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

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The May 28, 2004 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

The California Senate passed a bill to require DNA from almost all convicted felons, and Delaware a bill would require DNA for fingerprintable arrests. Nebraska's Attorney General is urging prosecutors to make sure DNA samples are collected from required offenders, and New York's Governor continues to push the legislature for an all felons DNA database.

New York City is preparing to being using low copy number DNA testing to solve property crimes – it will be the first in the US to use this method. Problems with local labs in Texas and Indiana continue to make the news. Cold hits identified suspects in California (2 rapes), Florida (2 rapes), Illinois (6 rapes), Minnesota (rape), and Wisconsin (car thief linked to burglary). DNA evidence was key to investigations / prosecutions in Wisconsin & Illinois (24 attacks), Louisiana (murder), Missouri (2 murders), and Illinois (rape). A Maine parole board used DNA evidence from an untried murder case to deny a prisoner parole.

The first US case using an older DNA testing method to convict has been reaffirmed through post conviction DNA testing using newer methods. Post conviction DNA testing cases made headlines in Indiana, Illinois, Tennessee, and Virginia. A North Carolina county is conducting its own post conviction DNA case review. Compensation suits for former inmates exonerated through DNA testing have been filed in Illinois and Massachusetts, and thrown out in Indiana. A Louisiana bill to guarantee compensation is under debate.

In international news...New Zealand will soon be testing its first low copy number DNA case in court, and Australia has started a special unit to investigate DNA database matches. DNA testing identified remains in Australia and Italy. The Philippines has reaffirmed the admissibility of DNA as evidence at trial. In England, a DNA sample was mistakenly tested for HIV, and DNA on scissors indicates a parachutist sabotaged his own chute. An El Salvador human rights group is establishing a DNA database. DNA is central to a murder investigation in Malaysia, and exonerated a rape suspect in Spain.

### STATE LEGISLATION

#### Forensic DNA

1. Delaware HB 426 -- Expands DNA database to include anyone arrested for a fingerprintable offense.
2. New York SB 7311 – Clarifies rules of evidence statutes to say that in any prosecution where the court determines that there is relevant admissible evidence containing DNA, such evidence shall be admitted

#### Genetic Research / Privacy Issues

3. Louisiana – Prohibits human cloning. Creates exceptions for certain processes such as in vitro fertilization and research in the use of nuclear transfer or other cloning techniques to produce molecules.

