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The April 18, 2003 DNA Resource Report is listed below. This report also includes coverage of the week of April 4 and April 11.

These reports are prepared by Tim Schellberg and Lisa Hurst of Smith Alling Lane (253) 627-1091, on behalf of Applied Biosystems.

SUMMARY

Bills to expand offender DNA databases moved forward in Alaska, Arkansas, Connecticut, Louisiana, and North Carolina. DNA database expansion bills were introduced in California, and New Jersey's Attorney General is calling for an all felons DNA database. A federal judge has upheld a retroactive application of a DNA sampling requirement for federal prisoners.

Cold hits on the DNA database identified criminals in California (rape), Florida (rape), Illinois (rape), Indiana (rape), Missouri (rape), Texas (double homicide), and linked cases in New York (three rapes). In one Ohio community, the DNA database linked 15 unsolved burglaries, and another Ohio community used DNA to solve a home invasion robbery. Failure to make the Idaho DNA database law retroactive resulted in at least one potentially preventable murder in that state.

DNA testing problems at the FBI and Houston crime lab made headlines, and backlogs were covered in the news in Hawaii, Washington, New Mexico, and Indiana. Florida is considering requiring local law enforcement to pay for state crime lab services, and a Tennessee city is considering starting its own lab.

Louisiana introduced bills to extend / eliminate the statute of limitations in DNA cases, and New York City is calling for state legislation. Rape kits are missing in several Atlanta area rapes. A Missouri bill would allow hospitals to charge rape kit exam costs to victim insurance, and forensic nurses in Virginia and Philadelphia were credited with rape testing issues.

Post conviction DNA testing bills were introduced in Connecticut, Louisiana and Missouri. Post conviction DNA testing issues were considered by state legislatures in Texas, Ohio, Oklahoma, North Carolina, Massachusetts and Kansas.

In international news... Canada has linked 5 sex assaults to one man through DNA, and Scotland is using DNA to identify persons spitting on railway employees. In Japan, DNA is featured prominently in a suspicious death case and a murder case, and the Japanese police will soon be using new DNA analysis equipment.

STATE LEGISLATION

Forensic DNA

1. Alabama HB 551 – Increases fee assessment from \$2 to \$10 in forfeiture proceeding cases with the proceeds being distributed to the Alabama DNA Database Fund.
2. California AB 1444 – Expands offender DNA database to include convictions for any sex offense.
3. California AB 1565 -- Expands offender DNA database to include convictions for any sex offense or any attempt to commit a sex offense.
4. California SB 883 -- Requires that any person convicted of any offense that makes him or her a sex offender or any offense that imposes upon a person the duty to register in California as a sex offender must give DNA samples.
5. Connecticut HB 6700 – Requires preservation of biological samples, until a court has granted permission for destruction. Provides for post conviction DNA testing procedures.
6. Louisiana HCR 58 -- Recognizes the month of May as DNA Awareness Month. Focus of resolution is forensic DNA.
7. Louisiana HB 710 – Expands offender DNA database to include all felony convictions and arrestees. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.
8. Louisiana HB 936 -- Prosecution for any sex offense can be instituted outside the 10-year time limit if the victim notified law enforcement within seven years of the discovery of the crime, physical evidence capable of being tested for DNA was preserved, and the identity of the perpetrator was established through the use of DNA testing.
9. Louisiana HB 1118 -- Creates a new \$12 fee for every person who posts a criminal bond. Creates a crime lab committee in each parish to determine which criminalistics lab will be the recipient of the proceeds of the fees collected based upon which lab performs the majority of the crime lab services in that parish.
10. Louisiana SB 295 -- Prosecution for any sex offense can be instituted outside the 10-year time limit if the victim notified law enforcement within seven years of the discovery of the crime, physical evidence capable of being tested for DNA was preserved, and the identity of the perpetrator was established through the use of DNA testing.
11. Louisiana SB 346 - Expands offender DNA database to include all felony convictions and arrestees, as well as prostitution and soliciting prostitution. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.
12. Louisiana SB 384 -- Expands offender DNA database to include all felony convictions and arrestees, as well as prostitution and soliciting prostitution. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.
13. Louisiana SB 522 – Extends the time limit for post conviction DNA testing motions to August 31, 2007.
14. Louisiana SB 566 – Expands offender DNA database to include several additional crimes, such as arson, aggravated burglary, incest, carjacking and terrorism.
15. Louisiana SB 738 -- Provides for the establishment of a Forensic DNA Science Institute as a joint project between the Dept. of Public Safety and Corrections and LSU, Baton Rouge.
16. Minnesota HB 1278 – Allows counties to seek insurance reimbursement from the victim's insurer, if authorized by the victim, for costs associated with rape kit exams.
17. Missouri HB 732 – Provides compensation for those released from the department of corrections after post-conviction DNA testing.
18. North Carolina SB 683 – Authorizes \$3.6 million in spending for crime laboratory construction “that will provide laboratory facilities for rape kit testing and other forensic purposes.”

