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The July 25 & August 2, 2002 DNA legislative and media summary is listed below (combined as one).

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

The expansion of Washington's database to include all convicted felons made the news. DNA databases connected and solved crimes in California, Illinois, Indiana, Louisiana, Missouri, Maryland, New Mexico, New York, Oregon, Pennsylvania, and Tennessee. DNA was instrumental in solving other cold cases in California (murder), Indiana murder), Kentucky (rapes), Michigan (1981 murder), South Carolina (robberies), and Washington (1973 murder). A Fourth Amendment challenge in South Carolina to a subpoena for a DNA sample was denied. Other prosecutors are finding that DNA is not necessarily a "slam dunk."

Los Angeles police have admitted to accidentally destroying at least 1,100 untested rape kits, and budget problems in Alabama are forcing investigators to look to private labs for DNA analysis. Federal funding for DNA testing in Maine was covered in the local media. Baltimore, Maryland is appointing a "lab liaison" for the prosecutor's office.

Post conviction DNA testing has cleared a man in Missouri, and has proved inconclusive in a Kentucky case. National reviews are finding that few felons are taking advantage of post conviction DNA testing offers.

In international news...Canada is considering an expansion of its database, England is preparing a comprehensive review of the Forensic Science Service, and both countries are discussing amendments to "double jeopardy" laws for cases where DNA can prove guilt. The Danish EU Presidency continues to push for sharing of DNA data. Austria hopes DNA will help in a bombing investigation, and the ICMP has opened a new DNA lab in Bosnia. Australian states have reached an agreement on the free exchange of DNA information, and many are considering expansions to their offender databases. Several New Zealand political parties are calling for expansions to the offender DNA database. Authorities in Turks and Caicos are using DNA testing with persons suspected of immigration violations.

## STATE LEGISLATION

1. Massachusetts HB 5300 – Appropriations legislation includes funding for four additional DNA analysts at the state lab.

## NEWS ARTICLES

### Forensic DNA

1. "Ottawa ponders expanding DNA bank." Calgary Herald, July 31, 2002.  
In Canada, the federal government is considering expanding its DNA data bank to include more offenses and the criminally insane, and make the law apply retroactively to those convicted before its creation. The database has had 236 matches in the four years it has been existed.
2. "LAPD Blames Faulty Training in DNA Snafu." Los Angeles Times, July 31, 2002.  
A day after disclosing that the Los Angeles Police Department mistakenly destroyed biological evidence in 1,100 sexual assault cases, LAPD officials blamed the problem on their failure to properly train detectives on maintaining rape kits. The department told members of the Police Commission that detectives ordered DNA

evidence destroyed because they were unaware that the statute of limitations for rape cases was lengthened in 2001 from six years to 10. Los Angeles County Sheriff's officials, meanwhile, said they have been auditing their own DNA procedures in recent months and hope to have the results soon.

