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The October 31, 2003 DNA Resource Report 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.

SUMMARY

Cold hits on DNA database identified offenders in Illinois (sex offender linked to a rape), California (sex offender linked to five rapes), Texas (sex offender linked to 4 murders), and Colorado (Oregon sex offender linked to rape). DNA evidence aided investigations / prosecutions in Georgia (murder), North Dakota (rape), Utah (murder), New Jersey (murder), Washington (murder), and exonerated to police officers accused of a crime in Minnesota. West Virginia continues to build its DNA database with the help of Marshall University.

A judge in Alaska has issued a temporary restraining order blocking DNA collection from certain offenders (based on the 9th Circuit's opinion). Federal prosecutors have filed a John Doe indictment against a DNA profile obtained from two robberies. A Missouri prosecutor has been implementing a new policy to require a DNA sample as a condition for felony plea agreements. DNA that police obtained through a ruse in Seattle is being challenged. A study shows that juror skepticism with the science of DNA can be overcome with mathematical explanations.

A newspaper has found that many agencies fail to resubmit DNA for the database in cases where previously convicted inmates have been exonerated – leaving many crimes unsolved. The newspaper also found that many prosecutors and law enforcement officers continue to focus on exonerated inmates as prime suspects. A Missouri inmate is seeking new DNA tests on evidence that was tested using old DNA techniques at his first trial.

In international news... Many eligible offenders in Canada are not being required to submit DNA samples for the database. Canada identified a suspect from discarded clothes that were used during a robbery. Cases of DNA testing of remains for identifications were covered in Israel, Kuwait, France and Ireland. New Zealand has been exporting its DNA database system to other countries, and has begun compulsory DNA sampling from suspected burglars. Italian police used DNA from a cigarette butt to identify a murder suspect. Scotland Yard has refused a request for DNA testing that could eliminate a long-time murder suspect.

STATE LEGISLATION

Forensic DNA

1. New Mexico HB 6A (1st Special Session) -- Requires DNA samples from anyone who registers or renews registration as a sex offender on or after January 1, 2004.

NEWS ARTICLES

Forensic DNA

1. "Digging Up The Dead." Insight on the News, November 10, 2003.
Article explores disputes on exhumations for DNA testing. "Some critics charge exhumations show disrespect for the dead and drain scarce resources that could be used to solve prosecutable crimes. Others argue that selectively collecting DNA from the grave can open the door to solving historical mysteries."
2. "Data bank law said not enforced." The Lawyers Weekly, October 31, 2003.
Canada's RCMP has complained that the national forensic DNA data bank is not as effective as it should be because police, Crowns and judges are not enforcing a new law requiring them to get blood samples from offenders convicted of serious crimes. In an annual report on its database, the report complains that the key players in the justice system too often ignore the requirement that those convicted of the 38 most serious "primary" offences - including murder, aggravated sexual assault and kidnapping, plus a spectrum of sexual offences - must give samples. The report says only half the samples are obtained. The report also says the data bank has thus far "assisted" in 53 murder cases, 168 sexual assaults, 34 attempted murders, 116 armed robberies, 340 break and enters and 42 aggravated assaults.
3. "DNA analysts help build database of convicted felons." The Associated Press State & Local Wire, October 29, 2003.
Marshall University's CODIS labs have sent the West Virginia State Police more than 4,000 convicted offender profiles. Of those, 1,118 are included in the national database, with the rest expected to be included by the end of the year. So far, the system has helped solve two West Virginia crimes - one a sexual assault where evidence matched a convicted offender in Florida, the other an auto theft case that was helped through evidence in a West Virginia murder.
4. "Retrial starts in death of businessman in '96." The Atlanta Journal and Constitution, October 29, 2003.
In Georgia, Fulton County prosecutors began trying for the second time to convict a woman for the 1996 slaying of a Roswell businessman. Evidence for the prosecution includes a strand of the suspect's hair found on the victim's body and her DNA found under his fingernails. The problems for the prosecution are that suspect and victim were lovers, which could explain the hair and the DNA. However, witnesses explained that the victim was a meticulous, clean and orderly man, unlikely to have the DNA under his fingernails from a sexual encounter a few days earlier. The woman has previously been convicted of the crime, but the state Supreme Court threw out the conviction citing inadmissible police testimony.
5. "Decomposed remains of four newborn babies found in bags in French forest." Agence France Presse, October 29, 2003.
The badly decomposed remains of four newborn babies have been discovered inside three garbage bags in a forest in eastern France. DNA tests were being conducted to see if the babies were all from the same mother. An autopsy showed that the babies had been born alive but that at least two of them had been strangled with cords.
6. "Voice of the Times." Anchorage Daily News, October 28, 2003.
Editorial regarding the 9th Circuit Courts ruling on the federal DNA database statute. Excerpt reads: "In other words, the court wants the prisoners to commit another crime before their DNA is taken, meaning that DNA evidence left at the new crime scene could not be tracked to them until they were identified by other means. That would make the new crime a lot like the extra golf stroke called a mulligan, a free one... It supposedly is a fundamental rule of law that the right to swing your arms stops at the end of the other guy's nose. In other words, you can swing your arms all you want as long as you don't whack somebody. And those who have proven they are willing to commit a felony have taken that step too far and should be forever trackable through fingerprint and DNA databases. Giving samples should be a basic condition under which they are released from custody."
7. "New DNA tests link Houston man to four slayings between 1986 and 1995." The Associated Press, October 28, 2003.
In Texas, a registered sex offender has been charged with strangling three girls and a woman between 1986 and 1995 after previously untested DNA evidence was sent to a private lab. Several weeks ago, Houston detectives decided to apply new DNA testing to old samples and sent evidence in the 1992 case that had not previously been tested. The DNA matched that of a registered sex offender on probation for sexually assaulting two young female relatives. Upon his arrest, the man confessed to the 1992 murder, and police say that he also said he killed a 15-year-old in 1986, a 9 year-old in 1994, 16 year-old in 1995.

