

DNARESOURCE.COM

A WEB SITE FOR ANYONE WHO SEEKS INFORMATION ON THE LATEST DEVELOPMENTS IN FORENSIC DNA POLICY

Smith *Governmental*
Affairs
Alling *Attorneys at Law*
Lane

Sponsored By



Smith Alling Lane, P.S. provides governmental affairs services to Applied Biosystems. As part of this representation, the firm generates weekly reports on state and federal legislation and news articles. Applied Biosystems has authorized Smith Alling Lane to make these reports publicly available through this website. The information presented in these reports does not necessarily reflect the viewpoints of Applied Biosystems or Smith Alling Lane, P.S.

The May 23, 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

Alaska has become the 27th state to require DNA from all convicted felons, and a New York proposal would require DNA for fingerprintable arrests. A Louisiana bill requires DNA from police recruits. Some Illinois offenders may be left off the DNA database due to collection cost problems.

DNA databases helped to identify suspects in California (sexual assault); Colorado (3 sex assaults); Florida (double homicide; bank robbery; 6 rapes); Illinois (murder and rape); Minnesota (rape); New York (4 rapes; 7 rapes); Oregon (6 sex assaults; murder); South Dakota (federal rape case); Texas (rape); and Wisconsin (rape). DNA has also confirmed that unidentified serial rapists are at work in Colorado (2 attacks linked), Virginia (6 attacks linked) and Florida (7 attacks linked). DNA also won the release of a man wrongly convicted in New York after the evidence was linked to another prisoner on the database.

Massachusetts may create an independent Department of Forensic Sciences, and Mississippi has lost its only DNA analyst. Texas may require accreditation of all labs, and DNA questions at an Arizona lab are not expected to jeopardize cases. Lab expansion plans are underway at labs in New York and Texas.

Federal law now allows the use of "John Doe" warrants based on DNA for federal crimes, and a "John Doe" warrant has been filed in an Ohio case. A Louisiana ruling requires greater probable cause for DNA warrants. Several non-profit rape victim groups are aiming to bring attention to DNA testing issues. DNA programs to identify missing/unidentified persons are underway in California and Ohio.

A post conviction DNA testing bill was enacted in Nevada. Post conviction DNA testing cases made headlines in Connecticut, Louisiana, and Montana. In an Illinois murder trial, defense attorneys are seeking reports on state lab error rates.

In international news...Malaysia will begin a forensic DNA database, and a child murder case in Canada has led to calls for stronger DNA collection rules. DNA sharing was a topic at the recent G8 summit. Australia's national DNA database is not being fully used by the states, and authorities may require police recruits to submit DNA. New Zealand will fund mobile DNA collection units. In England, DNA from a drunk driver solved a 1999 rape, and DNA from a wine bottle has identified a burglar. DNA exonerated an accused rapist in Ireland, and identified "rail spitters" in Scotland. India is using DNA in a gang rape investigation and in a baby swapping case. DNA may be used in criminal cases in Serbia (child abduction), and Mexico (90 rapes/murders near the US border), and helped with a murder conviction in the Czech Republic. Mass graves in Iraq may benefit from the ICMP's DNA program, and DNA could resolve a dispute between Sierra Leone and Liberia.

STATE LEGISLATION

Forensic DNA

1. Delaware HB 175 -- Permits the use of buccal swabs for DNA database collection.
2. Louisiana HB 1875 – Provides \$650,000 for “no suspect” DNA casework.
3. Louisiana HB 1956 -- Requires a DNA sample and fingerprint from applicants for the position of a peace officer who are employed by a law enforcement agency after August 15, 2003
4. Maine HB 1190 – Allocates funds to establish a limited-period DNA Forensic Chemist position.
5. Massachusetts HB 3301 – Expands offender DNA database to include the crimes of breaking and entering at night, breaking and entering at day, and entry at night.
6. Michigan SB 445, 446, and 447 – Removes an earmark in current statute for the forensic DNA program, and redirects the money to a Justice System Fund.
7. Minnesota HB 2A – Extends the sunset provision of the current all felons DNA database for another two years.
8. Nebraska LRes 169 – Requires an interim study on issues relating to the DNA database, including: expansion, missing/unidentified persons, storage, quality assurance, training, research, and federal funding.
9. New Jersey ARes 286 -- Memorializes Congress and President to enact legislation addressing backlog in processing of DNA rape kits.
10. New York SB 5099 – Expands offender DNA collection to include any fingerprintable arrest.