3. "Cleared inmate looks to rebuild after 18 years behind bars." The Associated Press State & Local Wire, July 31, 2002.  
In Missouri, a judge has ruled that DNA tests have proven the innocence of a man convicted in the 1984 rape of a college student, and ordered his immediate release from the maximum-security prison. The Innocence Project that had pushed for DNA tests in this case.
4. "Man convicted man of killing Seattle-area girl in 1973." The Associated Press State & Local Wire, July 31, 2002.  
In Washington State, a man convicted of a 1973 murder once attributed to serial killer Ted Bundy has been sentenced to life in prison after DNA evidence linked him to the crime. The man was sent to a mental hospital in Maryland for killing a woman in 1967 and is serving a 48-year term at a Washington corrections facility for a 1976 rape conviction. The judge ruled that the man is a danger to society and should never again be released.
5. "Serial killings confirmed." The Advocate (Baton Rouge, LA), July 30, 2002.  
In Louisiana, DNA has linked three unsolved murders to one person, thereby alerting Baton Rouge law enforcement that a serial killer is at work. The murders began in May of this year.
6. "Man arrested in string of rapes." The Associated Press State & Local Wire, July 30, 2002.  
In New Mexico, police have arrested a man they say has been linked to a rape and a planned rape by the state's DNA database. The man was on the database due to a prior property crime conviction. More than 17,500 people are now entered into New Mexico's database.
7. "DNA Evidence In '97 Rapes Points To Convict." The Commercial Appeal, July 30, 2002.  
Five years after a series of five rapes near the University of Tennessee campus, police have announced that a cold hit on the offender DNA database has identified a suspect - a convict already behind bars. The man began a 15-year sentence in 1998 for aggravated burglary and sexual battery.
8. "Few inmates seek exonerations with free DNA tests." USA Today, July 30, 2002.  
Government programs that have offered free DNA tests to thousands of inmates to help them challenge their convictions have found few takers and have led to virtually no exonerations, prosecutors say. Reasons for the low level of interest are: 1) Many inmates fear the tests would make a pardon or parole more difficult by confirming their guilt; 2) Inmates worry about being linked to other crimes; and 3) The cases likely to involve wrongful convictions already have been pursued by defense lawyers who specialize in DNA-related exonerations. Defense lawyers additionally complain that most free testing programs are tilted against convicts because they limit tests to cases in which DNA evidence could clear a convict, rather than just raise doubt about guilt.
9. "Government in Turks and Caicos dismisses calls to further tighten immigration controls." Associated Press Worldstream, July 29, 2002.  
In Turks and Caicos, some people suspected of accepting cash to pose as parents of foreign children have been forced to undergo DNA tests to prove their relation. More than 60 percent of the country's public school students come from overseas, and many are not legally registered, officials say. While the population of legal residents in Turks and Caicos is about 20,000, the government estimates some 15,000 Haitians - legal and illegal - also reside throughout its many islands and cays.
10. "Officials break ground on new laboratory campus." The Associated Press State & Local Wire, July 29, 2002.  
In Iowa, state officials broke ground on a \$51.8 million laboratory campus to house the state's crime lab, the medical examiner's lab, the University of Iowa Hygienic Lab and the Department of Agriculture laboratory. The driving force behind the project was police and prosecutors who said the overworked and cramped state crime lab was unable to process evidence in time to prosecute charges. In addition, they said, new technology such as genetic testing made it essential for the state to upgrade its technical services. "The new crime lab is another way for the state to provide even better support for the law enforcement efforts of local police departments,

county sheriffs and county attorneys across the state," the governor said.