Genetic Privacy / Research

19. Delaware SB 55 -- Places a ban on human cloning while allowing cloning technologies to be used for purposes other than human cloning.
20. Louisiana SB 298 – Extends current ban on human cloning through July 1, 2006.
21. New York SB 3517 – Prohibits discriminatory health insurance practices based upon predisposing genetic characteristics.
22. New York SB 4105 – Prohibits employment discrimination based on predisposing genetic characteristics.
23. North Carolina SB 920 – Appropriates \$15 million to the University of North Carolina for a new cancer research facility. Emphasis in legislative language is on genetic research.
24. North Carolina SB 943 –Appropriates \$10 million to assist with the capital and operating expenses of establishing six additional regional biomanufacturing training centers at regional community colleges, one in each of the remaining regional economic development regions areas.

Paternity

25. California SB 1030 – Permits the court to vacate paternity orders based on DNA tests. Allows civil action suits against the mother for damages.
26. Idaho HB 417 – Provides that child support relief shall be granted if DNA testing shows that the alleged father is not the biological father and certain other conditions are met.
27. Louisiana HB 1331 -- Authorizes the registrar of vital statistics to enter the name of the father on the certificate of birth for illegitimate children upon submission of DNA proof of paternity by the mother of the child.

NEWS ARTICLES

Forensic DNA

1. “New allegations target DNA, bullet analysis at FBI lab.” The Associated Press, April 15, 2003.
The FBI crime lab is dealing with new allegations of wrongdoings by a DNA technician who has resigned while under investigation for alleged improper testing of more than 100 DNA samples. The technician failed to compare the DNA evidence with control samples. The new problems have defense lawyers questioning the FBI's efforts to build a national DNA database, but the FBI has already taken steps to protect the integrity of the system by removing profiles analyzed by the technician in question. So far, the review has not found any instances in which DNA samples on the database were inaccurate
2. “Bill would require DNA samples from all felony suspects.” The Associated Press State & Local Wire, April 15, 2003.
A Louisiana Senate committee has approved a bill that would expand the state database to include all convicted felons and felony arrests. The state will place a high priority on finding state funds to pay for the estimated \$4 million cost of the bill, but also notes that having the law enacted will make the state eligible for federal grant money.
3. “Lawmakers: crime lab problems warrant death penalty moratorium.” The Associated Press State & Local Wire, April 15, 2003.
The Texas House of Representatives is considering a moratorium on the death penalty in Texas while the Houston Police Department's DNA section sorts out its problems. The Houston Mayor has urged the Governor to institute a moratorium, but the Governor has said he does not support a moratorium and does not legally have the ability to impose one.