8. "DNA test returned in brutality case." The Associated Press State & Local Wire, October 28, 2003.
In Minnesota, DNA tests show the substance found on the clothing of a man who said Minneapolis police officers urinated on him was his own. The police officers were accused of picking up the man and a woman and dropping them off at a housing development. Witnesses have said they found Johnson outside with urine on his clothing and on his head. The attorney for the man said it is not surprising that his own DNA would be found, as he had been drinking and it may have been his own drool. However, the attorney added there continues to be DNA that was found on the clothing that was not identified as the man's.
9. "Israel Thought To Get DNA Samples Of Dead Soldiers For Freeing Lebanese." BBC Monitoring Reports, October 28, 2003.
Israel apparently took an important step towards completing the prisoner swap with Hezbollah when it handed over to Lebanon a Lebanese crewmember of the weapons ship Santorini, held in Israeli custody since May 2001. It is believed that in exchange for the prisoner, Israel is to receive DNA samples of the remains of three Israeli soldiers.
10. "Lab chief criticized for audit comment." The Houston Chronicle, October 28, 2003.
In Houston, several City Council members expressed concern about their new crime lab director, asking why she did not know about audits critical of the state DNA labs she ran for nine years and questioning her ability to rehabilitate Houston's troubled lab. The new lab director formerly directed the Texas Department of Public Safety's 13 DNA / serology labs before joining the Houston Police Department last week. She recently stated through a department spokesman that she was not familiar with audits assessing some of her labs between 1999 and 2002. The audits exposed such shortcomings as lax controls on evidence, rape kits left at room temperature and supervisors who did not meet educational requirements.
11. "DNA match system for export." The New Zealand Herald, October 28, 2003.
The Institute of Environmental Science and Research (ESR) says it is making rapid progress towards selling its DNA databank system to Asian countries such as Thailand and Malaysia. Its annual report, just tabled in Parliament, ESR says it can find a criminal to match DNA samples from the scene of a crime in 48 per cent of unsolved crimes referred to it. This makes New Zealand "one of the world's highest performers in identifying criminals through the use of DNA profiling". The databank holds DNA profiles of 35,000 known individuals and a further 6000 samples taken from crime sites.
12. "Bouncer's Lawyer Seeks Dismissal." Wyoming Tribune-Eagle (Cheyenne, WY), October 28, 2003.
In a brief filed with the Wyoming Supreme Court, the defense attorney for a man convicted of aggravated assault claims that witnesses called by the state at the March trial were inconsistent in their stories, and a DNA sample was not validated by the State Crime Lab. Additionally, the defendant's right to a speedy trial would be violated if the case were to be tried again. The man was tried in March for aggravated assault for allegedly kicking and beating a Cheyenne Club patron in July 2002. The patron was severely injured and said three bouncers beat him nearly unconscious that day. The other two bouncers later pleaded to misdemeanors as the defendant proceeded to trial.
13. "Judge bars DNA sampling." Anchorage Daily News, October 27, 2003.
In Alaska, a US District Judge has issued a temporary restraining order blocking the state from requiring DNA samples of convicted sex offenders who have completed their sentences. The order cites a recent 9th U.S. Circuit Court of Appeals decision that said forcing parolees to submit blood samples to the federal government violates their constitutional rights unless there is reasonable suspicion that a crime has been committed. The judge is considering whether to issue a preliminary injunction further extending the ban on state DNA testing.
14. "Officials often insist ex-inmates are guilty." Chicago Tribune, October 27, 2003.
In-depth look at the tendency of law enforcement to continue insisting a particular person is somehow guilty or otherwise involved in the commission of a crime, even after DNA evidence has exonerated the person. The article provides several case studies from around the nation.
15. "Attorney Wants An Appeal To Allow For DNA Test." St. Louis Post-Dispatch, October 27, 2003.
In Missouri, an attorney for a death-row inmate who was convicted on DNA evidence for a 1990 rape and murder, says he will ask an appeals court to reconsider its ruling denying the inmate a new DNA test. During the 1992 trial, a witness placed the inmate near the murder scene, and prosecutors presented DNA evidence linking him to the crime. However, the defense claims that newer, more accurate testing procedures are now available. Moreover, the defense claims that the DNA analyst altered the result of the DNA test between the pretrial and trial proceedings. In it's opinion the three-judge appellate panel found that a new technology did not in itself justify a new DNA test