11. "DNA may help police." The Leader Post (Regina), July 29, 2002.  
In Austria, explosives experts are working to determine if fragments of a hand grenade contained DNA evidence that might lead police to the person who set off the explosion that injured 27 people. The grenade exploded early Saturday at a discotheque frequented by young Balkan immigrants in Linz, Austria's second-largest city, scattering tiny steel balls and bits of shrapnel. All but two of the victims, most ages 15 to 19 and from the former Yugoslavia, were treated at area hospitals and released. "DNA analysis could give us some clues about the perpetrator," said an Interior Ministry explosives expert aiding investigators with the Federal Criminal Bureau, Austria's equivalent of the FBI. Results were expected later this week.
12. "Police Learn From Rape Cases." The Sunday Oregonian, July 28, 2002.  
In Oregon, cold hits from the state's DNA database are causing law enforcement to change procedures. Three teen-age girls were sexually assaulted in 1997, yet neither the victims nor their families ever knew of the other attacks. It took five years -- with a homicide and another rape -- before police connected the cases. Detectives investigating the murder were not immediately aware of the 1997 rapes because DNA evidence from two of them sat in a property room for five years. The information came out this year only after a man was arrested in the April rape of a woman he knew, and DNA tests linked him to a December 2001 killing, and the 1997 attacks. Although he was under sex-offender supervision because of his juvenile record and his 1989 attempted kidnapping convictions, his DNA was not in the state's database because the law did not require sex offenders to provide samples until 1991.
13. "DNA Evidence Leads To Arrest Of Boy, 16, In Sunnyside Rape." The Sunday Oregonian, July 28, 2002.  
In Oregon, Clackamas County sheriff's investigators have arrested a 16-year-old boy on multiple felony charges, calling him the "Sunnyside rape suspect" who tried to drag a woman into the bushes in April and raped another woman in her home last fall. Investigators linked the boy to the crimes through DNA evidence.
14. "Police to receive grant to update DNA files." Bangor Daily News (Bangor, Maine), July 27, 2002.  
The Maine State Police will receive a \$376,554 grant from the U.S. Department of Justice to help feed DNA profiles into the national DNA database. Funding is provided through the National Institute of Justice to support the state police "No Suspect Casework DNA Backlog Reduction Program." The grant will fund overtime, equipment, supplies and consultants for the initiative. The crime lab expects to examine 300 "no-suspect" cases, performing DNA analysis and entering the DNA profiles into the database for comparison with convicted offender indices. State police expect 10 percent or more of the forensic profiles from unsolved crimes will be solved through in DNA profiles already included in the system.
15. "State forensic lab cutbacks force investigators to look elsewhere." The Associated Press State & Local Wire, July 26, 2002.  
In Alabama, law enforcement officials this week said that an alleged rapist arrested this week likely would remain unidentified if investigators had relied on the underfunded and understaffed state forensics lab. The Alabama Department of Forensic Sciences is facing a backlog of cases because a budget crunch has led to cuts in services and staff. So instead, the rape investigators sent DNA samples to Reliagene Technologies in New Orleans for analysis - thanks to a \$25,000 grant from the Alabama Department of Economic and Community Affairs. DNA testing at the private lab took only six weeks, as opposed to several months required at the state lab. The state forensic lab also cannot perform mitochondrial DNA testing, nor are there any plans to add such testing ability any time soon.
16. "State collecting DNA from more felons for expanded database." The Associated Press State & Local Wire, July 26, 2002.  
In Washington State, jails and prisons are collecting DNA samples from more inmates under new state guidelines requiring convicted felons and those charged with certain gross misdemeanors to be tested. It's part of a push to expand the Washington State Patrol Crime Lab's DNA database in hopes of solving "cold cases" and giving the criminally accused better access to technology that could exonerate them. The expanded database is being funded with \$1.1 million in state money for crime-lab improvements approved earlier this year. The state is hoping more money comes through when the National Institute of Justice awards grants later

this year. Crime lab officials predict as many as 2,000 to 3,500 new samples will be collected each month. The lab had a backlog of 566 cases as of June.