## NEWS ARTICLES

### Forensic DNA

1. “DNA identifies body after 17 years .” The Daily Telegraph (Sydney, Australia), May 26, 2004.  
In Australia, DNA samples from a skeleton found on the Central Coast have been linked to a missing woman, solving a 17-year-old mystery. Police said scientific evidence indicated the woman was murdered but were reluctant to give details about her injuries. Despite a number of inquiries since that time, the remains went unidentified -- and were initially thought to be those of a male. DNA samples recently taken from the victim’s mother matched DNA found in the unidentified skeleton.
2. “As Police Extend Use of DNA, A Smudge Could Trap a Thief.” The New York Times, May 26, 2004  
New York City plans to open a new lab to test hundreds of DNA samples a day from nearly every crime scene, including burglarized homes and stolen cars. Because many property crimes do not yield blood, semen or saliva, the lab will use “low copy number” testing on DNA samples previously considered too minuscule to collect, like skin cells left in a smudged fingerprint or a ski mask. Many New Yorkers do not bother to report burglaries, and less than 20% of property crimes are solved in a year. There are as yet no national standards for tests on such small samples, called low copy number DNA analysis, and their admissibility in court has not been widely tested. Efforts in Miami at using DNA to solve burglaries has yielded hits 50% of the time (using traditional DNA testing methods).
3. “DNA tests done on a dozen men.” New Straits Times (Malaysia), May 26, 2004.  
In Malaysia, DNA tests have been conducted on a dozen men who knew a murder victim, including her boss and the security guards in the apartment block where she lived. Results have not yet been received.
4. “Iraq: Slain Hostage's Family Want Separate DNA Test.” ANSA English Media Service, May 25, 2004.  
The family of an Italian hostage executed in Iraq last month has ordered its own DNA test to confirm the identity of remains flown back to Rome. The independent DNA test is being carried out by an expert chosen by the family. While investigators compared the bones' DNA with that of a hair retrieved from a motorcycle helmet in Italy, the independent test will use saliva from the victim’s mother, sister and brother.
5. “Police Jail Suspect in Midwest Mall Rapes.” Associated Press Online, May 25, 2004.  
Investigators believe a man already behind bars is responsible for at least two dozen rapes and attempted sexual assaults across southern Wisconsin and northern Illinois. Investigators have been searching for the so-called mall rapist since his first attacks in 1999. He preyed on female mall workers, attacking when they were alone in stores or in mall parking lots. Detectives linked the man to the crimes through DNA evidence recovered at the scenes after the FBI gave his name to Madison police. The man is currently incarcerated on unrelated charges. Police would not elaborate on how the FBI obtained his identity or whether the agency was investigating him in connection with another crime.
6. “Use Of DNA Test Vs Convicted Rapist Affirmed.” BusinessWorld (Philippines), May 25, 2004.  
In the Philippines, the Supreme Court has confirmed anew the admissibility of DNA test results as evidence in criminal cases when it affirmed the death sentence imposed against a rapist who was found guilty of killing his 17-year-old victim. DNA of the sperm specimen taken from the victim was found to be identical to that of the convicted rapist, the High Court said in an 18-page per curiam decision. The high court admitted that the court has barely started integrating the science of DNA testing into the Philippine criminal justice system. Citing the ruling of the US Supreme Court in the case of Daubert v. Merrel Dow, court said the DNA evidence in the case is "relevant and reliable since it is reasonably based on scientifically valid principles of human genetics and molecular biology." In addition, the high court turned down the defendant’s contention that the blood samples taken from him and the DNA tests were in violation of his right against self-incrimination.
7. “Freed inmates sue police officers.” Chicago Tribune, May 25, 2004.

In Illinois, two men who went to prison as teens and emerged 27 years later after DNA exonerated them of the 1976 rape and murder of a 9-year-old girl have sued more than a dozen current and former Chicago police officers, saying that the officers framed them to solve the high-profile crime. DNA tests performed over the last two years excluded the two men, as well as several other men police once considered suspects, as the source of semen found on the victim's body. The men were freed in May 2003, and their convictions were later vacated. Both are seeking pardons.