because a previously acceptable method of testing for DNA matches existed and was used in the trial. To allow a new test, the court found would allow every defendant "to claim that, with every new technology or new refinement thereof, he had a right to retest the evidence."

16. "Crimes go unsolved as DNA tool ignored." Chicago Tribune, October 26, 2003.
Investigation by the newspaper finds after convicted inmates are exonerated through DNA testing, many of the crimes remain unsolved and DNA samples are not routinely submitted to the DNA database. The report finds that "law-enforcement authorities are still struggling--and in some cases refusing--to fully exploit DNA technology." The newspaper examined every case in the U.S. where DNA testing has freed a convicted inmate, focusing on 115 murders and rapes where the release left a crime unsolved. In some of those cases, DNA was quickly used to link known suspects to the crime. But in 44 of the remaining 97 cases, or just under half, authorities have not followed up by submitting the genetic profile of the suspected perpetrator to the national DNA database. In the cases where DNA was submitted, genetic profiling identified the real criminal more than 40 percent of the time. Sometimes there are legal bars to prosecution because the crimes are too old, or DNA profiles developed by outdated methods are not retested and sent to the database. But, the Tribune review found, the search for the real culprit also has been thwarted by bureaucratic infighting that bars from the database test results from one of the nation's premier DNA scientists. Further, law-enforcement authorities have refused to submit DNA profiles because they continue to believe that freed defendants are guilty.
17. "Fraud alleged." Daily Oklahoman, October 26, 2003.
Federal prosecutors recently filed an indictment against a DNA profile obtained at two bank robberies in Oklahoma City. The 1998 and 1999 robberies are unsolved, but investigators found blood and an article of clothing that yielded DNA samples. The DNA profile has been entered into a national database.
18. "But Cops Won't Allow DNA Test." Daily Star, October 26, 2003.
In England, Scotland Yard's "cold cases" unit has rejected a man's request for DNA testing that could eliminate him as a suspect in a crime that it has long been thought he committed. The evidence in question is a minute particle found on an ex-model's underwear after she was stabbed 49 times in front of her baby son. The particle has only just been identified by new technology as coming from a male, and police say it did not belong to her son or to her partner. But they claim they are "not in the position to request samples from any person to prove or disprove involvement". He plans to pursue the matter through Parliament or, if necessary, the European Court.
19. "DNA plan means fewer plea deals." The Kansas City Star, October 26, 2003.
In Missouri, Jackson County prosecutors have struck fewer plea deals since starting a program to force felons to give their DNA in exchange for guilty pleas. But the approach has not overcrowded the jail as some people speculated in August when Prosecutor Mike Sanders started the policy. Public defenders have advised clients to reject the pleas. Defendant's considering pleas get two options. One is to surrender DNA and get slightly less punishment, usually less probation time or fewer community service hours. The other is to keep their DNA and take a more severe punishment. About a third to half of the felons have surrendered their DNA. The Prosecutor said he considers the policy a success until the Missouri General Assembly approves a law that requires all felons to register DNA. Current Missouri law only requires DNA from killers, sex offenders and some other violent criminals.
20. "Cass jury convicts Fargo man of rape." The Associated Press State & Local Wire, October 25, 2003.
In North Dakota, a Cass County jury has convicted a man of raping a woman three years ago. The State's Attorney said DNA evidence was crucial in the case because the victim never saw her attacker's face. The defendant testified at trial that he and the woman had consensual sex on the night in question, but in earlier police interviews, he had denied having sex with her.
21. "Kuwait Holds Funeral For 11 POWs Found In Iraqi Mass Graves." BBC Monitoring International, October 25, 2003.
Kuwait recently laid to rest 11 of its martyred POWs, one of them an Egyptian national, after DNA tests conducted by the Interior Ministry confirmed that the remains found in mass graves in Iraq belonged to Kuwait's POWs. This figure brings to 45 the number of Kuwaiti POWs who have been confirmed killed by the Iraqi regime.
22. "Accused told girl her friend was dead: Crown." The Daily Telegraph (Sydney, Australia), October 25, 2003.
In Australia, two brothers are on trial for gang raping two girls last year. The two men are charged with nine counts of aggravated sexual assault in company on two schoolgirls. It is alleged the men were part of a criminal enterprise