Genetic Research/Privacy

11. Alaska SB 217 – Creates a genetic privacy statute. Defines the circumstances under which an individual may be subjected to genetic testing.
12. New Jersey AB 3481 – Bans “wrongful life” or “wrongful death” lawsuits arising out of a failure to suggest or advise that a person undergo genetic testing of a fetus.
13. New York AB 8559 – Prohibits insurance discrimination based on genetic predisposition. Prohibits the release of genetic test results without written authorization.
14. Pennsylvania SB 68 – Creates the Genetic Testing Confidentiality Act to protect the confidentiality of the collection, retention, use or dissemination of information obtained from a genetic test.

Paternity

15. Louisiana HB 1998 -- If a presumed father proves by DNA that he is not the father of a child born at least 10 years ago and he has never been ordered to pay support, he will never be required to pay support.
16. New Jersey AB 3474 -- In any non-dissolution action where the issue of child support is at issue and where the existence or nonexistence of a parent and child relationship is at issue, the court shall order that the child, the mother and the alleged father submit to a genetic test to determine paternity.
17. New Jersey AB 3553 & SB 2479 -- Enacts the "New Jersey Parentage Act of 2003," which incorporates most of the provisions of the "Uniform Parentage Act".

NEWS ARTICLES

1. "Crooks' DNA data held up." The Australian, May 20, 2003.
In Australia, an independent review has found that the National Criminal Investigation DNA Database is standing idle while federal and state governments "dither" over accountability and jurisdictional issues. A committee set up to review changes to the Crimes Act relating to DNA material for law enforcement purposes, said the system was not fully operational, and only the state of New South Wales had uploaded profiles so far.
2. "Man on rape charge gets bail after DNA evidence." Belfast Telegraph, May 20, 2003.
In Ireland, a man accused of raping of a 14-year-old girl in Belfast city centre was released on bail after being told his DNA sample did not match that found on the teenager. Testing of rape evidence showed DNA of another person.
3. "DNA Goes Online." Columbus Dispatch, May 20, 2003.
Ohio has gone online with LINK -- Locating Individuals Not Known -- a database that relies on software developed by the FBI in the wake of the attacks of 9/11. LINK is used to identify DNA samples from unidentified bodies.
4. "DNA Clears Rape Convict After 12 Years." The New York Times, May 20, 2003.
In New York, a man who spent the last 12 years behind bars for a 1986 rape has been released after newly discovered DNA evidence proved that another man with an extensive history of robbery and sexual assaults was guilty of the crime. At his trial, a serologist told both juries that an analysis of slides taken for a rape kit had revealed no evidence of sperm. But the kit and its contents were saved in storage, and was recently analyzed as part of New York's effort to eliminate its backlog of DNA cases.
5. "DNA snared rapist' claim." Nottingham Evening Post, May 20, 2003.
In England, a routine DNA test completed on a sample taken from a drunk driver was matched through the database to a 1999 rape.
6. "Balkans experience with mass graves could help in Iraq." Agence France Presse, May 19, 2003.
The International Commission for Missing People believes that DNA techniques used to identify thousands of people missing after the Balkans wars in the early 1990s could be used in other war-hit regions like Iraq. "This will gradually become a world center for DNA," said a member of the ICMP board. "I regret to say, but there are going to be more discoveries, more mass graves in the world in the future and Balkans experience could help."
7. "House passes wrongfully convicted inmate bill." The Associated Press State & Local Wire, May 19, 2003.
The Oklahoma House has passed legislation that would make inmates who are convicted and imprisoned for crimes they did not commit eligible for \$175,000 in compensation.
8. "DNA testing questioned in Brown's Chicken case." Chicago Tribune, May 18, 2003.
In Illinois, the attorney for one of the two men charged in the 1993 Brown's Chicken massacre filed another motion seeking reports on error rates at the Illinois State Police crime lab. The motion will be used to raise questions about DNA testing in the case. Police say those tests link the defendant to saliva left on chicken in a garbage can at the restaurant the night seven people were slain there. State's attorneys have argued the defense has been given complete testing records in this case, and that releasing quality-control tests would compromise the lab's ability to monitor their work.
9. "DNA Linking More Criminals To Crimes." The Ledger (Lakeland, Fl), May 18, 2003.
Police in Lakeland, Florida were able to link DNA from a cigarette butt found near a getaway car to a man who is now the suspect in a bank robbery. The suspect's DNA had been taken during a previous prison sentence. By July 2005, Florida will require all convicted felons to submit DNA for the state's database. Fifty percent of Florida's hits in the last 13 years have been made in the past two years. Through April of this year, the FDLE DNA lab had aided in 245 cases.
10. "DNA Links '92 Killings To Inmate, Police Say." Orlando Sentinel, May 18, 2003.
In Palm Beach, Florida, DNA from four cigarette butts have led detectives to the man they think killed two women in 1992. At least five detectives searched for the person who matched the DNA profile, testing 29 people -- but a

