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The January 24, 2003 DNA Resource Report is listed below.

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SUMMARY

A cold hit in Virginia linked a string of robberies to a man on the DNA database due to a conviction as a juvenile. DNA evidence was instrumental in cases in Texas (murder), New York (linking 2 rape/robberies to the same man), Massachusetts (murder), Missouri (1977 murder), and Washington state (1978 murder). DNA evidence analyzed at a city's crime laboratory in Texas will be retested because an audit has raised questions about the lab's procedures.

Bills to expand DNA databases to include all convicted felons were introduced in Alaska, Connecticut, Hawaii, Indiana, Massachusetts, and Mississippi. New York and Utah introduced bills that would extend the statute of limitations in cases where DNA evidence was available.

Hawaii, Massachusetts and Nebraska introduced legislation that would provide post conviction access to DNA testing for inmates. A Missouri prosecutor is proposing penalties for inmates who ask for post conviction DNA testing which result in further proof of their guilt. In Illinois, new DNA tests suggests that 2 men convicted of rape and murder may have be innocent, and a North Carolina murder convict is asking for new DNA tests.

In international news...England is considering privatizing its forensic DNA laboratories. Meanwhile, the DNA database in England averages 5000 cold hits per month and has a 40% chance of matching a crime scene to a known offender. DNA evidence helped identify suspects in England (3 rapes connected to the same man), Spain (murder), and Canada (murder). Canadian authorities are asking for voluntary DNA samples in a murder investigation. DNA collection laws in an Australian state are under review.

STATE LEGISLATION

1. Alaska HB 49 – Expands DNA database to include all convicted felons, juveniles adjudicated of felonies, and certain misdemeanor sex crimes. Retroactive to include those currently incarcerated.
2. Connecticut SB 5251 – Expands DNA database to include all convicted felons.
3. Connecticut SB 5353 – Expands DNA database to include all convicted felons and misdemeanants.
4. Connecticut SB 227 – Expands DNA database to include convictions of murder, manslaughter, kidnapping and certain felonious assaults, burglaries and robberies.

5. Hawaii SB 304 – Expands DNA database to include all convicted felons. Retroactive to include probationers and parolees.
6. Hawaii SB 404 – Establishes a death penalty for certain crimes. Requires DNA from capital cases to be retained until the person convicted of the crime is exonerated or executed.
7. Hawaii SB 405 – Establishes a death penalty for certain crimes. Requires DNA from capital cases to be retained until the person convicted of the crime is exonerated or executed.
8. Indiana HB 1531 – Expands DNA database to include all convicted felons. Includes felons not sentenced to incarceration, and retroactive to include currently incarcerated.
9. Massachusetts SB. 178 – Provides greater access to post conviction access to DNA testing for those who maintain factual innocence. Requires evidence or biological material that is collected during the investigation of a crime for which a person is convicted to be retained until the person is released from prison.
10. Massachusetts SB 187 – Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated, probationers, and parolees.
11. Mississippi HB 953 – Expands DNA database to include all convicted felons. Retroactive to include those currently incarcerated but specifically excludes probationers.
12. Mississippi HB. 2308 – Expands DNA database to include “every individual in the custody of the Department of Corrections...before release from or transfer to a state correctional facility or county jail or other detention facility.”
13. Mississippi SB 2348 – Expands DNA database to include “every individual convicted of a felony or in its custody before release from or transfer to a state correctional facility or county jail or other detention facility.”
14. Mississippi SB 2455 – Expands DNA database to include all convicted felons (regardless of sentence), felony juvenile adjudications. Retroactive to include those currently incarcerated. Requires DNA from violent felony arrestees. Establishes a fee to pay for testing.
15. Nebraska LB 528 – Provides for application for a new trial where a convicted felon proffers newly discovered or exculpatory DNA evidence material which may support the defendant’s claim of innocence which he or she could not with reasonable diligence have discovered and produced at the trial
16. New Hampshire HB 215 – Provides for the expungement of records contained in the DNA database pursuant to statute provided the offender has no other criminal convictions which would require inclusion in the DNA database when a case is reversed or dismissed.
17. New York SB 515 – Extends the statute of limitations up to five years when a DNA profile is obtained establishing identity of the perpetrator.
18. Oregon SB 177 – Clarifies that the State Police may maintain and utilize the DNA database for criminal investigations. Grants express authority to department to analyze samples and to disclose samples and information derived from samples for certain purposes.
19. Rhode Island HB 5138 – Requires the prosecution and defense in felony cases to make available to the adverse party relevant DNA evidence.
20. Rhode Island HB 5139 – Adopts the New York state DNA database laws. Establishes a Commission on Forensic Science to develop minimum standards and a program of accreditation for all forensic laboratories in Rhode Island.
21. Utah SB 116 --Removes the statute of limitations on certain violent crimes when DNA evidence has been collected that can be used to identify the perpetrator.