with three others to repeatedly rape the girls at knifepoint over three hours. The prosecutor told the court DNA evidence linked one of the brothers to one of the victims and mobile phone logs showed the defendants' phones had been used on the night of the attacks to contact one of the victims. In their opening statements, the accused told the jury the DNA evidence was inconclusive and there were discrepancies in the identification process.

23. "DNA is called proof in slaying." The Deseret News (Salt Lake City, UT), October 25, 2003.
In Utah, a man is on trial for allegedly shooting his estranged wife. The evidence includes a tiny speck of blood found on one of the socks the suspect was wearing when he was arrested just hours after police responded to the shooting incident. The DNA analyst testified that the odds of the DNA sample matching someone else were one in 24 trillion. There were also traces of the suspect's DNA on a face mask typically used by hunters that was found along with the disassembled parts of the murder weapon which was found near victim's home.
24. "Italian police claim arrests have destroyed core of Red Brigades." The Guardian, October 25, 2003.
The Italian government claimed to have smashed the core of the Red Brigades terrorists with an extensive police operation that put seven people behind bars, including the alleged killers of the first victim to be claimed by the group four years ago. More than 1,000 officers raided some 100 locations in and around Rome, near Venice and in Tuscany. Among evidence used to identify suspects, police collected a cigarette butt discarded by a potential suspect, which was subsequently matched to a hair found in a van used for a murder.
25. "Bembenek judge calls case a 'circus'." Milwaukee Journal-Sentinel, October 25, 2003.
In Wisconsin, a judge has ordered Laurie Bembenek and her attorney not to talk about the specifics of DNA testing she argues may exonerate her, saying her public appearances to get money have turned the case into a "three-ring circus." Bembenek and her supporters have recently staged the public appearances to solicit money from the public to pay for the DNA testing, which she says may prove she didn't murder her former husband's ex-wife. The appearances were broadcast this week by television news stations. The judge also announced that, while new DNA test results have come in, he was going to seal them for now. He ordered all sides not to release them to the media.
26. "Police Ruse Illegal." The Seattle Post-Intelligencer, October 25, 2003.
A suspect's attorney is asking a judge to dismiss a murder charge in a case where Seattle detectives used an elaborate ruse to get a DNA sample from the suspect. The police sent the suspect letter - written on the letterhead of a made-up law firm - saying he might be eligible for some money in a phony class-action lawsuit over parking tickets. All he needed to do was reply - and seal the envelope with a little saliva. The DNA sample was subsequently matched to evidence found on the victim's body more than 20 years ago. The defense attorney argued it was not only illegal for the detectives to pretend to be lawyers, but also for investigators to open mail that the suspect had intended for someone else. But King County prosecutors argued that the higher courts have approved of various kinds of police trickery repeatedly, finding that it is sometimes a necessary part of detective work.
27. "DNA leads to break in '93 rape." Chicago Daily Herald, October 24, 2003.
In Illinois, forensic experts say they have linked an imprisoned sex offender to an unsolved rape after finding a DNA match. Prosecutors charged the man with aggravated criminal sexual assault recently, almost a decade after a 30-year-old woman complained she had been attacked. At the time, the woman could not identify her attacker because he knocked her glasses off during the struggle. Police did, however, get a sample of the man's DNA he left behind. The man is currently in prison for an armed violence conviction in 1998, and his criminal history includes convictions for aggravated unlawful restraint, criminal sexual abuse and, in 1984, he was sentenced to 15 years in prison for deviant sexual assault and home invasion. He would have been eligible for parole in 2008.
28. "DNA sticks to robbery suspect." Guelph Mercury (Ontario, Canada), October 24, 2003.
In Canada, a masked man who carried a replica handgun when he helped rob a variety store was linked to the crime by DNA. The man's DNA sample matched an article of clothing that was retrieved from a park near where he had dropped the bag of cash after the robbery.
29. "Mtn View man arrested for attacking San Francisco prostitutes." San Jose Mercury News, October 24, 2003.
In California, police have arrested a man for allegedly kidnapping, raping and robbing at least five San Francisco prostitutes in incidents dating back to 1999. DNA evidence from some of the crimes allegedly produced a "cold hit," or match, in the statewide felony-DNA database. DNA evidence from two San Francisco rapes, in 1999 and 2000, matched Wong's, and three other victims from the incidents in 2000 have identified him as the suspect. Investigators still are looking into whether he may have committed other assaults in San Francisco. Wong's DNA