match wasn't made until the man was required to give a DNA sample for the database due to an attempted murder conviction in Wisconsin. Follow-up tests linked the man to a hair recovered from a blanket in one of the victim's bedrooms. The man also had a cocaine possession conviction in 1991 and was in county jail for resisting arrest just a month before the killings.

11. "Rape Trauma Re-Enacted On Tape." *The Statesman (India)*, May 18, 2003.
In India, DNA evidence has been presented in a rape case of a medical college student who was allegedly raped by three youths at knifepoint at a historic monument last year.
12. "National DNA in crime data." *Sunday Mail (Queensland, Australia)*, May 18, 2003.
In Australia, Queensland's Police and Corrective Services Minister introduced legislation to enable police to begin cross-matching DNA samples with other Australian jurisdictions, with New Zealand police and with Interpol. There will also be stringent safeguards against misuse of DNA samples and breaches will be penalized.
13. "Comprehensive Criminal DNA Bank No. 1 Priority." *Winnipeg Sun*, May 18, 2003.
EDITORIAL: Urges a change to Canadian law which currently is not retroactive to include those persons currently incarcerated. "As OVC's Scott Newark put it to me last week: "It's only a matter of time until one of these creeps gets out of custody (past crimes unsolved) and goes on to commit a terrible new crime following his conviction, on which we'll take his DNA and discover ... "Gee, if we'd only known before we let him out of jail, the crime could have been prevented." Looked at that way, how can the feds possibly justify putting other issues ahead of this? How can they sleep at night?"
14. "Inmate pleads guilty to three sexual assaults." *The Associated Press State & Local Wire*, May 17, 2003.
In Colorado, a man serving time for a parole violation pleaded guilty to sexual assault after the DNA database linked him to three attacks committed before he went to prison. The attacks occurred in 1993 and 1996. The man has been charged with 40 crimes in Colorado since 1984.
15. "War-dead mortuaries nearing full capacity." *The Daily Yomiuri (Tokyo)*, May 17, 2003.
In Japan, Health, Labor and Welfare Ministry mortuaries are close to full capacity with the unidentified remains of about 5,600 war dead in storage for planned DNA examinations expected to start later this year. About 1.24 million remains, including 310,000 remains collected by the government after the war, have been recovered and brought back to Japan. Of those, 349,000 were buried without identification before the advent of DNA testing.
16. "Convict Obtains A New Trial." *Hartford Courant (Connecticut)*, May 17, 2003.
In Connecticut, a man convicted in 1997 of kidnapping and rape has been granted a new trial because hair found on the victim did not match his in a recent DNA test. During the original trial, a state criminologist also said a microscopic hair analysis showed that three pubic hairs found on the victim were similar to the suspect's, but new mitochondrial testing has excluded the man. The prosecution also points out that the DNA testing cannot exclude the victim as the potential source of the hairs.
17. "Court orders hearing for death row inmate." *Times Picayune (New Orleans)*, May 17, 2003.
The Louisiana Supreme Court has ordered a hearing in a murder case, telling a lower court to review new DNA evidence that has come to light. Defense attorneys say that a DNA sample on a ski mask worn by the killer matches another man who is in prison for a murder that occurred seven months after the case in question.
18. "Indian mother forgives woman accused of stealing her child." *Associated Press Worldstream*, May 16, 2003.
In India, a baby-swapping conspiracy case has been resolved through DNA testing. The couple who swapped their girl baby for a boy baby at the hospital face charges of impersonating and concealing evidence. Three hospital workers have been accused of conspiracy, criminal negligence, endangering the life of a baby, and alteration and creation of false records.
19. "Serbia: Charges To Be Pressed Against Police For Role In Baby Abduction." *BBC Monitoring International Reports*, May 16, 2003.
In Serbia, a group of some 30 parents who claim that their children have been abducted announced today that they would press charges against the police for, "their involvement in organized crime and abductions of children". The deputy of police has suggested that the only way to solve this problem was to do a DNA analysis. The parents are rejecting this idea as they believe that it is not possible to get valid analysis results in Serbia.