8. "Convicted Rapist Sentenced to 100-to-Life Prison Term." City News Service, May 25, 2004.  
In California, a man convicted of raping and robbing a woman last year was sentenced today to 100 years to life in state prison. Authorities, meanwhile, were looking into the possibility that he may be linked to two rape cases from Los Angeles in 1995 and 1996 based a DNA hit by the state Department of Justice.
9. "Inmate Pins Hopes On DNA Tests." Daily Press (Newport News, VA), May 25, 2004.  
In Virginia, an inmate convicted of stabbing another man to death 14 years ago is now asking the state Supreme Court to find him innocent. He claims that recent DNA testing proves he was not at the scene of the crime when the victim was killed in May 1990. The prosecution said the DNA testing does not show anything new and that they are still sure of the inmate's guilt. Since the law allowing post-convicting DNA testing was passed in 2001, there have been 15 cases that have been tested at the state forensic science lab. Of those, defendants were exonerated in two cases, guilt was confirmed in seven cases and the remaining were inconclusive.
10. "HIV News Broken To Witness In Courtroom." Daily Post (Liverpool), May 25, 2004.  
In England, a witness was told in front of a packed courtroom that he had the AIDS virus, even though he did not know he had the disease. The prosecution had told police to hand a sample of the innocent man's blood to a defendant's counsel. The sample had been given to the police for DNA testing following the witness's arrest on suspicion of an offense. He was later released without charge. The defense lawyers then commissioned an AIDS test. The man was being cross-examined by a defense barrister, who assumed he knew he had HIV and questioned him about it. When he vehemently denied any knowledge of having the virus, he was told a sample of his blood had tested positive at a laboratory earlier this year. It later emerged that the HIV test had been carried out without his knowledge.
11. "Dickov: My Tears Over Sex Charge." Daily Record, May 25, 2004.  
An English football player was eventually released from a Spanish prison after DNA testing proved he did not attack any of the three German women who accused him. One of them said she had been raped. The man and two of his teammates were held at a jail for nine days. But doubts about the women's stories surfaced amid claims they were prostitutes touting for business.
12. "Ex-crime lab leader again under scrutiny." The Houston Chronicle, May 25, 2004.  
In Texas, a hearing could decide whether the former head of the beleaguered Houston Police Department crime laboratory will again be investigated on accusations that he committed perjury during a sexual assault trial two years ago. The hearing, which will focus on the testimony of former police DNA chief Jim Bolding, could lead to an independent probe and would be a first step into allegations of perjury and other criminal acts committed by, among others, prosecutors with the Harris County District Attorney's Office in connection with the continuing police department DNA lab scandal. A Houston City Councilwoman and a local lawyer have asked a state District Judge to hear accusations of false testimony given in the 2002 trials of two Houston men who were eventually convicted of sexual assault in unrelated cases.
13. "Rights-El Salvador: The Forlorn Search For Children Missing In War." IPS-Inter Press Service, May 25, 2004.  
In El Salvador, a human rights group called Pro-Bosqueda was formed in 1994 to search for children missing during the 1980-1992 civil war. Pro-Bosqueda has started a DNA databank with the support of the Boston-based Physicians for Human Rights, the California Department of Justice DNA Laboratory, and the Human Rights Centre at the University of California, Berkeley. DNA samples will be collected from people looking for their lost family members, whether parents or children. So far, 50 samples have been collected, and the group hopes to add another 500 by the first quarter of 2005. In addition to the war's death toll of more than 75,000 people, mainly campesinos, another 7,000 were the victims of forced disappearance, probably killed.
14. "Senate OKs expansion of DNA sampling." Sacramento Bee, May 25, 2004.  
The California Senate has approved a bill to require DNA samples from nearly all convicted felons. The DNA database bill is tied to a separate measure that would add \$1.50 to every \$10 law enforcement penalty, fine and

forfeiture. Of the \$34 million the increase in fines is expected to raise, \$2 million would go to a special fund aimed at helping people convicted of crimes prove their innocence through DNA analysis, and the rest would fund the database expansion. An initiative effort that would create an even broader state DNA database - eventually requiring samples from everyone arrested on suspicion of a felony offense - is another factor that some say contributed to the Senate's action on this issue which has been stalled for several years. The ACLU remains opposed to the legislation.

