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The July 19, 2002 DNA legislative and media summary is listed below.

These reports are prepared by Tim Schellberg and Lisa Hurst of Smith Alling Lane (253) 627-1091, on behalf of Applied Biosystems. Text of legislation can be obtained by following the appropriate state-link at this site: <http://www.ncsl.org/public/sitesleg.htm>. Please see the appropriate media website for the newspaper articles.

COMMENTS

A correction to the Utah DNA database law will ensure that all felonies (including drug felonies) are included in the database. "Cold-hits" made headlines in Wisconsin, Maryland, and New York. The Boston lab has been accredited and officials are working hard on old sexual assault cases. California authorities used animal DNA to implicate a suspected poacher.

A Florida post conviction DNA testing program has not seen much response from inmates. A post conviction test in Oklahoma further implicated the man who was convicted of the crime.

In international news...Canadian officials solved a bomb case through DNA, and Greek officials used DNA to link a man to a terrorist attack. India is moving towards the establishment of a DNA database, and Pakistan is establishing DNA labs at hospitals. Australian states continue to face DNA-related issues of expansion, funding and information sharing. Ireland is hoping DNA will clear unsolved murder cases dating back nearly a decade.

STATE LEGISLATION

1. Utah HB 1015E – Corrects current statute to clarify that the all convicted felons must give DNA to the offender database. ("All-felons" legislation enacted earlier this year did not reference the controlled substances code, which inadvertently left out drug felonies).

NEWS ARTICLES

Forensic DNA

1. "DNA Bank: Genetic Identikit." India Today, July 22, 2002.
A DNA database has been established in India to "help the legal system relate genetic evidence to the population and put a figure on the likelihood of the suspect being the offender." The database has DNA samples of over 8,000 individuals from 107 of the country's 5,834 population groups, including 25 castes, 25 tribes and 57 occupational categories. The database is collecting mitochondrial DNA. It was reportedly started under international pressure and could be the first step in a move to establish a database similar to CODIS.
2. "Kelowna man convicted of sending letter bombs." The Associated Press State & Local Wire, July 16, 2002.
In British Columbia, Canada, a man accused of sending two letter bombs, one of which exploded and injured two people, has been convicted on four counts of explosives violations. DNA found on one of the bombs has been matched to the suspect.
3. "People enrolling on indigenous roll asked to prove ancestry." AAP Newsfeed, July 15, 2002.
In Australia, people claiming Aboriginality in order to enroll on a new indigenous electoral roll are being asked to prove their ancestry – possibly through DNA tests.
4. "NSW calls federal govt's crime commission proposal a lemon." AAP Newsfeed, July 14, 2002.
On the agenda for an upcoming ministerial council meeting in Australia is e an agreement to exchange DNA samples between the states. The New South Wales Police Minister said repeat offenders were responsible for

most crime and called for protocols allowing the rapid exchange of DNA data.