20. "Start Near For County Public Safety Center." Buffalo News, May 16, 2003.
A new crime laboratory will be built in Erie County, New York. The total \$33 million cost of the project, already approved, will come from both bond and tobacco settlement money. About three times larger than the current facility, the new crime lab will be divided into four areas: chemistry, trace evidence, firearms analysis and DNA analysis.
21. "Budget Suggests Govt Finds Crime Levels Acceptable -- O'Connor." New Zealand Press Association, May 16, 2003.
In New Zealand, the proposed national police budget includes funding for mobile DNA collection teams. The teams will consist of two sworn and one non-sworn staff, and will operate in Auckland starting in January. The DNA squad is expected to generate a further 3500 DNA samples and 500 hits a year.
22. "Judge Refuses Bail For Rape-Murder Defendant." The Oregonian, May 16, 2003.
In Oregon, a convicted sex offender faces 31 charges in five incidents involving girls and a woman between 1997 and April 2002. DNA has linked the man to each case. While on parole, the man apparently avoided submitting a DNA sample in the spring of 2002 by telling a parole officer that he could not obtain an oral swab of his mouth because he had just visited the dentist, and his mouth was swollen. A few months later, the man raped his cousin's girlfriend and was identified, at which time a DNA sample was finally collected.
23. "Committee OKs taking DNA from officers." The Advocate (Baton Rouge, LA), May 15, 2003.
In Louisiana, a House committee, mindful of a serial killer that has stalked south Louisiana since 2001, approved a bill requiring all new police officers to give a DNA sample upon being hired. However, the DNA sample would be stored until needed to identify an officer upon his death or a judge issues a warrant in a criminal case. That provision isn't much different from the current law, which requires law enforcement to either get a DNA sample voluntarily or have a judge sign a warrant to require the sample be given.
24. "Court in Sierra Leone says rebel leaders' family slain, possibly to block DNA ID. The Associated Press State, May 15, 2003.
War-crimes prosecutors for Sierra Leone accused the president of neighboring Liberia of killing the family of an indicted rebel leader, and suggested it was done to block positive DNA identification of the man. International prosecutors for Sierra Leone's U.N.-backed war-crimes court have expressed repeated skepticism that the wanted man is really dead, and have demanded that Liberia turn over the body for identification.
25. "Crime lab to expand in FW." The Dallas Morning News, May 15, 2003.
Fort Worth police are continuing with plans to build a new \$ 1.6 million crime lab, despite recent problems that have prompted a review of nearly 100 DNA cases, a criminal investigation and the firing of a forensic scientist. The manager of Plano's crime scene investigation unit said he is trying to open a full-scale crime lab also because of the long backlogs at the state lab and because private labs are expensive.
26. "800 face DNA tests." UK Newsquest Regional Press - This is Lancashire, May 15, 2003.
In England, more than 800 men are to be DNA tested as part of the police inquiry into a murdered schoolboy. Six retired detectives will be working with the investigating team to help with the new DNA screening, and tests will take about three months.
27. "Man found through DNA evidence gets maximum sentence." The Associated Press State & Local Wire, May 14, 2003.
In South Dakota, a U.S. District judge has sentenced a man to more than 10 years in federal prison for the aggravated sexual abuse woman in July 2000. The crime was solved after a cold hit on the DNA database. The man is currently serving 60 years in a Colorado prison for rape and murder in an unrelated case.
28. "DNA evidence helps convict prisoner of 1993 rape." The Associated Press State & Local Wire, May 14, 2003.
A DNA database hit in Minnesota has linked a man in prison for a murder conviction to an unsolved rape from 1993.
29. "Senate pledges \$ 1.8M to boost forensic med lab." The Boston Herald, May 14, 2003.
The Massachusetts Senate is calling for the creation of a new Department of Forensic Sciences and is pledging \$1.8 million for DNA testing and autopsies. Currently, the state police crime lab can handle only about 20 percent of the requests for DNA analysis it gets, leaving prosecutors to choose between sending the samples out to private labs or