was entered into the statewide database after he was convicted of raping a prostitute in 1982 and he became a registered sex offender.

30. "Senate approves bill to expand the state's criminal DNA database." The Associated Press State & Local Wire, October 23, 2003.
Everyone convicted of a felony in Massachusetts would be required to submit a DNA sample to the state's criminal database under a bill approved by the Massachusetts Senate on Thursday. During a two-hour debate, senators rejected an amendment designed to exempt some felonies - including the crimes of stealing poultry or forging railroad tickets - from the list of crimes covered by the bill. The bill passed the Senate on a 36-1 vote. Expanding the database is expected to cost about \$3.6 million, although the state could receive federal reimbursement.
31. "Rapist gets life for 1988 attack." The Capital (Annapolis, MD), October 23, 2003.
In Maryland, a convicted rapist linked by DNA evidence to a "horrible" sexual assault in 15 years ago has been sentenced to life in prison. County police linked him to the 1988 attack by comparing DNA preserved from crime scene evidence with the state DNA database. It was the fourth cold case local police have solved using new DNA technology. Police collected semen samples from the woman's skirt and created a composite sketch of her assailant based on her description. But the case went unsolved until 2000 when the DNA match was made to the suspect who was serving a 20-year sentence for a rape and attempted murder in 2000. He was weeks away from being paroled when he was charged.
32. "DNA Tests Led To The Arrest Of Young Offender." Cornish Guardian, October 23, 2003.
In the UK, an 18-year-old was told he was being given "a chance" by being sentenced to a 12-month conditional discharge after DNA linked him to a burglary and a series of car break-ins. Blood was found at each of the scenes. However, in the last five months since his arrest, the man has not re-offended. This is in contrast to a two-year period in which he accrued 41 convictions.
33. "Blood led cops to slaying suspect." Courier News (Bridgewater, NJ), October 23, 2003.
In New Jersey, a convicted sex offender charged with killing a 23-year-old woman several blocks from her home was linked to the crime after police found the victim's blood on his work boots. Police first identified the man as a suspect because he was seen with the victim hours before she was killed, then directly linked him to her death through a DNA match. The man has been out on bail while awaiting two other trials involving robbery, burglary and theft charges stemming from break-ins at stores in three different jurisdictions. In addition to a 1994 sex offense conviction, the suspect's criminal history also includes a 1990 escape conviction, and a 1987 for burglary, theft and larceny conviction. He was released from prison in 1999.
34. "Criminals forced to give DNA samples under new laws." The Dominion Post (Wellington, New Zealand), October 23, 2003.
In New Zealand, compulsory DNA samples will be taken from hundreds of criminals locked up for the most serious offenses under sweeping changes backed overwhelmingly by Parliament. Up to 400 prisoners will have to provide DNA samples to a nationwide data bank. The law also extends police powers to take compulsory samples from burglary suspects and those suspected of crimes punishable by up to seven years in prison. Police will be able to use mouth swabs, instead of blood, to collect DNA; the range of offences where police can apply to a court for DNA samples is extended and compulsory testing for the DNA databank has been extended.
35. "Family gets closure 30 years after father's disappearance." The Associated Press State & Local Wire, October 22, 2003.
The remains of a US military serviceman who was shot down in Vietnam have been retrieved by the man's family for burial. These remains are among the first identified through mitochondrial DNA testing. Over the years, the system for identifying missing military personnel has been improving, and mitochondrial DNA testing may offer the best hope yet for families seeking closure. Mitochondrial DNA lasts longer than its nuclear counterpart, and it preserves well in bones. Because this type of DNA is passed along maternal lines, the Joint POW/MIA Accounting Command at Hickam Air Force Base in Hawaii is encouraging relatives of casualties from World War II, the Korean War, Cold War, and Vietnam War to submit blood samples.
36. "Oregon DNA test leads to arrest of suspect in child sex assault." The Denver Post, October 22, 2003.
A former inmate from Oregon has been linked through a cold hit on the DNA database to a sexual assault of a 10-year-old girl in her Colorado home this summer. The suspect has an extensive arrest record in Colorado and served