15. "Lab data led to murder arrest." Times-Picayune (New Orleans), May 25, 2004.  
In Louisiana, DNA evidence from blood and fiber samples link a suspect to the April 2000 strangling of a taxi driver. Although detectives took blood and fiber samples from the suspect four months after the victim's body was discovered in her home, it took more than four years to get the DNA results from the state crime lab. When detectives submitted evidence to the crime lab in 2000, the technology to conduct DNA testing was not available in the state lab. Once the technology became available in April 2001, some parishes began resubmitting "cold cases" to have the evidence reprocessed. In this case, detectives resubmitted the evidence in April 2003 and the testing was completed in January. Last month, the State Police lab issued a formal written report regarding the evidence.
16. "DNA task force targets inmates." The Advertiser, May 24, 2004.  
In Australia, police have formed a special task force to investigate prison inmates who are being linked to unsolved crimes through DNA testing. The nine-member task force, dubbed Operation Helix, has already launched investigations into prisoners who have been positively linked to unsolved crimes. Senior police yesterday said that charges in connection with arson, robberies and various sexual offences have been laid against 16 prisoners. They also revealed prisoners had been linked to another 15 sex offenses, seven robberies and more than 50 house breaking offences through positive DNA matches. More matches are expected to be made as the samples from 1150 inmates are processed.
17. "Postal rape suspect fighting DNA order." The Boston Herald, May 24, 2004.  
In Massachusetts, a former postal center manager accused in a sexual harassment suit of raping one employee and forcibly kissing another is fighting a subpoena to produce a DNA sample. A federal magistrate judge has ordered the man to show why he should not be held in contempt for refusing to submit to testing involving a mouth swab.
18. "School plans 'CSI'-type training." Des Moines Register, May 24, 2004.  
In Iowa, Davenport's St. Ambrose University this fall will offer the state's first undergraduate program in criminalistics, a combination of classes in criminal justice, chemistry, biology and physics. The program director for the Midwest Forensics Research Center in Ames, estimated that fewer than one-third of graduates from Midwestern forensic science programs find jobs in crime labs in the region. At least 13 Midwestern universities offer forensic science programs, including a graduate degree emphasis offered at Iowa State University.
19. "DNA links jailed man to 2 other KC killings." The Wichita Eagle, May 24, 2004.  
In Missouri, a new suspect in multiple slayings apparently was acquainted with a Kansas City man recently charged with murdering 12 women and girls. Police are investigating whether the two men may have acted together in the killings. Police have declined to comment on the suspect in the two murder cases except to say DNA from crime scenes linked him to the deaths of two women in the 1980s. The suspect is in prison for strangling a tenant in the apartment complex where he lived in 1995. At the time of his conviction, authorities also charged the man in a 1993 stabbing murder of another tenant of the apartment building, but that charge was dismissed. Police also suspected the man was involved in two other mysterious deaths at or near the building. Previously, he had been charged with a 1979 rape and a 1987 murder, but both cases were dismissed for a lack of evidence. He is scheduled for a parole hearing on his 1995 murder conviction on June 21.
20. "Bar Committee Will Review Cases For DNA Evidence." Winston-Salem Journal, May 24, 2004.  
In North Carolina, the Forsyth County Bar Association has decided to create a committee that will review requests for DNA testing from inmates who say they are innocent. If the committee decides that testing is needed, the State Bureau of Investigation will perform the tests at the DA's request. The committee will include three defense attorneys, two assistant district attorneys and a law-school professor. Though inmates can request a court order for DNA testing, the committee can provide easier access to testing, especially for those inmates without an attorney. The committee will alert inmates of the new option.
21. "Overall crime in New York drops 3.5 percent." The Associated Press State & Local Wire, May 23, 2004.

In New York, the Governor has used the release of the crime statistics to call for an expansion of the state's DNA law, eliminating the statute of limitations for rapes and increasing penalties for gun trafficking. Initial data from the FBI's Uniform Crime Reporting System show overall serious crimes in the state fell 3.5 percent last year. The number of violent offenses - murders, rapes, robberies and aggravated assaults - in the state dropped by 5.6 percent compared to a 3.2 percent decrease nationally. But the number of murders in the state rose 1.9 percent to 907, compared with a 1.3 percent increase nationally.

