a call if you have any questions. I look forward to hearing from you.

Very truly yours,

Chuck Mathers

ECM/mc

CC: Greg Danas