risking that a jury will convict without DNA evidence.

30. "DNA Trap For Thirsty Burglar." Daily Post (Liverpool), May 14, 2003.
In the UK, an alcoholic who drank wine in a kitchen of a home that he was burglarizing, has been linked to the crime through DNA found on the wine bottle.
31. "Charge Serial Rape Suspect." Daily News (New York), May 14, 2003.
In New York, a man has been indicted on charges of raping three young girls and a woman between 1999 and 2001. The man had been arrested for the crimes before, but escaped custody and remained at large for 6 months. A hit on the DNA database linked the man to the crimes.
32. "The 27-Year-Old Krishtofi And The 24-Year-Old Volodymyrsev." Czech News Agency, May 13, 2003.
In the Czech Republic, three men have been found guilty of murdering two other men. DNA evidence helped to identify at least one of the defendants.
33. "Congressman wants federal funds to help in serial killer investigation." The Advocate (Baton Rouge), May 13, 2003.
Louisiana Congressman Vitter said he hopes to infuse the serial murder investigation in Baton Rouge with "several hundred thousand dollars" from the federal government and will meet with FBI Director Robert Mueller to ask for that agency's continued involvement in the case. Vitter's "Emergency DNA Backlog Elimination and Self Defense from Serial Killers Act of 2003" would provide funding for backlogged casework. In Louisiana, about 3,100 DNA samples remain unprocessed, and \$650,000 allocated by the state House of Representatives last month is expected to clear about a third of those.
34. "DNA Testing Plan To Thwart Crooked Police." The Age (Melbourne, Australia), May 13, 2003.
In Australia, police recruits could be DNA tested to clear them of any past crimes under an anti-corruption drive proposed by the police Ethical Standards Department.
35. "DNA matches in two assaults near Boulder bike path." The Associated Press State & Local Wire, May 13, 2003.
In Colorado, DNA evidence has linked two unsolved sexual assaults that happened near a Boulder bike path. No suspect has been identified yet.
36. "House passes pared down version of sexual abuse bill." The Associated Press State & Local Wire, May 13, 2003.
The Minnesota House of Representatives has passed a sex abuse bill that includes a provision which allows civil suits seeking monetary damages if DNA evidence in the case had been collected and preserved to proceed without time limitation.
37. "'97 rape case has trial set, setbacks." Chicago Tribune, May 13, 2003.
In Illinois, an man rape trial is due to begin without two key prosecution witnesses – both the victim and the expert who tested the DNA material have died. The man became a suspect after a hit on the state's DNA database.
38. "Charlottesville Police Seeking Serial Rapist." Daily Press (Newport News, Va), May 13, 2003.
In Virginia, DNA testing has now linked six rapes to the same unidentified perpetrator.
39. "Nevada bill bans executions of retarded criminals." The Associated Press State & Local Wire, May 12, 2003.
The Nevada legislature has passed a bill to allow a person sentenced to death to request a DNA test. The bill gives a judge the right to stay any execution until the analysis is completed.
40. "Officials exhume remains, hoping to find outlaw Jesse James." Chatanooga Times-Free Press, May 12, 2003.
In Kansas, authorities have exhumed the remains of a farmer who died in 1935 in an effort to determine if he could have been the legendary outlaw Jesse James. Samples of hair, bones and teeth will be obtained for DNA analysis. Some historians believe it's possible the outlaw faked his own death in 1882, although others believe James was killed by a fellow bandit who \$10,000 reward.
41. "Mexican government joins probe of women's murders." Hamilton Spectator, May 12, 2003.
The Mexican government has begun investigating this country's most notorious murder case, the rape and killing of 90 women in Ciudad Juarez during the past 10 years. The investigation is based on an informant's allegation that

some victims may have been butchered by organ traffickers. The FBI has offered its laboratories for DNA testing and its expertise in profiling serial killers and training Mexican state police detectives.