17. "State police make arrest in 1981 homicide." The Associated Press State & Local Wire, July 26, 2002.  
In Michigan, DNA testing has led police to arrest a married father of four daughters on charges of killing a 78-year-old neighbor nearly 21 years ago. Several years ago, police began re-examining old suspects, comparing their DNA with that found at the crime scene. A total of 39 people were eliminated as suspects. The last suspect (the man subsequently arrested had abandoned his family and his job as a factory worker in 2001 after learning he was a suspect. After locating the man and obtaining a DNA sample, it was found to be a match to that found at the crime scene.
18. "Mayor, prosecutor meet after weeklong verbal brawl." The Associated Press State & Local Wire, July 26, 2002.  
In Baltimore, the Mayor has agreed to fund a "lab liaison" to make sure the DNA and fingerprint tests are available for trial. The new position comes as part of a cooperation agreement at the end of a three-day verbal brawl between the Mayor and the State's Attorney (who is up for re-election). The Mayor accused the city's head prosecutor of not taking gun crimes seriously, while the prosecutor took the mayor to task for not funding any new prosecutors.
19. "CO ordered to submit to DNA test in inmate sexual relations suit." Corrections Professional, July 26, 2002.  
A South Carolina corrections officer accused of engaging in sexual relations with inmates and extortion related to those relations, lost her bid to quash a grand jury subpoena ordering her to provide a DNA sample. The officer had filed a motion to quash the subpoena on the grounds that a saliva sample for DNA testing is an "invasive procedure" and she cannot be forced to submit to such testing without showing probable cause. The FBI held that a DNA sample taken from a saliva swab is not an invasive procedure that carries Fourth Amendment guarantees. It said a saliva swab is like voice and handwriting samples, which the courts have determined are not "searches" and therefore, do not implicate the Fourth Amendment. Ruling: The U.S. District Court, South Carolina found the grand jury subpoena ordering the officer to submit a saliva sample for DNA testing is a reasonable search within the meaning of the Fourth Amendment. The subpoena is supported by reasonable suspicion that she was engaged in criminal wrongdoing and because the means and procedures used to obtain the sample are reasonable.
20. "DNA evidence leads to rape indictment." Kansas City Star, July 26, 2002.  
In Kansas City, Missouri, a cold hit on the DNA database have led prosecutors have charged a man with 20 criminal counts in connection to two 1999 rapes. Kansas City investigators never thought the man was a suspect in the cases, but a robbery conviction brought the man's DNA sample into a statewide database in April. The sample from the man, who had recently began serving a 14-year sentence for robbery, matched the genetic profile collected from the two 1999 rape victims in Kansas City. Court records indicated the statistical probability of a match was one in 400 trillion.
21. "Man Convicted Of Sexual Battery On Boy, 5." The Orlando Sentinel, July 26, 2002.  
In Florida, a man was convicted of sexual battery on a sleeping 5-year-old boy and sentenced to life in prison without the possibility of parole, despite the fact that the defense had argued that the DNA evidence used by prosecutors to link the man to the crime may not be valid because a lab analyst who worked on the case resigned after he was caught cheating on a competency exam. The analyst, who resigned on Feb. 13 from the Florida Department of Law Enforcement, signed his initials to two DNA samples taken from the boy after he checked another analyst's test results in the case, part of the lab's standard procedure.
22. "DNA Led Police To Suspect." Sun-Sentinel (Ft. Lauderdale, FL), July 26, 2002.  
In Florida, thanks to a victim's decision to fight back and tear a glove off her attacker, investigators have arrested one man and filed charges against another in connection with five of the more than 40 robberies attributed to the "Rolex Bandit." The break in the case came in fall, when federal prosecutors called the Sheriff's Office to tell them about the suspect, whom they had in custody on charges that he robbed a Brinks armored truck. Investigators said that when they visited the man in prison, he knew many details about the Rolex Bandit crimes but didn't incriminate himself until they returned later with DNA evidence.