22. Virginia HB 2661 – Clarifies that a DNA sample may be taken upon an arrest pursuant to a finding of probable cause by a grand jury as well as a magistrate; DNA samples are not to be destroyed upon an acquittal if there is a pending trial that requires DNA sample retention; and requires that the sample be taken at the location designated by the arrest booking law-enforcement agency rather than the magistrate.

Genetic Privacy / Research

23. Indiana HB 1538 – Prohibits human cloning.
24. Missouri HB 209 – Prohibits human cloning.
25. Nebraska LB 602 – Prohibits human cloning.
26. New Jersey A Res. 230 – Urges Congress to prohibit human cloning.
27. New York SB 553 – Prohibits denial of life insurance or disability insurance coverage based solely on a genetic predisposition to any type of cancer.
28. North Dakota HB 1424 – Prohibits human cloning.
29. Oklahoma HB 1130 – Prohibits human cloning.
30. West Virginia HB 2265 – Creates the “Genetic Information Privacy Act.” Regulates the use of genetic information in insurance and employment practices. Allows for genetic test information in paternity proceedings.

Paternity

31. Minnesota HB 110 – Provides for genetic paternity testing procedures.

NEWS ARTICLES

Forensic DNA

1. “Woman guilty of slaying parents.” The Fort Worth Star-Telegram, January 21, 2003.
A woman in Texas who claimed she was innocent was found guilty of murdering her parents after the jury listened to testimony from forensic experts who testified to blood spatter pattern and DNA evidence tying the defendant to the crime scene.
2. “Psycho Sex Fiend - Rape-Bid Suspect Eyed In Two Slays.” The New York Post, January 21, 2003.
A man, arrested last February while allegedly attempting to rape a woman in New York City - is now suspected of killing two other women in earlier attacks. The evidence against the man includes DNA from a piece of skin that authorities suspect was bitten from the suspect. Authorities are hoping DNA evidence will link him to the two unsolved murders. Before the suspect’s arrest, the Assistant District Attorney had ordered DNA tests on skin found in the mouth of one woman and semen found in the other. Results showed both came from the same killer. A doctor's examination of the suspect this month revealed a scar. The suspect has a lengthy arrest record, including convictions for attempted rape and public lewdness
3. “Briton 'Will Plead Guilty To Spanish Contract Killing'.” Press Association, January 21, 2003.
A man being held in a Spanish jail has confessed to the contract killing of a British widow on the Costa del Sol, just weeks ahead of his murder trial. He made the admission after DNA tests showed hair found under the fingernails of the 63-year-old victim belonged to him.
4. “Cleveland County underwear thief burglarizes another home.” The Associated Press State & Local Wire, January 20, 2003.

In Arkansas, a burglar who steals women's underwear remains on the loose after 14 offenses over the past two years in Cleveland County. The local sheriff said that the burglar shuns household valuables and sneaks off with only panties. Authorities are testing fingerprints and DNA from blood left at one location where the burglar cut himself. The fingerprints have been run through a database but have not found a match. The DNA could confirm whether police are looking at the right suspect when they are prepared to make an arrest.