5. "Convicts wary of offer for DNA test." The Miami Herald, July 14, 2002.
Last spring, Broward County officials offered all 29 local men on Death Row post conviction DNA tests if there was untested evidence that could prove their innocence. Only three men accepted. Some inmates declined the offer of DNA testing, essentially because defense attorneys and law enforcement officials can't agree on the terms. Most simply ignored the offer. Prosecutors say many of the inmates plainly balked at the prospect of genetic testing, which could cement their guilt just as easily as buy their reprieve. Defense attorneys counter that criminal justice leaders were never serious about DNA testing and tailored the invitation to assure failure.
6. "DNA match discovered in sexual assault case." Milwaukee Journal Sentinel, July 14, 2002.
Police in Burlington, Wisconsin are investigating a possible suspect in a sexual assault case after a DNA match on the database was discovered, but no arrests have been made.
7. "Provincial Monitoring Committee set up to check violence against woman, children." The Pakistan Newswire, July 14, 2002.
In Pakistan, in order to check violence against woman and children and promote a civil society cherishing high norms of human rights, the Punjab government has constituted a Provincial Monitoring Committee comprising of representatives of Police, Social Welfare Auqaf, Law and Education Departments. The project includes establishment of DNA testing labs at hospitals, which is underway.
8. "800 in towers may not be ID'd." The San Diego Union Tribune, July 14, 2002.
The New York City medical examiner expects that 800 victims of the Sept. 11 World Trade Center attacks are likely never to be identified. About 2,000 of the 2,823 believed to have been killed Sept. 11 at the World Trade Center may be identified. So far, 1,229 victims have been identified, or about 44 percent. Dental X-rays, fingerprints and personal belongings were helpful for many of the identifications, but staff has relied mainly on DNA analysis. The office is using mitochondrial testing and the "snip" method. There are about 19,700 samples in storage at the medical examiner's offices and they will be saved for years in case breakthroughs in DNA research can provide answers.
9. "Busted In Burglaries & Rapes." Daily News (New York), July 13, 2002.
Two Bronx men responsible for a four-month, three-borough rape-and-robbery spree were nabbed after DNA connected one of the suspects to the attacks. The men were charged with 10 burglaries and four sexual attacks since March. One of the men has been linked to three of the four sex attacks through DNA.
10. "DNA From Deer Used to Convict Bear Poacher." Los Angeles Times, July 13, 2002.
In the first such instance in California, game wardens used DNA to convict a bear poacher. A state Department of Fish and Game lab in Rancho Cordova matched DNA from pieces of a deer carcass used in a bear bait pile with drops of deer blood in a shed at the man's residence. A positive match also occurred with deer meat found in his freezer.
11. "Ex-cops, private eyes, forensic scientists come together to solve killings in spare time." The Associated Press State & Local Wire, July 12, 2002.
In Philadelphia, Pennsylvania a group of former law enforcement personnel have formed the Vidocq Society, a 12-year-old group specializing in solving murder cases that have stalled or been dropped by police. Old cases get a thorough review by individual members, who apply their years of forensic training to look for things police might have missed, such as an improperly diagnosed cause of death or DNA evidence that was never analyzed.
12. "Convicted sex offender ordered held without bond in 1988 rape." The Baltimore Sun, July 12, 2002.
In Maryland, the first person charged in a cold case based on a DNA match in the state DNA database, has been ordered to be held without bond while he awaits trial on rape and eight other charges stemming from an attack on a woman 14 years ago.
13. "Boston police crime lab gets national accreditation." The Boston Herald, July 12, 2002.

The Boston Police Crime Laboratory received national accreditation yesterday as officials launched an unprecedented effort to identify hundreds of DNA profiles from sexual assault cases without a suspect. Of the 1,000 sexual assault cases without a suspect dating back to 1984, investigators believe they will be able to test 250 for DNA profiles. The unit has already tested 15 cases and matched profiles to two convicted sexual offenders and linked four assaults to the same unidentified person. The BPD lab has linked suspects' DNA profiles from Florida, Maine, Connecticut and Virginia to crimes in Boston.