23. "DNA links Folsom inmate to 1976 murder." Sacramento Bee, July 25, 2002.  
In California, DNA evidence from a 1976 murder recently was found to match the DNA profile of a Folsom State Prison inmate. The suspect was scheduled to be paroled Aug. 1 after serving 15 years of a 29-year term for raping and robbing one Sacramento woman and kidnapping another. The man was on parole for a 1978 robbery when he committed the 1986 crimes. Investigators had been anticipating a match with another convict, and were surprised by the match to the suspect. A \$50 million three-year grant offered by the Governor's Office of Criminal Justice Planning in 2000 gives counties as much as \$7,000 for each DNA profile that produces a match in unsolved rape or murder cases. Since the grant started, California authorities have identified nearly 40 suspects by re-examining old evidence with new technology. "DNA is the best thing that has ever happened. I wish we had it before."
24. "Police say DNA links Illinois inmate to Muncie slaying." The Associated Press State & Local Wire, July 24, 2002.  
In Indiana, DNA tests have linked a convicted sex offender to the slaying of a woman three years ago. The man is currently serving a seven-year prison term for a robbery conviction in Illinois. He previously had received a six-year sentence after being convicted of sexually assaulting a woman in the Chicago area and had been found guilty of failing to register as a sex offender. "The state police lab is responsible for, essentially, the solution of this case," Muncie police Capt. Robert Weller said at a Wednesday press conference. "Louis Verner did not surface as any kind of suspect during the course of our investigation in the late winter of 1999." DNA testing also was used to clear eight men who had been considered suspects in the case, police said.
25. "Policies of the eight parties in Parliament outlined." The Southland Times (New Zealand), July 24, 2002.  
In New Zealand, the "Greens" political party includes "Expand DNA testing to burglary suspects and imprisoned serious offenders" as part of its election platform; and the "New Zealand First" party calls for "mandatory DNA samples for all arrests."
26. "Man arrested, accused of raping woman, 70." Contra Costa Times, July 24, 2002.  
Police in San Jose, California say they arrested a man on suspicion of raping a 70-year-old woman after linking his DNA to some collected in another rape case, for which the man was arrested.
27. "Justice And Home Affairs: Danish Presidency Proposes Intra-Police E-Mail System." European Report, July 24, 2002.  
All European Union Member State police services could soon be linked up by an internal e-mail system. The Danish EU Presidency is about to table to a proposal to improve the electronic exchange of information between law enforcement authorities. It wants police to be able to ask for someone's criminal records, fingerprints or DNA profiles by e-mail and to get a response within twenty-four hours. If the data is available, the e-mail would be followed up with a formal request for information. Denmark sees the move as a first step towards establishing a central European criminal record. It hopes to have the initiative, a draft Decision, adopted by the end of its Presidency.
28. "Police Call For More Power On DNA Tests." The Age (Melbourne), July 23, 2002.  
Police in Victoria, Australia are calling for wider powers to take DNA samples from crime suspects. Lawyers and the Privacy Commissioner attacked the proposal but it won strong support from the State Opposition. The police want a system, similar to the one in Britain, where anyone suspected of committing a crime punishable by imprisonment can automatically have their DNA tested. At present, the Victorian police must seek a court order before conducting a DNA test and can only seek such an order when investigating specific indictable crimes. The force called for the changes before a Victorian Parliament law reform committee hearing into forensic sampling and DNA databases.
29. "Bosnia gets third DNA lab to identify human remains." Agence France Presse, July 23, 2002.  
A third DNA laboratory, specialized in identifying human remains from the country's war of the 1990's, has opened in Bosnia. "The laboratory in Banja Luka will be used in cases where either a small part of a body was recovered or where the body has been affected by either fire or chemicals," said Gordon Bacon, head of the International Commission on Missing Persons (ICMP) mission in Bosnia. "This sophisticated laboratory will accelerate the process of identification for the families who are still waiting for news on the fate of someone they loved and lost during the war," he added. The ICMP currently had over 500 DNA matches, while some

20,000 people are still reported missing from Bosnia's 1992-95 war.