4. "With DNA Database The Bigger, The Better." News & Record, April 15, 2003.
A North Carolina House committee has approved a bill that would expand the state's offender DNA database to include all convicted felons. The bill would more than double the state's DNA database in the first year and would cost approximately \$1.5 million to implement in the first year. "The beauty of DNA is that it works both ways. It can put a criminal behind bars and it can set an innocent man free. Expanding the state's databank ensures that, in an increasing number of cases, science will dictate these decisions."
5. "Pressure builds for judicial action in probe of Houston's troubled DNA lab." The Associated Press, April 14, 2003.
In Houston, legal activists and civil rights groups have joined the calls for a court of inquiry into a beleaguered police DNA lab. The ACLU has also urged the Harris County District Attorney to step aside from an ongoing grand jury investigation of the lab. The county's 22 criminal court judges have asked for a second grand jury probe, without the DA.
6. "Lawmakers Mull DNA Databank Expansion ." Connecticut Law Tribune, April 14, 2003.
Connecticut is considering expanding its offender DNA database to include all convicted felons, and received testimony in support of such a measure from Dr. Henry Lee. In addition to the criminal justice need for expanded databases, Lee also warned that not expanding the database could mean that the state will miss out on federal funding opportunities. The Chief State's Attorney also testified in favor of the bill, and the state ACLU chapter is strongly opposed to it. The legislature is also considering a bill to establish a DNA Databank Oversight Panel whose members would, among other tasks, help obtain grant money needed to build the program.
7. "Kits speed rape investigations." Philadelphia Inquirer, April 14, 2003.
Article reports that the use of the rape kits and the timely processing of DNA evidence place Philadelphia police among the top urban departments in aggressively pursuing rape cases. The city used to have widespread problems with police treatment of rape investigations, but now rape victims are generally taken to one of two hospitals that contract with the city, where specially trained nurses perform the two-hour exams. The crime lab has two analysts dedicated to rape kit processing, and no longer has a backlog.
8. "City Council seeks to abolish statute of limitations for unsolved rape cases." The Associated Press State & Local Wire, April 13, 2003.
The New York City Council has asked the state Legislature to consider eliminating the 10-year statute of limitations on unsolved rape cases, saying backlogged DNA evidence could be used to arrest additional suspected rapists. The city's backlog of DNA kits, which extends from 1987 to 1999, have reportedly found nearly 1,000 matches among the more than 13,000 cases examined. The Police Department supports the measure, and further said, "We're getting matches back to the late '80s and we can't do anything about them."
9. "Rape victim angry defendant representing himself." The Associated Press State & Local Wire, April 13, 2003.
In Indiana, a rape victim whose attacker was identified by the DNA database is angry that he was able to question her for 90 minutes by representing himself. When the DNA matched the rape evidence to the man, he was serving a sentence for theft and receiving stolen property.
10. "Feds' DNA file links man to '95 rape." Contra Costa Times, April 13, 2003.
In California, the DNA database has linked a 1995 rape of a young girl to a man convicted in 1995 for a rape in Arizona. Investigators subsequently discovered that the man had killed himself last summer – apparently distraught over police notifying his neighbors of his past convictions under Megan's Law.
11. "Angels Of Evidence." Daily Press (Newport News, VA), April 13, 2003.
Forensic nurses in Virginia have increasingly expanded their roles in criminal evidence collection – now often going to jails and prisons to assist with DNA collection from offenders.
12. "DNA test clears state trooper in serial killer investigation." The Associated Press State & Local Wire, April 12, 2003.
A Louisiana state trooper remains a suspect in the killing of an Oregon woman, but a DNA test has excluded him as the south Louisiana serial killer who has murdered five young women since September 2001. Rumors that the serial killer could be a police officer have led a state representative to consider filing a bill to have all Baton Rouge officers give DNA samples. The head of the investigation task force has rejected this proposal, calling it too

expensive.