22. "Controversial new DNA test will get its day in court." The Sunday Star-Times (Auckland, New Zealand), May 23, 2004.  
In New Zealand, low copy number DNA testing will be tested in court after rape-case samples sent to Britain for analysis linked specks of semen on grass to those on a rape complainant's underwear. The case is understood to be coming to court within weeks. An forensic scientist with New Zealand's crime lab who has been doing the laboratory work to validate the new technique, says DNA samples from about 10 to 20 historical cases might be re-analysed with the new procedure.
23. "Skydiver cut own chute in death fall." Sunday Mail (Queensland, Australia), May 23, 2004.  
In England, investigators have determined that a parachutist who plunged to his death was the person responsible for cutting those cords. Fibers on the scissors matched those found on the man's clothing and his DNA was also discovered at the exact spot where the straps had been cut. Initial signs pointed to a murder and dozens of DNA samples were examined before forensic work was carried out on other items, including the scissors. It was only after the scissors had been microscopically examined that officers were able to make the link between fibers found on his clothing and the DNA samples taken from the chute straps.
24. "Ex-Glen Ellyn resident gets 52 years for sexual assault." Chicago Tribune, May 22, 2004.  
In Illinois, a man who confessed to raping a 19-year-old female neighbor in 2002, a crime for which another man originally was charged, was sentenced to 52 years in prison. After being held in the County Jail for about a month, the man who was initially charged with the crime was released when a DNA test indicated he was not involved in the assault. Investigators then turned to the recently convicted man, who had fled to Texas the day after the assault. When Texas police arrested him, he confessed and was extradited. His DNA matched that which was found at the crime scene, and he was charged with home invasion and five counts of aggravated criminal sexual assault.
25. "Nurses train for sexual assault cases." The Herald-Dispatch (Huntington, WV), May 22, 2004.  
In West Virginia, Marshall University's Forensic Science Center recently hosted the region's first Sexual Assault Nurse Examiner (SANE) training, which included recognizing, collecting and preserving evidence, interviewing victims and linking them to community resources.
26. "Guilty plea closes '84 case of Rosedale girl's murder." The Baltimore Sun, May 21, 2004.  
In Maryland, nearly 20 years after a little girl's beaten body was found in a wooded area, and 19 years after an innocent man was sentenced to death for that killing, the murder case ended when her true killer pleaded guilty in a Baltimore County courtroom. DNA evidence was responsible for exonerating the wrongly convicted man, and for linking the new suspect to the crime. Before the hit on the database linking the new suspect to the crime, many in law enforcement refused to believe that the exonerated man was truly innocent.
27. "Federal judge halts June 3 execution of murderer Alley." Chattanooga Times Free Press, May 21, 2004.  
In Tennessee, a federal judge halted the June 3 execution of a convicted murderer to await a ruling from a federal appeals court in the case of another Tennessee death row inmate. A county judge denied the man's initial request for state-funded DNA testing of 11 samples of physical evidence, saying he had not shown "reasonable probability" that he wouldn't have been prosecuted or convicted if the tests were in his favor. The federal judge's order said the court needs guidance from the 6th U.S. Circuit Court of Appeals, which is expected to rule in the case of a convicted murderer on whether new evidence can be introduced in federal court after state appeals have been exhausted.
28. "State parole board finds convicted murder responsible for mother's death." The Associated Press State & Local Wire, May 21, 2004.  
Maine prison officials have ruled that a man serving a life sentence in state prison for murder was also responsible for the death of his mother in Florida while he was free on parole. Among other evidence, DNA tests showed the blood on the man's clothing matched his mother's. Unlike a criminal jury, which has to reach a unanimous guilty

verdict for life imprisonment, the board only needed three members to find the man culpable. Florida authorities never charged the man with the murder, though state officials have said they are not sure why.