30. "Man known as 'flashlight rapist' pleads guilty after DNA evidence solves cases." The Associated Press State & Local Wire, July 23, 2002.  
In Kentucky, A man who police said used a flashlight to blind his victims as he abused them pleaded guilty to more than 20 felony charges. The case against the man known as the "flashlight rapist," was one of the state's largest with charges based on DNA evidence. The man pleaded guilty to five counts of rape, one of attempted rape, four of sodomy, three of sexual abuse, eight of burglary and being a persistent felon. Investigators matched the man's DNA - obtained in 2001 under a search warrant - to saliva on a flashlight dropped at the scene of the attempted rape.
31. "Advocate Says Ga. Refused Families' DNA Samples." The Commercial Appeal (Memphis, TN), July 23, 2002.  
Georgia investigators have reportedly refused offers of DNA samples from some people trying to find out if deceased relatives are among unidentified remains recovered at the Tri-State Crematory. Georgia's chief medical examiner rebutted the claim saying DNA testers have refused no offers of blood samples, unless the prospective donor was not a close relative of the deceased. Authorities recovered 339 bodies on the crematory property in northwest Georgia. Partly with the help of DNA testing, forensic workers have identified 167 bodies. The DNA testing by Armed Forces DNA Identification Lab continues.
32. "Net set to widen in DNA hunt for Imraan's killer." Lancashire Evening Post (Preston), July 23, 2002.  
In England, mass DNA sampling in the hunt for the killer of a schoolboy could be extended. Tests have been carried out on two-thirds of the 90 men initially asked to provide DNA.
33. "UK Government Review of Forensic Science Service announced." M2 PRESSWIRE, July 23, 2002.  
In England, the Home Office Minister, John Denham, has announced a comprehensive end-to-end review of the Forensic Science Service. The review will look at the delivery, performance and responsiveness of the Forensic Science Service (FSS) and the way in which it contributes to the work of the Police Service, Home Office objectives and the wider needs of the Criminal Justice System. John Denham said: "The Forensic Science Service is a vital provider of modern intelligence-led identification technology, like the national DNA database. Harnessing new technology and making best use of this in the fight against crime is a key element of the police reform agenda. And it is a good indication that the core business of the Forensic Science Service continued to grow last year."
34. "DNA Nails Rapist: Cops." The New York Post, July 23, 2002.  
In New York, an imprisoned sex offender was charged with two counts of rape, thanks to a DNA match on the offender database. The man was arrested by the Manhattan Special Victims Squad in an upstate prison, where he is serving time for an unrelated 2001 sex attack.
35. "DNA test admitted in murder case." Rochester Democrat and Chronicle, July 23, 2002.  
In New York, a State Supreme Court Justice has ruled that a man voluntarily gave a DNA sample that matched DNA extracted from cigarette butts and a soda container found in the home of woman who was murdered. Authorities tried unsuccessfully to get a DNA sample from a milk carton and a plastic spoon used by the man in a county jail, where he was being held on an unrelated larceny charge. Later, investigators went to his home to question him again. He went willingly to a sheriff's substation and again denied being in the victim's home, but consented to give a DNA sample from the inside of his mouth with a cotton swab.
36. "Campus makes a case for project." The Gold Coast Bulletin, July 22, 2002.  
In Australia, the Queensland Attorney-General has suggested that the Innocence Project at a local should be extended to law schools around the country.
37. "DNA proves to no slam-dunk in getting conviction." Seattle Times, July 22, 2002.  
Prosecutors and victim-advocacy groups around the country are finding that the criminal-justice system doesn't treat DNA evidence differently from any other evidence. Defendants are still eligible for release pending trial. And in a recent Oregon case, a jury sided with defense attorneys who argued that although DNA evidence showed their client had sex with the victim, it didn't show he had killed her. A Seattle case has local

prosecutors wondering whether the strength of DNA evidence shouldn't be considered by judges making pretrial-release decisions.