13. "Convicted sex offender faces trial in '87 rape." Tulsa World, April 12, 2003.
In Oklahoma, a judge has scheduled a trial for a convicted sex offender who was charged with rape 15 years after the 1987 Tulsa attack for which the wrong man served prison time. At a recent hearing the judge rejected a defense claim that a DNA analysis of evidence linking the man to the crime is not admissible because of uncertainty about how the evidence was preserved over the years. Public defenders also plan to ask the state Court of Criminal Appeals to delay any trial so that the appeals court will have time -- if it chooses -- to review the constitutionality of a law that removed the statute of limitations for certain sexual assaults involving DNA evidence.
14. "DNA evidence brings conviction in 1992 rape," The Associated Press State & Local Wire, April 11, 2003.
In Illinois, the DNA database has helped convict a man accused in the 1992 rape of a woman in front of her 5-year-old daughter. The database linked an Indiana man to the attack.
15. "Senate OKs Bill Giving Inmates Right To DNA Tests." Dayton Daily News, April 11, 2003.
The Ohio Senate unanimously approved legislation that would give prisoners convicted of felonies the chance to apply for DNA testing that could prove their innocence. Inmates would be permitted to apply for testing if they entered a not guilty plea at the time of their original trials, and must either be on death row or have at least one year remaining of their sentences. Those who pleaded guilty or no contest still could apply but would have to obtain the approval of the prosecutors who tried their cases. If the prosecutor rejects the application, the decision would be final.
16. "DNA foils sex predator." The Gazette (Montreal, Quebec), April 11, 2003.
In Montreal, an alleged sexual predator linked by DNA evidence to five sexual assaults over 11 years has been arrested, with more charges against him pending. The man has prior convictions for breaking and entering and assault.
17. "DNA Nails 'Rapist-Killer'" The New York Post, April 11, 2003.
In New York, a confidential informant for the Manhattan District Attorney's Office is now a suspect in a rape and an unrelated murder. The connection to the crimes reportedly has been made through DNA testing, but officials would not yet elaborate on details.
18. "DNA doesn't match in murder trial." The Seattle Times, April 11, 2003.
Washington jurors in the retrial of a man whose murder conviction in the 1986 slaying of a 16-year-old girl was overturned learned that his DNA didn't match the DNA in a semen sample taken from the victim's body. The information was introduced by prosecutors who contend the evidence doesn't exonerate the man but is simply inconclusive. Prosecutors said the evidence sample were extremely diluted and had broken down enormously over the nearly two decades since the victim's death. An initial test on the sample failed to reveal any DNA evidence at all, and a second test found only two distinctive markers out of eight could be identified.
19. "Police crack home invasion case." Newark Advocate (Newark , OH), April 11, 2003.
Police in Pataskala, Ohio plan to seek charges against seven men for their roles in a high-profile home invasion. Detectives used DNA culled from a ski mask to pinpoint the suspects. Detectives spent many resources investigating leads, then finally matched an evidence sample to a robbery suspect in another county. "Then, after we got the DNA, it was like Christmas. We were all giving each other high fives because we actually had a viable suspect."
20. "House considers new fees in budget." The News-Press (Fort Myers, FL), April 10, 2003.
The Florida House of Representatives wants to begin charging local sheriff's offices and police departments for crime lab work, a \$13 million tab. Legislators clarify that the charges are not so much a fee hike as rethinking who pays for what. On the other hand, law enforcement is not enamored with the idea. One county that closed its crime lab several years ago when a new state lab opened in the area indicated that it would ask the county commission for the money to reopen his lab rather than face a \$900,000 yearly bill from the FDLE.
21. "DNA law aims to boost safety." Anchorage Daily News, April 9, 2003.
Alaska legislators hope that a proposal to expand the DNA database to include all convicted felons will help the state address its dubious distinction as the state with the highest percentage of reported rapes per capita in the United States -- a ranking it has held for 19 of the last 26 years. The bill has passed the House.