5. "Judge considers penalties for pointless prisoner DNA testing." The Associated Press State & Local Wire, January 19, 2003.
In Missouri, a circuit attorney is proposing penalties for prisoners who intentionally abuse the system by asking for post conviction DNA testing when they know that they are guilty. The Board of Probation and Parole could consider a prisoner's requests for DNA testing that confirmed a prisoner's guilt, should that prisoner come up for early release. Or, the costs of DNA testing reconfirming guilt could be taken from inmates' prison accounts. The tests cost the St. Louis Police Laboratory \$1,500-\$2,500 each.
6. "Police furious over forensics sell-off plans." The Observer, January 19, 2003.
In England, the Home Office is proposing to privatize the Forensic Science Service in a highly controversial move which police claim could leave them unable to afford to investigate certain crimes. The Government wants to sell over half of the FSS to a private company within the next two years, with the option of selling the entire service in the future. Although the FSS is currently government-owned it charges the police for its service, but insiders claims a lot of extra work is done for free because of the public sector ethos. According to an FSS release in 2001, the service has grown six-fold to 2,500 people in the past decade over a period where its revenue increased from pounds 16m to pounds 100m. The FSS said that in 2001, the demand for its services from the police increased by 32%. Insiders admit that the laboratories and equipment used by forensic scientists are in need of major investment but claim this should be done through the public purse. A final decision is expected in the spring.
7. "DNA evidence to be retested after deficiencies found in Houston police crime lab." The Associated Press, January 18, 2003.
An audit of the Houston, Texas crime laboratory found that the lab was not in compliance with FBI standards for DNA analysis. The lab has since suspended DNA testing. The audit, conducted by crime lab professionals, also said lab workers weren't properly trained and found deficiencies in interpreting and documenting DNA test results. DNA testing at the lab was halted after the department learned of the results of the audit December 13th. Private labs will do the retesting.
8. "Police HQ robbed; Thieves hit DNA centre." Northern Territory News, January 18, 2003.
In Australia, offices at Northern Territory police headquarters which hold forensic and DNA evidence were broken into by thieves. The center is home to six fields of forensic science -- firearms, fingerprints, photographic, crime scene examiners, forensic biology and forensic chemistry. The firearms armory holds more than 1000 rifles and 600 sidearms for testing. The center is also home to the NT's DNA Database which, per capita, is the largest in Australia. A trail of blood was left at the scene, and Police believe the thieves stole a small amount of money.
9. "A Guilty Plea to Rape, Robbery." Newsday (New York, NY), January 17, 2003.
In New York, a man arrested in May 2001 in connection with a series of subway robberies of women in Queens pleaded guilty to raping and robbing two women after DNA testing implicated him. The man, who was picked up on suspicion of robbery, willingly submitted to a DNA test which linked him to the two rapes.
10. "Victim's DNA linked to alleged killer." Ottawa Citizen, January 17, 2003.
In Canada, a jury heard testimony that three tiny blood splatters, found on the lapel of a suspect's black leather jacket, matched blood samples from the slain victim. DNA obtained from a cigarette butt in the victim's apartment matched the suspect's DNA and a pair of jeans found crumpled under the coffee table had blood splatters on the back of the leg.
11. "DNA links suspect to fatal stabbing." Telegram & Gazette, January 17, 2003.
In Massachusetts, a jury heard testimony that a DNA profile developed from a spot of blood on the shirt sleeve of a murder suspect matched the DNA profile of a stabbing victim. Investigators said the assault was unprovoked and the suspect and victim did not know each other. Scientists also testified that a DNA profile from a piece of hair found on the alleged murder weapon, a knife linked by a witness to the suspect, matched the victim's DNA profile.
12. "Harnessing Science And Technology To Combat Crime." Hermes Database, January 16, 2003.