time in Oregon for burglary, theft and a narcotics violation. "Thank goodness for their law that required all inmates to give a DNA sample," said the Arapahoe County, Colorado Sheriff.

37. "Gardai Deny Costs Delaying DNA Test." Irish Independent, October 22, 2003.
In Ireland, Gardai have denied that the reason DNA testing has not been carried out on the remains of a person found on a mountainside some months ago has anything to do with costs. It costs in the region of Euro 10,000 to have DNA tests carried out in Britain, as facilities needed for such tests are not available in Ireland. Delays in having the body conclusively identified have lead critics to say, "It would be disgraceful if DNA testing was to be denied for reasons of cost." But the Gardai says the case is being investigated and the fact that DNA tests have not been carried out is not due in any way to the cost involved.
38. "DNA key to trial's outcome." Spokesman Review (Spokane, WA), October 21, 2003.
In Washington State, the case against a man accused of killing a state auditor will turn in part on a single bullet found almost by chance in a 15,000-square-foot missile silo. The DNA of the victim was recovered from the spent .380 slug, found in a cardboard box in the silo. The missile silo is the home of a self-employed long-haul trucker who was being audited by the victim for possible delinquent fuel taxes. The bullet was sent to a private laboratory, where scientists determined the tissue on the nose of the bullet belonged to the victim. Other DNA lab tests concluded that blood droplets found near the bullet were the victim's. The victim was shot in the back of the head with a single shot before his body was dismembered with a knife and a handsaw. Some of his body parts were found near a property that was formerly owned by the suspect.
39. "DNA 'cold hits' put freeze on state felons." Rochester Democrat and Chronicle, October 20, 2003.
In the past 18 months, Monroe County (New York) prosecutors have obtained convictions of five felons charged with new crimes through "cold hits" on the DNA database. The new crimes included two homicides and a series of sexual assaults. Across New York, nearly 1,200 convicted felons have been connected to new crimes through the database since April 2000. Although the ACLU and defense attorneys worry about the growing number of felons required to submit DNA samples to the database, the assistant director of the Monroe County Public Safety Laboratory said that argument has an other side. "Just remember that if there's a match to one person in a database of 115,000 people, that means we've cleared 114,999 people. DNA has a great power to prove innocence as well as guilt."
40. "Do the math to bolster jurors' faith in DNA evidence." Miami Daily Business Review, October 16, 2003.
Two studies purport to show that jurors in criminal trials give too little weight to DNA evidence but that their skepticism can be overcome by detailed mathematical explanations. The results run counter to a belief among many litigators that too much math and science confuses or alienates jurors. Rather than exaggerating the value of DNA evidence in comparison with nonscientific evidence, the studies found that jurors are overly cautious about its value because they are aware of their lack of scientific knowledge, of the possibilities of laboratory error and of police planting incriminating evidence. In the study, when an expert witness illustrated "Bayes' Rule" - a mathematical formula that explains how one should change existing beliefs in light of new evidence - the DNA evidence got wider acceptance and jurors' verdicts were in line with the authors' assumptions.
41. "State Crime Lab To Move To Hoover." Birmingham News, October 15, 2003.
The Alabama Department of Forensic Sciences has closed on a deal to move its largest crime lab from Birmingham to Hoover. The state paid \$900,000 to buy space in Hoover's Public Safety Center. The move probably will not take place until late 2005, but renovation plans are under way. The state plans to spend about \$7.5 million turning its corner of the old warehouse into a two-story laboratory. The current Birmingham crime lab, the largest of nine in the state, has a fire debris unit that analyzes evidence from arson investigations statewide. The lab also houses the state's felon data bank that keeps track of criminals' DNA through blood or saliva samples. There is also a DNA lab used to assist law enforcement agencies across north central Alabama in criminal investigations.