22. "Wrongfully convicted inmate bill passes Senate." The Associated Press State & Local Wire, April 9, 2003.
An Oklahoma bill to compensate persons imprisoned for crimes they did not commit passed the Senate and was returned to the House for concurrence. Under the bill, anyone wrongfully convicted could collect up to \$175,000 from the state after receiving a pardon. The bill originally had a \$200,000 liability limit. The Legislature passed wrongful conviction legislation in 2001 and 2002, but the bills were vetoed each time by the former Governor.
23. "DNA tests will help convict railway spitters." The Herald (Glasgow), April 9, 2003.
In Scotland, nine samples of saliva have been sent for DNA testing in hopes of identifying people who have spat upon rail staff – which apparently is a significant problem. Even if the national data base fails to produce a match, the swabs will be registered as evidence. The samples were taken over the past eight weeks, and follow the distribution of "saliva recovery kits" at all manned stations and on 230 trains in a unique clampdown on assaults by spitting.
24. "KC man arrested in teen rape at bus stop." Kansas City Star, April 9, 2003.
In Missouri, a DNA match led prosecutors to charge a Kansas City man with raping a 14-year-old girl who was waiting for her school bus. The DNA database linked the crime to a man who had an involuntary manslaughter conviction in the 1980s, and was convicted of three drug charges in the 1990s.
25. "Legislature OKs rent pact." Rochester Democrat and Chronicle, April 9, 2003.
Monroe County, New York legislators voted to accept \$558,725 from the state in a major initiative to address the growing number of cases in which the county's crime lab has DNA evidence from a crime scene but no suspect. The grant will help enable genetic profiles to be prepared for entry into a national data bank.
26. "Panel Oks Bill To Expand Criminal DNA Database." Winston-Salem Journal, April 9, 2003.
The North Carolina chapter of the ACLU decided to not oppose a bill to expand the offender DNA database, electing instead to cooperate to make sure proper privacy provisions were included. "While we would prefer to not have DNA testing at all, it is very clear that inevitably all states will have testing of all convicted felons," said an ACLU representative. "Why fight something that is inevitable if you can make it palatable?" Before passing the bill, the committee added a provision that prohibits release of a convict's DNA to insurance companies, employers, private investigators and health providers.
27. "House rejects constraints on contracting by schools." Arkansas Democrat Gazette, April 8, 2003.
The Arkansas House approved a bills expanding the offender DNA database to include all convicted felons.
28. "N.J.'s top cop wants convicts' DNA." Asbury Park Press, April 8, 2003.
New Jersey's acting state attorney general is urging the Legislature to expand the offender DNA database to include all convicted felons. He notes that the federal government has budgeted \$200 million for a grant program to help states expand DNA testing, but that states must pass laws expanding their DNA testing program to more criminals in order to qualify for the grants. A bill that would expand the DNA testing has passed the state Assembly and awaits action in the Senate Budget and Appropriations Committee.
29. "Witness: DNA tests link suspect to murder of former first lady of South Africa." The Associated Press State & Local Wire, April 8, 2003.
In South Africa, a forensic expert has testified that DNA tests linked a security guard to the stabbing death of South Africa's former first lady. DNA taken from sweat found inside the gloves that were used to strangle Marike de Klerk matches samples from the suspect. The man has pleaded innocent to the 2001 murder and rape.
30. "DNA testing leads to charges in 1981 murder case." The Associated Press State & Local Wire, April 8, 2003.
In Texas, new DNA testing of old evidence has linked an unsolved double murder in 1981 to a man on the DNA database due to a prior conviction for aggravated sexual assault. For many years, investigators did not test the DNA evidence due to fears of destroying the sample through the testing. However, investigators recently learned of new techniques – "Then, a year ago, he passes one of our crime scene detectives in the hallway and just sort of casually asks him if DNA testing has gotten any better, if we could test without losing the evidence, and the guy told him, 'Sure!'"
31. "Search group: Get DNA before people disappear." Austin-American Statesman, April 8, 2003.

A company in Texas has submitted proposed legislation to a Member of Congress that seeks federal money to provide DNA collection kits so people can take samples from their relatives before anything bad happens. The group wants the kits provided first to people whose relatives have mental disabilities, and others would include people who have Alzheimer's disease and government employees in high-risk jobs.