In England, the DNA profiles of up to 13,000 criminals are to be added to the national DNA Database, under a new initiative announced by the Home Office Minister. DNA profiles of a minority of prisoners and mentally disordered offenders are not on the database. The new plan will address this as part of the commitment to have the DNA profiles of the known active criminal population on the database by April 2004. DNA from crime scenes have more than a 40 per cent chance of being matched to an individual on the database, and every month the database matches 5,000 DNA profiles taken from crime scenes with names on the database. Authorities are investing pounds 182 million in expanding the National DNA database to build on this.

13. "Tenants asked to submit DNA in homicide probe." Toronto Star, January 16, 2003.
In Canada, police are asking all male tenants of a building where a real estate agent was stabbed to death to voluntarily submit DNA samples for testing. Two officers began canvassing the offices last week, asking the men who work in the building to sign a waiver that allows police to take a cheek swab for forensic testing. The consent form guarantees the DNA sample will be destroyed at the end of the homicide investigation. Although police would not confirm the testing is taking place, tenants said they were told police have had a 98% compliance rate.
14. "DNA Testing Helps Convict 3 In String Of Robberies." The Virginian-Pilot (Norfolk, Va), January 16, 2003.
In Virginia, authorities were able to lift enough DNA from a watch left at a robbery to match it with a suspect. The match led to the arrests and convictions of the owner of the watch and two others in a string of armed and sometimes violent robberies of fast-food restaurants and video rental stores. During one of the robberies, there was a struggle during which the watch broke from the assailant's wrist. The man's DNA sample was on the database due to a juvenile conviction of manslaughter.
15. "Orchid Cellmark Launches Rapid Forensic DNA Analysis Service." PR Newswire, January 15, 2003.
Orchid Cellmark announced the launch of a new "DNA Express Service" for local law enforcement agencies. The new service delivers forensic DNA results for "no-suspect" and other criminal cases within five business days, compared to the standard average turn-around time of four to five weeks for routine casework. No-suspect cases are unsolved crimes in which an alleged perpetrator has not yet been identified. Many state crime labs face up to twelve-month backlogs in analyzing DNA evidence for these cases.
16. "Blood found on murder victim's ring could help find killer." The Associated Press State & Local Wire, January 15, 2003.
In Michigan, investigators hope to use a faint coating of blood found on a murder victim's ring to find her killer. The sample was sent to state police DNA lab where scientists determined it had come from a man. The DNA sample has been checked against several high-profile criminals, but no match has been found. Now investigators are comparing it to DNA samples of men who knew the victim. Since July they have collected samples from 30 men, including her boyfriends, friends, co-workers and customers at a car dealership where she was a saleswoman. Most have been cleared, but investigators plan to check more samples and are trying to locate 10 more men.
17. "Beattie orders review of DNA test rules." Courier Mail, January 22, 2003.
In Australia, Queensland's DNA testing laws will be reviewed after concerns they do not clearly instruct police when samples should be taken from suspects. The order for review follows controversy over a police request for DNA. The ATSIC deputy chairman was given seven days to provide his DNA when police handed him a court summons to face two counts of forgery. It is Queensland Police Service policy that anyone charged with an indictable offence must provide a sample. The man refused, claiming it was a civil rights issue. Police are expected to ask a magistrate to compel him to provide his DNA when he appears in court on the forgery charges.
18. "14 Years For DNA Trap Murderer." The Mirror, January 21, 2003.
In Ireland, a man caught by DNA 20 years after he raped and murdered an 82-year-old church organist has been ordered to serve at least 14 years in jail. Police had questioned the defendant at the time of the crime, but he was released. After police reopened the case, he was questioned again and gave officers a swab from his cheek for DNA profiling in February 2001. It took forensic scientists a month to match his DNA to a spot of blood found in the victim's bedroom and to a pubic hair found on her vest.
19. "Family Kept Pursuing '77 Murder Case." St. Louis Post-Dispatch, January 19, 2003.
In Missouri, a jury convicted a man of the 1977 rape and murder of a young woman. The man was a suspect from the start, but police did not have enough evidence to connect him to the crime. As it turns out, the man had kidnapped a woman in Illinois -- just four days before the victim of the rape/murder vanished -- for which he served

six years in Illinois prison. Four years ago, the victim's family found out that the defendant was still alive and serving time in an Oklahoma prison for a 1997 murder in Florida. The family also discovered that Illinois State Police had preserved all the evidence in the case. Testing showed a match between the defendant's DNA and that of the semen found on the victim's underwear and knit gloves.