42. "Suspected elevator rapist charged with." The Associated Press State & Local Wire, May 10, 2003.
In New York, a man has rapist has been identified in attacks on seven women. The man recently completed parole on a 2001 burglary conviction, for which he was required to submit a DNA sample to the state database.
43. "Magistrate Blasts Forensic Delays." The Age (Melbourne), May 10, 2003.
In Australia, a Melbourne magistrate called Victoria's lack of forensic testing resources unacceptable. The backlog is causing long delays to court cases. With a backlog of up to 18 months, a forensic scientist explained to the judge that a lack of staff and resources were causing the delay. The Police Minister also told the judge that new resources were being dedicated to forensic sciences. The attorney-general said it was an "absolute disgrace" that the Government had allowed the problem to continue, and that instead of the forensic scientist apologizing to the court about the delay, that the Police Minister should have apologized to all Victorians.
44. "Judge recalls order for man's DNA." Times-Picayune, May 10, 2003.
In Louisiana, a state district judge has ruled that serial killer investigators cannot take a DNA sample from a man based on an unconfirmed tip that the man was a murder suspect in another case and the fact that he has a conviction for possession of marijuana. Although the task force will not say how many warrants have been issued to seize samples for DNA testing from unwilling suspects, they say that this warrant is the only one that has been tossed out.
45. "County Files 'John Doe' Rape Cases." Dayton Daily News, May 9, 2003.
In Ohio, Montgomery County prosecutors have filed charges against two unknown persons based only on DNA evidence collected in unrelated crimes committed in 1998 and 2001. The charges were filed mainly to meet Ohio's statute of limitations, which was extended in 1999 from six to 20 years for Ohio's most serious felonies. Prosecutors acted after a Wisconsin appeals court held a DNA profile is sufficient identity to satisfy that state's statute of limitations.
46. "DNA tests link West Kendall rapist to '01 Tampa cases." The Miami Herald, May 9, 2003.
In Florida, Miami-Dade County police have linked a serial rapist who they believe committed three recent attacks with four other sexual assaults in the Tampa area in 2001. Police say DNA tests have confirmed that the same man, as yet unidentified, was involved in the seven crimes.
47. "Malaysia ready to have DNA data bank." New Straits Times-Management Times, May 9, 2003.
Malaysia's Chemistry Department is ready to begin a forensic DNA database, but is waiting on legislative authority. The Registration of Undesirable Peoples Act 1969 covers only fingerprints. Experts are meeting to help Parliament draft appropriate language.
48. "DNA Tests Lead Police To Youths After Claims They Spat At Rail Staff." The Scotsman, May 9, 2003.
In Scotland, three youths have been arrested for allegedly spitting at rail staff after saliva samples were checked against DNA records. The experiment is part of a crackdown on staff assaults on the railways, which increased by 41 per cent to 24 in the last three months of 2002. Police believe more than 90 per cent of people who spit at staff already have criminal records so they can be traced using the national DNA database.
49. "Ex-Con DNA A Match In Attack." The Daily News of Los Angeles, May 8, 2003.
In California, a DNA sample taken from a reputed street gang member while he was in state prison resulted in his arrest as a suspect in the 2001 home invasion robbery and sexual assault. A previous check of the database returned no matches, but the evidence was recently resubmitted and was linked to the gang member.
50. "Two arrested in New Year's gang rape of girl." Fresno Bee, May 8, 2003.
In California, two men police believe to be the remaining suspects in a gang rape of a 14-year-old girl at a New Year's Eve party were arrested. The men were identified through DNA evidence, and warrants for their arrests were issued.
51. "DNA Flaws Called Unlikely To Jeopardize Police Cases." The Arizona Republic, May 7, 2003.
In Phoenix, police have acknowledged that crime lab technicians used the wrong formula to analyze DNA evidence. The error, which dated to August 2001, was made when the technicians miscalculated the likelihood that

DNA was present on evidence. The Maricopa County Attorney said that he expects defense attorneys to challenge the evidence, but said the mistakes likely will not jeopardize cases.