32. "Forensic lab on police wish list." *The Tennessean*, April 8, 2003.
Nashville police are pushing for their own \$6 million forensic lab as a way to attack a backlog of rape kits and other evidence that are awaiting DNA testing by the state lab. The department sends roughly 300 rape kits each year to the lab, but physical evidence from another 300 rape cases sits backed up in a Metro police evidence room. The department also believes it would conduct DNA testing more frequently, if it had control. For now, a forensic lab is merely an idea on a "wish list" that has not been through any formal approval process.
33. "Judge Orders DNA Studies." *Winston-Salem Journal*, April 8, 2003.
In North Carolina, an inmate is hoping that the DNA database can be used to exonerate him. DNA testing of evidence has not included him as the donor, but his conviction was still strong based on other evidence. If the DNA evidence is matched to a person unrelated to the inmate, he hopes that the match will help clear his name. A judge has ordered the database comparison.
34. "HPD budget woes derail grant bid." *The Honolulu Advertiser*, April 7, 2003.
The Honolulu Police Department's staff shortage and budget troubles made it impossible to seek a federal grant for DNA testing of backlogged evidence this year. HPD has about 150 cases in which evidence has yet to be tested for DNA. HPD has struggled to hire and retain enough police officers to meet Honolulu's public safety needs, and faces budget cuts this year that could make the situation more difficult. Major upgrades are needed in several areas so the lab can be fully accredited.
35. "New system helping solve old crimes." *Mansfield News Journal (Mansfield, OH)*, April 7, 2003.
In Mansfield, Ohio, DNA testing has linked 15 unsolved burglaries to either suspects or matching crimes and authorities are ready to charge two men with the unsolved property crimes.
36. "State police lab fights crime, backlog of cases." *Spokesman Review (Spokane, WA)*, April 6, 2003.
The Washington State lab in Spokane says that even if it stopped accepting DNA requests, it would take about five years to process all the waiting DNA requests. The governor requested funds to build a new crime lab at Eastern Washington University, and the Legislature is expected to consider the request in a couple of weeks. The new lab would have room to expand the staff from 20 positions to 32. The usable space would increase from 5,000 square feet to more than 30,000.
37. "Detective accused of destroying rape evidence." *The Associated Press State & Local Wire*, April 5, 2003.
In Atlanta, internal police investigators have accused a police detective of destroying evidence in a number of rape cases. Police officials wouldn't say how many rape cases were affected, and it is unclear how or why the evidence was destroyed, or if it's only missing. A Georgia Bureau of Investigation official said that the agency received only eight rape kits, although they were prepared in 21 of the 31 rapes – which leaves as many as 13 missing.
38. "Man charged in Henneman's death missed DNA testing." *The Associated Press State & Local Wire*, April 5, 2003.
In Idaho, a transient who has recently been charged with killing two women finished serving time for statutory rape just months before Idaho began requiring DNA from all violent felonies. While investigating the man in connection with a 2003 murder, detectives noticed similarities to a 2000 murder, and eventually linked the crimes through DNA to the man. The man has a criminal record involving about 10 convictions over about 15 years for crimes ranging from an open alcohol container violation to escaping prison.
39. "Seek Man In 3 B'klyn Rapes." *Daily News (New York)*, April 5, 2003.
In Brooklyn, New York, DNA has linked one man to three rapes over the past year. Police are searching for a suspect.
40. "Sczubelek must give DNA sample." *The News Journal (Wilmington, DE)*, April 5, 2003.
A US District Judge has ruled that a man who was convicted of bank robbery in the 1990s must give a sample of his blood to federal authorities for use in a national DNA database. The man had contested the DNA sample claiming it intrudes on his constitutional right to be free from unreasonable searches and seizures. His defense

attorney also had argued it is illegal to apply the 3-year-old DNA requirement to a man who was convicted and sentenced in 1994, because it amounts to an increase in punishment. The judge found that Congress did not enact the requirement to punish offenders, so it is not illegal to apply it retroactively.