20. "DNA from a dead man solves 25-year-old homicide." The Associated Press State & Local Wire, January 16, 2003.

In Washington state, a blood sample from a murder victim has helped solve a 1978 homicide that was once believed to have been committed by serial killer Henry Lee Lucas. New DNA tests excluded Lucas as a suspect and eventually matched a post-mortem blood sample from a man who died of a heroin overdose in 2001. The man had been the victim's next-door neighbor and had a long criminal record. Lucas was charged with this murder in 1984, but later recanted many of his 600 confessed murders.

21. "After 25 years, DNA may clear 2 of death, rape." Chicago Tribune, January 22, 2003.

In Illinois, more than 25 years after two Chicago teenagers were convicted of the rape and murder of a 9-year-old girl, new DNA tests suggest the men may have been wrongly convicted. No physical evidence linked them to the killing and only one witness linked them to the crime--and then only to the abduction. Both men were convicted in 1977 and sentenced to 200 to 400 years in prison. If the men are freed, it would be among the oldest cases unraveled by DNA tests. Results of recent DNA tests show that semen found on the girl's clothing did not come from either inmate. Cook County prosecutors have begun to reinvestigate the case, interviewing witnesses and comparing the DNA of three other men police once linked to the murder. None of the three produced a DNA match. Further DNA tests are being conducted on hair found on the girl's clothing. Prosecutors are leaving open the possibility of even more tests on other evidence.

22. "Convicted murderer asks judge to allow DNA tests." The Associated Press State & Local Wire, January 17, 2003.

In North Carolina, a man convicted of killing a newspaper editor more than 18 years ago wants a judge to order DNA comparisons that could clear him of the crime. The man was convicted twice in the killing. His attorneys now argue that he deserves a third trial because DNA tests conducted since his second trial show that the semen found in the victim's body did not match samples from the defendant or 2 other suspects in the crime. In his motion, the defense attorney said that no jury or judge has considered any evidence of the true source of the semen found in the victim. The motion further states that if this person can be identified by DNA testing then further investigation can reveal whether that person alone was the sole rapist and killer or whether that person acted with others not previously charged - not with the defendant - to kill the victim.

Genetic Privacy / Research

23. "Project to map Thai DNA variations." The Nation (Thailand), January 21, 2003.

A project in Thailand will map DNA variations in the Thai population. Thirty-two healthy Thais will be selected by a team of doctors at Ramathibodi Hospital as a group of sample subjects for a Bt3-billion national project to isolate and map 300,000 common DNA sequence variations among Thais. The SNP project is financed by the National Centre for Genetic Engineering and Biotechnology (Biotec) and the Thailand Research Fund.

Paternity

24. "Husband may have to adopt wife's IVF mix-up twins." Yorkshire Post, January 21, 2003.

In England, a man whose wife gave birth to mixed-race twins after a blunder at a Yorkshire fertility clinic will have to adopt them if he is found not to be their legal father. The landmark hearing in London will decide who is the legal father of the children, born to the white couple after a laboratory mix-up in an assisted-conception unit. The court has already heard that the twins' biological mother, known only as Mrs A, gave birth after IVF treatment. But DNA tests ordered following the birth found that her eggs had been mistakenly fertilized using sperm from Mr B, who is black. The key issue to decide is whether Mr A was the father for all purposes under the Human Fertilisation and Embryology Act of 1990. If the court decides Mr A is the legal father it will also have to decide if this conflicts with any rights Mr B has under the Human Rights Act. If Mr A is held not to be the twins' father, he will have to adopt them if he wants to become their legal parent, while it would give Mr B greater rights in seeking contact with them.