14. "DNA list builds to 40,000." Courier Mail, July 12, 2002.
In Queensland, Australia, the State Government expects, by next July, to have the DNA of 40,000 offenders on file and ready to be matched against evidence collected from crime scenes. The Government's two-year old DNA sampling program had achieved tremendous success, with 269 suspects linked to crime scenes and more than 70 offences being solved. Most of the DNA links were for offences including armed robbery, break-and-enter, willful damage and unlawful use of a motor vehicle, but some offenders had been linked to murders or rapes.
15. "New DNA evidence leads to arrest of man in 13-year-old murder." The Associated Press State & Local Wire, July 11, 2002.
In Los Angeles, California, the ex-boyfriend of a woman who was killed 13 years ago has been arrested after new DNA technology linked him to cigarette butts found at the crime scene. The man had always been a suspect, but there was never enough evidence to arrest him.
16. "New Hope In DNA Bid To Solve Kill." Belfast News Letter, July 11, 2002.
In Ireland, DNA tests are being used as part of a massive new inquiry into more than 20 loyalist and republican murders. A team of detectives has been set up to re-examine unsolved killings going back nearly a decade.
17. "A good decision; DNA test validates convictions." Tulsa World, July 11, 2002.
In Oklahoma, a recent post conviction DNA test did not clear the inmate of a 1979 attack on a nun (for which he was convicted). The test, which compared the inmate's DNA with stains on the nun's clothing, showed "no inconsistencies" between the specimens. "Sometimes DNA tests free innocent people. When this happens the community is pleased that justice has been done. It's equally important that the community and victims know when tests validate a conviction."
18. "Govt to move to DNA test prisoners." AAP Newsfeed, July 10, 2002.
The South Australian government is set to allow the DNA testing of all criminals. The Premier said the legislation would be introduced during the current parliamentary session and funds allocated in the state budget. About \$72,000 would be spent each year over the next four years testing about 3,000 prisoners in state jails. That would come from \$1.9 million allocated to the justice portfolio to administer the DNA databank. A further \$1.25 million would also be provided to the Forensic Science Unit to cover the increasing demand for DNA testing in police investigations.
19. "Tests Link Greek Terrorism Suspect." Associated Press Online, July 10, 2002.
In Greece, investigators have made new progress in linking a suspected member of the elusive November 17 terrorist group to past attacks. A suspected terrorist was wounded in a botched bombing June 29 in the port city of Piraeus. New DNA tests matched his blood with spots found in a May 1999 rocket attack against the German ambassador's residence.
20. "Budgets slashed for most agencies." The Deseret News (Salt Lake City, UT), July 10, 2002.
In Utah, legislators are requiring prisoners who give DNA samples for the database to pay for the costs of the DNA testing. The law requires that all persons incarcerated, on probation or on parole as of July 1, 2002, submit to mouth swabs so officials can create the database, which will be used to solve crimes.
21. "Rapist burglar trapped by DNA eight years on." South Wales Evening Post, July 4, 2002.
In South Wales, DNA has trapped a rapist after eight years from his feces. The 1994 rape had remained unsolved, until the man defecated in the garden of a house he had burgled. Police matched the sample with DNA from the rape crime scene and came up with suspect.

Genetic Privacy / Research

22. "PanAfrica; WHO Report Endorses Genetic Research." Africa News, July 16, 2002.
The World Health Organization's report entitled Genomics and World Health makes a major contribution to the debate on the ethics of genome research, covering a themes, from use of DNA tests to select the sex of children to the need to ensure that poor countries are not left out of future medical advances. Genome research, if correctly handled, is believed to hold the potential for to change the world for all healthcare.
23. "Who owns our DNA?" Ottawa Citizen, July 15, 2002.
The question of benefit sharing -- everything from paying people for their donated DNA samples to financial rewards from royalties and patents -- has emerged as the most contentious issue to be resolved. What obligations do those who stand to reap profits from human genomics research have to those who make their research possible? Should those who take part in this research share in the financial benefits that result from it?
24. "Clonaid conducts human cloning project in South Korea." Agence France Presse, July 12, 2002.
Scientists affiliated with Clonaid, a US-based human cloning company, are reportedly involved in experiments with South Korean women volunteers.
25. "Many Would Pay For Genetic Testing If Not Too Expensive." Research Alert, June 21, 2002.
Nearly seven in 10 adults (69%) say they would be at least somewhat likely to ask for a comprehensive genetic test to determine the likelihood of their acquiring several major diseases if it were not too expensive and 39% say they would be very likely to do so, according to Harris Interactive. The more familiar people are with genetic testing--70% are somewhat familiar with the idea and 18% very familiar--the more likely they are to ask for such testing.

Paternity

26. "Fathers lobby to strike down child support orders where DNA proves they're not the biological father."
National Public Radio (Morning Edition), June 20, 2002.
In a growing number of states, fathers are lobbying for the right to strike down child support orders in cases where they can prove they are not biologically related to a child. Georgia is the latest state to pass such a law. A similar bill is before the state Senate in California. Fathers' rights groups say the issue is one of fairness, but children's advocates ask fairness for whom? .