41. "Man exonerated by DNA in rape cases freed from prison after 19 years." The Associated Press, April 4, 2003. In Massachusetts, an inmate has been freed from prison after DNA evidence has exonerated him of committing several sexual assaults. He was convicted in 1983 based in large part on the eyewitness testimony of the three victims who all identified the man as their attacker, and their description of clothing and a military knife matched items found in his car.
42. "12 years after parole, DNA results allow man to clear his name." Kansas City Star (Kansas & Missouri), April 4, 2003. In Kansas, a man has cleared his name in a rape conviction for which he served 10 years in prison. A judge has ruled that new DNA testing proves he did not commit the crime.
43. "Report: Court given false DNA samples." The Daily Yomiuri (Tokyo), April 3, 2003. In Japan, DNA samples submitted as evidence to the Yokohama District Court concerning the autopsy of a 54-year-old man who was involved in a car accident differ from samples obtained by the victim's family, according to a report. The police reported that the man died of a heart attack, but his family believes he died as a result of the accident, and that the doctor signed a bogus death certificate without performing an autopsy, using samples obtained from another autopsy.
44. "Crime Lab's Critical Work Merits Attention." Albuquerque Journal, April 2, 2003. New Mexico's state crime lab has a backlog of more than 180 DNA cases. "Understaffed, underfunded and overworked, the lab has funding for 26 positions, but seven are vacant, including two spots for DNA scientists...Putting more law enforcement officers in the field always seems a good idea, but it's an empty exercise when the necessary forensic back-up is chronically backed up."
45. "Houston Police chief says department is working to get lab accredited." The Associated Press State & Local Wire, April 2, 2003. The Houston Police Department is looking into getting its lab accredited once again, but says that if it costs too much to get the DNA section of the crime lab up to national standards then it may be shut down permanently. The city of Houston has contracted with the National Forensic Science Technology Center to figure out the best solution. Other cities in the state have combined resources to create regional public DNA labs or decided to outsource their DNA work to private labs.
46. "Prison officer denies killing 2 relatives." The Daily Yomiuri (Tokyo), April 1, 2003. In Japan, DNA evidence is being used in the case of a prison officer accused of murdering his stepson's wife and infant son. Prosecutors said analysis of saliva from a cigarette butt found in an ashtray near a staircase leading up to the victim's apartment soon after the fire broke out indicated the cigarette had been smoked by the suspect.
47. "FY 2004." Federal Document Clearing House Congressional Testimony, April 1, 2003. Details on the President's FY 2004 budget request for forensic DNA funding.
48. "Lab backlog may slow Zavala probe." Journal and Courier (Lafayette, IN), March 30, 2003. Indiana's backlog of DNA cases continues to grow. In 1998, there were 664 DNA cases sent to state crime labs -- in 2001, the labs received close to 1,400 cases and had a backlog of 860 cases. Currently the agency has about a yearlong backlog of such cases. In 2002, the Indiana legislature approved a budget bill that diverted portions of an existing Department of Motor Vehicles transaction fee to the Indiana State Police crime labs. The fees were expected to generate an additional \$12 million over a four-year period. Part of the money will be used to lease a new lab facility in Indianapolis, and will provide the Fort Wayne lab with DNA-testing capabilities. The goal is to have a 45-day turnaround time for evidence, with only a 2 percent backlog of the total number of cases.
49. "Police go hi-tech with latest DNA analyzer, polygraph." Mainichi Daily News, March 30, 2003. Japan's police forces will begin using an automatic DNA analyzer in August to beef up scientific investigative capacity, National Police Agency officials have said. Police currently require eight days to identify people using

four manual DNA analysis methods, whereas the new machine, called a fragment analyzer, can finish the task in only a day.

50. "Inmate charged in 1986 rape of 3-year-old." Miami Herald, March 30, 2003.
In Florida, police charged a jail inmate with the kidnapping and rape of a 3-year-old girl in 1986 after a cold hit on the DNA database linked him to the crime.

Genetic Privacy / Research

51. "Leader of DNA bank defends project." The Daily Telegraph (London), April 7, 2003.
The head of an effort to gather 500,000 DNA samples from the British population for medical research has rejected criticisms that the pounds 45 million project has been set up without proper consultation.

Paternity

52. "Duped dad seeks refund in court." Herald Sun (Melbourne, Australia), April 15, 2003.
In Australia, a man has asked a Family Court judge for a \$14,000 refund after learning he is not the father of his ex-wife's son. The man wants to get back all the money he has paid in child support for the boy, now 12, over the past nine years. He also wants his ex-wife to give back some of the spoils of their marriage, claiming he would never have been so generous during the divorce property settlement if he knew the boy was not his.
53. "Judge tosses out paternity suit, says parenting act unconstitutional." Chicago Daily Law Bulletin, April 9, 2003.
A 16th Judicial Circuit judge dismissed a paternity case and declared the Illinois Parentage Act unconstitutional. The statute allows the court to consider DNA testing when establishing a father and child relationship, but the judge ruled that it also "violates the constitutional rights of due process" and "fails to allow a court to determine best interests of children."
54. "Ruling alters alimony for divorced dads in Pa. paternity cases." The Associated Press State & Local Wire, April 1, 2003.
In Pennsylvania, the Superior Court has ruled that a man doesn't have to keep paying \$400 a month in child support for a child which DNA has proven is not his. In the past, Pennsylvania courts have held that a man who acts as a child's father can be held financially responsible under a "presumption of paternity," even if it is later proved the child is not biologically his.

FEDERAL REGISTER

1. Department of Justice. Proposed Rule amending the list of federal offenses that will be treated as qualifying offenses for purposes of collecting DNA samples from federal offenders.