38. "DNA evidence links suspected killer to murdered girl." The Associated Press State & Local Wire, July 21, 2002.  
DNA evidence found on the body of 5-year-old Samantha Runnion matches that of the man arrested in her killing. A spokesman with the Orange County Sheriff's Department would not specifically confirm or deny the report, but did say authorities were "100 percent sure we have the right man." "Forensic testing has confirmed our initial suspicion. DNA is a component of forensic testing," he said.
39. "Move for register of baby DNA." Sunday Herald Sun, July 21, 2002.  
All babies in Victoria, Australia would have DNA samples taken and stored under a proposal to be made to a parliamentary committee. The Crime Victims Support Association wants DNA blood or hair sampling of all babies recorded "in the same manner as birth certificates" to assist in a crackdown on crime. Records of the samples would be kept by state and federal police. The Association will also call for immediate routine DNA sampling of all adults and children suspected, charged or convicted of an indictable offence under laws similar to those covering fingerprinting.
40. "Prisoner DNA match plan on rape cases." Sunday Mail (SA), July 21, 2002.  
In South Australia, jail inmates will be DNA matched against hundreds of unsolved rape cases dating back 12 years when "controversial" new laws take effect later this year. More than 250 DNA samples from rape victims have been placed on a database and a further 200 will be added within 12 months. The new legislation announced by the State Government will enable DNA samples to be taken from every prisoner in the state. There are currently more than 2000 samples on the entire police DNA base, mostly obtained from unsolved crime scenes such as house break-ins and stolen cars.
41. "FDLE says no cases in danger after Orlando analyst resigned." The Associated Press State & Local Wire, July 20, 2002.  
The Florida Department of Law Enforcement has said that the actions of an analyst who quit after he was caught switching DNA samples and altering data had no effect on evidence in criminal cases. The analyst has admitted to doctoring the results of a test designed to check the quality of his work and his Orlando lab's ability to analyze DNA. He resigned two weeks later rather than be fired, but FDLE believes it was his only transgression. Once the FDLE discovered the problem, the agency retested about 10 open cases, but none of the closed cases were retested.
42. "Police: Suspect in series of rapes linked to 1988 assault." The Associated Press State & Local Wire, July 19, 2002.  
In Pennsylvania, DNA tests have shown that a man linked in a series of rapes and sexual assaults in eastern Pittsburgh neighborhoods and suburbs in the past two years raped a woman in 1988. Allegheny County Coroner and police said DNA tests linked an unknown man dubbed the "East End Rapist" to the rape of a woman 14 years ago.
43. "New DNA test for man convicted of rape 'inconclusive.'" The Associated Press State & Local Wire, July 19, 2002.  
In Kentucky, a second DNA test a prison inmate hoped would clear him of a rape and sodomy conviction was inconclusive. Nevertheless, the man's legal team planned to press ahead with a request for a new trial. In addition, the prosecutor said he was willing to have yet another DNA test - this time on pubic hairs that underwent only microscope analysis before the man's trial 13 years ago. "If the wrong guy's in jail, we want to know," Franklin County Commonwealth's Attorney Larry Cleveland said in an interview. "If the right guy's in jail, I want to know that, too."
44. "Inmate admits to 1989 killing." The Baltimore Sun, July 19, 2002.  
In Maryland's latest "cold case" to be solved through the state's DNA database, a 38-year-old man pleaded guilty to the rape and bludgeoning death of a woman he abducted as she walked home from work during a 1989 snowstorm. The man is currently serving 25 years for an unrelated sex offense. Baltimore police are

overloaded with 5,100 cold cases for unsolved rapes and murders.