29. "New execution date set for inmate sparred last year." The Associated Press State & Local Wire, May 21, 2004. The Indiana Supreme Court set a new execution date for an inmate, saying DNA tests in his case were inconclusive and did not undermine "other overwhelming evidence" of his guilt in the shooting deaths of a couple. The man was just days away from a scheduled Aug. 1 execution when the late Gov. Frank O'Bannon granted a stay for additional DNA testing of blood spots found on a pair of shorts the man had worn. The current Governor extended the stay last year pending results of the tests. The high court said the results of tests on the man's clothing seemed to establish that the blood spots could not have come from the female victim, but it did not exclude the male victim as a possible source. The court noted that it had previously denied a request for DNA testing because "we rejected the premise that the absence of blood from the victims would confirm or negate his guilt for the murders."
30. "Sailor charged with first degree murder in disappearance of roommate." The Associated Press State & Local Wire, May 21, 2004. In Ohio, a sailor was charged with first-degree murder in the disappearance of his roommate in Virginia. The suspect turned himself in to the FBI after meeting with family members. Investigators identified the partially burned, half-naked body found in Massachusetts as the suspect's female roommate. The identification was based upon an analysis conducted by the Department of Defense DNA Registry.
31. "Prosecutors told to make sure DNA samples are taken." The Associated Press State & Local Wire, May 21, 2004. The Nebraska Attorney General's office is worried that some violent offenders might be escaping a requirement to give a DNA sample after being convicted. The head of criminal division told prosecutors to make sure they follow through to see that DNA samples are taken from offenders who are not sent to prison. "The question has been whether some of these people have been slipping through the cracks ... if they do not go to the penitentiary," he said at a joint conference of the Nebraska County Attorneys Association and the Law Enforcement Coordinating Committee. He said he knew of no specific case where prosecutors failed to take DNA samples, but he wanted to make certain DNA was being collected.
32. "Spending at crime lab is probed." The Indianapolis Star, May 21, 2004. In Indiana, a special prosecutor and internal auditors are looking into questions about how money for a \$400,000 training fund was spent at Marion County's crime lab. The money came from a program started by the former lab director who was reimbursed about \$91,000 in training program-related expenses racked up on his own credit card in 2002 and 2003. The training program also allowed the DNA section Technical Manager to fly to Pakistan in 2003. The Pakistani government paid for the trip, which was teaching senior police officers forensic techniques and helping the country launch its national crime lab.
33. "DNA links convicted felon with 2001 break-in." Milwaukee Journal Sentinel, May 21, 2004. In Wisconsin, a man imprisoned earlier this year for driving a stolen auto has been charged with burglarizing a business in 2001. The man was linked to the burglary when a sample of his DNA, obtained because he was a convicted felon, was found to match the DNA in bloodstains the burglar left at the break-in scene.
34. "New DNA Test Confirms Rape." Orlando Sentinel, May 21, 2004. In Florida, the first defendant in the United States convicted on DNA evidence lost his best chance for a new trial when a new DNA test showed it is all but certain he committed the rape an Orlando jury found him guilty of 16 years ago. Over the years, the inmate argued that the original testing methods used in his February 1988 case might not have been as conclusive as jurors were led to believe. DNA experts reviewed the man's case in the mid-1990s and said the original test results would be considered inconclusive by modern testing standards and procedures. However, the new results showed that the DNA profile recovered would occur in one in "68 quadrillion" black males.
35. "Suspect linked to 6th attack." Chicago Tribune, May 20, 2004. In Illinois, a suspect in a series of rapes was back in court, and again ordered held without bail after DNA testing allegedly linked him to a sixth assault in Chicago. But prosecutors said this attack was new territory for the suspect, who is accused in the other five rapes of invading his victims' homes and surprising them in their beds as they slept. In the latest assault, he is accused of hitting a woman in the head on the street and raping her in a vacant lot. The case means the suspect may have had more than one modus operandi. And with a state backlog in testing of DNA

in rape cases that dates back a few years, it may be a long time before it becomes clear how many cases the suspect can be tied to.