52. "Mississippi Crime Lab loses only DNA analyst." The Associated Press State & Local Wire, May 6, 2003.
The Mississippi Crime Lab has lost its only DNA analyst and is now spending thousands of dollars to send its DNA cases to ReliaGene Technologies. The crime lab has approximately 30 cases that need immediate DNA testing. ReliaGene will perform the testing for 25 percent less than its normal rate of about \$800, which is still far more than the \$100 a test the state lab charges. The state lab hopes to hire four to six DNA analysts, but said, "It's an uphill battle. The private sector pays more. It's tough to keep quality people."
53. "Rape victim aims to help others find their attackers." The Associated Press State & Local Wire, May 6, 2003.
A rape victim in Maryland has started the Laura Neuman Foundation, a nonprofit organization that will raise money to help test DNA evidence and will educate women about how to contact law enforcement agencies and avoid getting lost in the system.
54. "DNA database leads to suspect in 1997 rape." The Associated Press State & Local Wire, May 6, 2003.
In Wisconsin, a man has been accused of raping a developmentally disabled woman in 1997. Investigators say the national criminal DNA database linked him to the crime. A DNA sample taken from the victim after the assault matched a sample taken from the suspect, now in a Texas prison for aggravated sexual assault.
55. "Lab aims to link missing, dead." Sacramento Bee, May 6, 2003.
In the next few months, the state Department of Justice Missing Persons DNA Crime Lab will embark on the huge task of creating a database to compare California's missing with the state's unidentified dead. Since 1959, county medical examiners and coroners across the state have collected the remains of 2,100 unidentified bodies. In the past three decades, authorities have recorded 3,100 missing persons cases considered high risk, meaning the victims were abducted or had medical conditions that present cause for concern. Their bodies have never been found - or at least not identified.
56. "Nationwide efforts join to test rape kits." University Wire, May 6, 2003.
Two organizations are devoting their time to raising public awareness about testing rape kits and to raising money to pay for the tests. The National Rape Evidence Project, headed by Howard Safir, gives money to police departments and crime labs to test rape kits. Community Partners for Forensic Science is a Baton Rouge organization raising money to get the state kits tested.
57. "G8 justice, interior ministers hold talks on identifying criminals." Agence France Presse, May 5, 2003.
Issues under discussion at the recent G8 summit included the sharing of DNA information between police forces.
58. "Suspect in at least 12 rape cases in Central Florida is arrested." The Miami Herald, May 4, 2003.
In Florida, a man police believe could be responsible for at least a dozen rapes since 1997 has been arrested. Fingerprints linked the man to some of the crimes, and DNA linked several of the crimes to one another.
59. "3rd City-County Council District; Republicans." The Indianapolis Star, May 4, 2003.
A candidate for the Indianapolis-Marion County Council has a focus on increasing crime lab capacity – especially for DNA analysis.
60. "Databank helps send man to 20 years in prison for sexual assault." Corpus Christi Caller-Times, May 3, 2003.
In Nueces County, Texas a hit on the DNA database has resulted in a rape conviction.
61. "DNA links inmate to 1986 murder." The Associated Press State & Local Wire, May 2, 2003.
In Oregon, an inmate has been arrested on murder charges after a hit on the DNA database linked him to a 1986 strangling. The man is currently serving a 20 year sentence on unrelated robbery and sexual assault charges.
62. DNA law ends long hunt for suspect." Chicago Tribune, May 2, 2003.
In Illinois, a law requiring convicted felons to provide DNA samples has led to murder and rape charges, bringing a close to an 8-year search for suspects in crime sprees that left 18 dead. The suspect who has been arrested at least 75 times on various charges and is awaiting trial on theft charges, was released on parole for a felony theft conviction after a DNA sample was taken. After the sample was analyzed and loaded into the database where a

match was made, the man was re-arrested and charged with the new crimes.