45. "Byrd directs additional funds to West Virginia." Charleston Daily Mail, July 19, 2002.  
Marshall University's forensic science program, which focuses on DNA identification, could get a \$ 3 million boost from federal appropriations next year if the Senate's appropriations bill is approved.
46. "MPs want changes to double jeopardy." Edmonton Journal, July 19, 2002.  
Canada should change the Charter of Rights and Freedoms to ensure acquitted criminals don't get off scot-free if conclusive new evidence shows they are guilty, say Alliance MPs. The party argues that times have changed since 1982 when the principle of double jeopardy was enshrined in the Charter to ensure no one can be tried twice for the same crime. Today, DNA evidence sets innocent prisoners free decades after a wrongful conviction, and courts should be free to reconsider not guilty verdicts if irrefutable DNA evidence shows an acquitted person is guilty. "Nobody should be getting away with murder." Britain is considering changes to the 800-year-old common law it shares with Canada in an effort to rebalance the criminal justice system in favor of victims. The proposal includes second trials for people acquitted of serious crimes, if a Court of Appeal agrees there's strong new evidence, such as DNA.
47. "Government unveils plans to reform criminal justice system." The Associated Press, July 18, 2002.  
Prime Minister Tony Blair's government unveiled plans to reform Britain's criminal justice system, including proposals to end trial by jury in certain cases. Home Secretary David Blunkett told lawmakers in the House of Commons Wednesday that the whole system needed to be rebalanced "in favor of the victim." Blunkett added that the government planned to abolish the double jeopardy rule - which prohibits the retrial of a defendant on the same charges - in cases "where compelling new evidence such as DNA comes to light." The changes will cover serious offenses including murder and rape.
48. "Nod on state DNA swaps." Northern Territory News, July 18, 2002.  
In Australia, police ministers have agreed to the free exchange of DNA samples between borders. The conference, in Darwin, resolved to "expedite agreements between jurisdictions to facilitate the exchange of DNA information in accordance with each jurisdiction's legislation". The resolution put forward by the Northern Territory and New South Wales was unanimously endorsed.
49. "DNA leads to murder charge in '93 case." Chicago Tribune, July 18, 2002.  
In Illinois, a man already convicted of rape has been charged in the 1993 killing of a Romanian immigrant based on DNA evidence. Detectives from the Chicago Police Department's Cold Case Squad sent an untested swab of semen from the victim's body late last year to the state crime lab and found a match in the DNA database.
50. "Jury hears dog feces testimony." South Bend Tribune, July 18, 2002.  
Analysts from the Veterinary Genetics Laboratory at the University of California at Davis testified in an Indiana court that DNA from dog feces found outside a victim's house matched the DNA in the feces on the Nike athletic shoes police took from the apartment of the suspect's girlfriend. The lab used 14 genetic markers to make DNA comparisons for dogs. To be considered a match, at least 10 markers must show the same results. There is just one chance in 10 billion of another dog having the same DNA, and there are only 57 million to 60 million dogs in the United States.

#### Genetic Privacy / Research

51. "South Korean government probes human cloning experiment." Agence France Presse, July 24, 2002.  
South Korean authorities launched a probe into experiments by Clonaid, a US-based human cloning company associated with the Raelin movement, which believes that life on Earth was created in laboratories by extraterrestrials. Clonaid's Korean affiliate, BioFusion Tech Inc. announced that a Korean woman was pregnant with an embryo cloned by Clonaid, prompting the investigation.
52. "Man seeks to warn birth mother about genetic disease." The Associated Press State & Local Wire, July 30, 2002.

A 19-year-old college student in Indiana who was adopted as an infant is searching for his biological family to let them know they carry a rare genetic defect that, without warning, destroyed most of his vision last summer. The condition is caused by a mutation in DNA. Only women can transmit the condition, but they pass it on to all of their children. State law that prohibits adopted children from learning the identity of their birth parents until they are 21. And while a provision of the law allows a court-appointed intermediary to contact a biological parent, his adoptive family is concerned about what that process, including the hiring of an attorney, might cost.

53. "DNA question; More health insurers are paying for genetic tests." Akron Beacon Journal, July 28, 2002. Insurers increasingly are willing to pay for genetic testing and the counseling that experts say should go along with learning the potentially life-altering results. In fact, some health insurers now encourage people to consider taking these tests when the results would change the treatment or preventive measures a patient needs. Although skeptics still worry that this private information could ultimately be used to discriminate against patients, insurers insist they have the best of intentions.
54. "Patenting DNA 'not in public interest'." The Guardian (London), July 23, 2002. A report published by the Nuffield Council on Bioethics (United Kingdom) says that patents on DNA should be granted only in exceptional circumstances. "We are concerned that, for patents involving DNA, the patent system is in danger of not achieving its main goal - to stimulate innovation for public good." The study by the council, an independent body funded by the Nuffield Foundation, the Wellcome Trust and the medical research council, was greeted warmly by many research scientists.

#### Paternity

55. "Laws forbidding secret swabs to save families." Herald Sun, July 19, 2002. In Australia, judges, family lawyers and legal experts have predicted criminal sanctions and regulations to stop suspicious parents stealing hair or cheek swabs from their children for paternity DNA testing.