36. "DNA evidence leads to murder suspect." The Miami Herald, May 20, 2004.  
In Florida, a Peruvian national has been charged with the murder and rape of an 80-year-old woman in Miami, and with the rape of a 12 year old in Miami Beach. Police knew the two crimes were linked to the same offender for several years, due to DNA matches, but they did not have a suspect. When a probation officer noticed that the sex offender had not complied with the requirement for a DNA sample, he was arrested and a sample was taken. That sample was found to match both crimes.
37. "Technology Helps Poaching Battle." Associated Press Online, May 19, 2004.  
When federal authorities found that eggs from the endangered sea turtle were being sold on the sly behind a Florida restaurant, they turned to Florida's Biotechnologies for the Ecological, Evolutionary and Conservation Sciences' Genetic Analysis Laboratory to analyze the eggs' DNA to determine that the sea turtles were of a species that nests in the Pacific. Further analysis pinpointed their likely origin - providing a critical lead in the investigation. Six months later, authorities broke up a smuggling ring that was importing the eggs from Nicaragua and selling them to people who believe eating them is aphrodisiac. The Center has assisted in 110 cases since it began helping wildlife officials from Florida and other states part time in 1998.
38. "Suit by Wrongly Imprisoned Man Dismissed." Associated Press Online, May 19, 2004.  
In Indiana, a judge has thrown out a lawsuit filed by a man wrongly imprisoned more than five years for rape, saying he failed to show that anyone violated his rights. He was charged with four rapes, based solely on the identification of victims and witnesses. His first trial ended in a hung jury. He was acquitted in one of the three remaining attacks but convicted in the other two and sentenced to 70 years in prison. The man was released from prison in December 2001 after a DNA test proved he was innocent of rape. But to prove his rights were violated, he "must show that the defendants' conduct was deliberate, that they knew that Mr. Alexander was innocent, and fabricated evidence to wrongfully convict him. This has not been done," wrote the judge.
39. "Bad rape rap brings lawsuit vs. cops, DA." The Boston Herald, May 19, 2004.  
In Massachusetts, a man cleared of rape charges after 19 years in prison has sued Boston police and the Suffolk district attorney, claiming a cop with a vendetta hid evidence and fueled errors leading to his wrongful conviction. The DA dropped the rape charges in 2002 when DNA taken from the apartment did not connect the man to the crime scene. After a 1975 run-in with police when he beat a jail sentence on charges of disorderly conduct, the man says he was routinely harassed by law enforcement, culminating in the 1980 charge of raping three women for which he was convicted.
40. "Hope for an 18-year inmate." Chicago Tribune, May 19, 2004.  
In Illinois, lawyers for a man who is serving the 18th year of his 60-year prison sentence for rape, say they have uncovered evidence that a crime-lab technician falsely testified at trial that tests showed he could have been the attacker. Recently discovered lab reports by an analyst reportedly excluded him as the attacker, but at trial she testified that the results did not exclude him. Previously, DNA testing showed that semen found on the victim's underwear was not from the inmate. However, because the victim said her attacker removed her underwear before she was assaulted, the judge declined to grant a new trial.
41. "DNA test OKd for convict in '92 killing." Chicago Tribune, May 19, 2004.  
In Illinois, Lake County prosecutors have agreed to allow new DNA testing for a man serving a life sentence for the 1992 murder of an 11-year-old girl who was killed while she was baby-sitting two children. DNA testing existed at the time of the man's conviction in 1993 and reconviction in 1998 after the Illinois Appellate Court ordered a retrial. But the techniques used then are considered obsolete because they required relatively large amounts of tissue, blood or other items to test.
42. "House panel OKs bill to recompense wrongly convicted." The Associated Press State & Local Wire, May 19, 2004.  
In Louisiana, people who were improperly convicted and imprisoned would have the right to seek state-paid job training, counseling and educational benefits as reparation for their time behind bars, under a bill sent to the House for debate.
43. "Minneapolis police use DNA to find rape suspect." Star Tribune (Minneapolis, MN), May 19, 2004.

In Minnesota, a man suspected in the sexual assault of a woman in an alley more than a year ago was arrested. Investigators used a DNA sample taken from the victim's clothing to search a state and national DNA database for possible suspects, finding nothing in an initial check last year. A subsequent search last month found a match between a profile stored in the database and the sample taken from the victim. When arrested, the man at first denied ever forcing anyone to have sex. When confronted with the DNA evidence, he said that "maybe he had sex with the victim first and it was consensual and then the second suspect forced her to have sex, causing the injuries," according to a police report.

### Paternity

44. "The English Aesthete, His Illegitimate Half-Sister And The Battle For A Pounds 300m Estate In Tuscany." The Independent, May 21, 2004.

Paternity testing is expected to settle a claim by an Italian family that it should be heir to a \$500 million estate. Liana Beacci took her claim to be Arthur Acton's illegitimate daughter to court in 1995. She said that he had promised to leave her a portion of his property when he died - but his will was never found. The promise, she alleged, was repeated after Arthur's death by his son, Sir Harold Acton, but when he himself died in 1994 it turned out that he had left everything to New York University.