63. "78th Legislature; Reaction To Scandal." The Houston Chronicle, May 2, 2003.
The Texas House has passed a bill requiring crime laboratories that test DNA to meet accreditation standards, a law designed to prevent future scandals like the one engrossing the Houston Police Department. Under the bill, the Department of Public Safety will develop accreditation standards and a timetable for police labs to meet them. It also would ban the use of forensic evidence from unaccredited laboratories as of Sept. 1.
64. "Paying for DNA collection a concern." The Pantagraph (Bloomington, IL), May 2, 2003.
In Illinois, a state law requiring DNA collection from all convicted felons has McLean County scrambling to develop a plan for taking blood samples from hundreds of probationers and jail inmates. The Court Services Director estimated a backlog of about 300 people who must have samples drawn, and the list grows by about 40 felons per month. She said the state police just started making kits available for DNA collection in recent weeks. The Governor's budget proposal includes \$4.1 million for updating the DNA database, but in the meantime, one state representative said a possibility would be limiting DNA collection to violent felons until more money is made available to cover all felons.
65. "Attorney general: DNA evidence clears another man of rape." The Associated Press, May 1, 2003.
In Montana, DNA analysis has cleared a man found guilty of rape 13 years ago, in the second case in less than a year that discredits work by a former state crime lab director.

Genetic Privacy / Research

66. "Audit puts brakes on personal use of government cars." News Observer (Raleigh, NC), May 19, 2003.
A North Carolina state representative has introduced legislation to create a statewide DNA databank for research in order to enlarge the state's biotech industry. But the initial hearing drew no support from the biotech community, though three university researchers said the databank could aid their efforts.
67. "Senate Panel Close To Deal On Genetic Discrimination Bill." National Journal's Congress Daily, May 16, 2003.
Trying to break an impasse that has slowed legislation banning discrimination by insurance companies and employers based on genetic information, negotiations between Republicans and Democrats on the Senate Health, Education, Labor and Pensions Committee are centered around prescribing penalties for those who misuse genetic information and refining privacy protections for that data.
68. "Joint research group to analyze genetic data on massive scale." The Nikkei Weekly, May
In Japan, nine major research organizations, including the University of Tokyo and the Japanese Foundation for Cancer Research, are due to launch this summer a major project to analyze the genetic data of some 300,000 people to shed more light on the causes of common diseases.
69. "Cancer Treatment." City News Service, May 15, 2003.
The International Myeloma Foundation's DNA bank will collect samples from at least 10,000 patients in order to determine sensitivity to existing treatments, susceptibility to side effects or a predisposition to myeloma. The "Bank On A Cure" will be located at the University of Minnesota and England's University of Leeds.

Paternity

70. "DNA Testing That Disproves Paternity May Not Undo Child-Support Mandate." New Jersey Law Journal, May 19, 2003.
In New Jersey, the State Supreme Court has ruled that once a man affirmatively assumes duties of fatherhood and accepts financial costs, he cannot ask the court years later for any relief of his burden if a DNA test shows he is not the father. In such circumstances, it may be in the child's best interests to require a nonbiological father to continue to pay child support, especially if he has held himself out for years to be the father, the Court found.

CONGRESSIONAL RECORD

1. US Senate discussion of “Amber Legislation” (S. 152). Senator Biden’s statement on a provision allowing federal prosecutors to bring "John Doe/DNA indictments" in federal sex crimes.
2. US House of Representatives discussion of “Amber Legislation” (S. 152). Representative Green’s statement on a provision allowing federal prosecutors to bring "John Doe/DNA indictments" in federal sex crimes.
3. US House of Representatives. Representative Schiff’s introduction of the DNA Database Enhancement Act.

FEDERAL REGISTER

1. Court Services and Offender Supervision Agency for the District of Columbia. Final Rule specifying collection and use regulations for the DC offender DNA database program.
2. United States Parole Commission -- Paroling, Recommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes. Proposed Rule revision. Requires a DNA sample from qualifying offenders as a condition of release.