Paternity

42. "Man Seeks Repayment Over Paternity." Sydney Morning Herald, October 29, 2003.
In Melbourne, Australia, a man is seeking repayment of \$75,000 in school fees and child support in the Federal Magistrates Court after learning he was not the biological father of the child. A federal magistrate heard that the child was born in November 1995 to the man and his then partner. But the woman had also been sexually involved with another man, in early 1995. She now admits that the second man was the child's natural father but says she

did not know that at the time. DNA testing has confirmed this. However, the man has said that he loved the child and expected to continue with regular access visits. He also opposes allowing the child's biological father to have access rights.

43. "Tests show priest did father children." The Associated Press State & Local Wire, October 28, 2003.
In Massachusetts, paternity tests have confirmed that a Catholic priest fathered two children of a woman with whom he had an affair. The priest admitted the affair to church officials in 1993 and was sent away for two years of counseling before returning to the Salem church in 1995. He was ordered by a probate court judge in July to undergo DNA testing to determine if he is the children's father.
44. "Child Swapping: DNA Test Proves Allegations Wrong." The Hindu, October 26, 2003.
In India, allegations of a baby boy being swapped for a girl proved false following a DNA test. The couple and their family members had charged that the new mother's baby boy was swapped for a girl within hours of delivery at the Koti Government Maternity Hospital. A recent child swapping case at another hospital, in which the allegations proved to be true, made this case a priority and administrators quickly ordered a detailed inquiry into the incident.
45. "Robbing the Cradle." Newsday (New York), October 26, 2003.
Article reports that between one-third and one-half of Guatemalan children exported for adoption in recent years have been taken from their biological parents illegally through bribery, coercion or outright theft, prosecutors and international child advocates say. The U.S. government has implemented DNA testing and other procedures to ensure that Guatemalan babies bound for the United States have not been stolen, but critics say those measures are insufficient.
46. "Another Baby Swapped." The Economic Times, October 23, 2003.
A third case of alleged baby swapping has been reported at another hospital in India. The woman alleged that she was informed by attendants that she had a baby boy soon after delivery. But when she regained consciousness at about 8 am, she said she was shocked to find a baby girl next to her on the bed. When the hospital authorities tried to sort out the issue, they found that another woman who had delivered a baby girl on the same day had left the hospital and the address provided by the people who accompanied her was not traceable.
47. "Nepal To Conduct DNA Tests To Identify Fathers Of Badi Children." BBC Monitoring International Reports, October 22, 2003.
In Nepal, DNA tests will be carried on around 300 people across the country to identify those who fathered the children of Badi community through illegitimate relations and prostitution. The testing is being carried out by Social Awareness for Education (SAFE), an organization working for the rights and well-being of the Badi community. The fathers of some children born out of the illegal relations in the Badi community have already been identified and some legal requirements are in the process. In the list of 300 persons prepared by SAFE, some are former members of the parliament representing various western districts of Nepal. SAFE has been carrying out this initiative to help Badi children acquire citizenship certificate, which requires the father's name.