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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 July 9, 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.

Lisa Hurst, who normally drafts the weekly DNA report will be on maternity leave until August 9th. In the interim the weekly reports are being completed by a contracted third party.

SUMMARY

California Governor Arnold Schwarzenegger announced his support for Proposition 69, the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, that establishes an all-felon DNA database.

A DNA match from a murder victim leads to a convicted felon and registered sex offender in Washington State. DNA from a prostitute's dirty socks held as evidence for 13 years leads to rape conviction. A cold hit in California leads to a murder charge. DNA matches money to victim in World Trade Center blast. DNA evidence helps convict a rapist in a 1981 Florida case.

In New York, a federal judge ruled that the law establishing New York State's database of DNA samples from convicted offenders is constitutional. DNA collected during a Virginia dragnet has been intentionally destroyed by authorities. Indiana authorities get the nod for DNA lab expansion and hiring of DNA lab specialists. DNA was used to match a stolen tree to the stump left behind, leading authorities to a tree thief. A serial rapist in Georgia receives back-to-back life sentences following his sexual assault conviction in which DNA evidence tied him to the crimes.

The Supreme Court of Canada is being asked to overturn a ruling that said convicted murderers and repeat sex offenders are entitled to a full court hearing to challenge any request for a DNA sample. The Nebraska Supreme Court upholds a murder conviction based on DNA evidence, citing the evidence was collected and processed properly.

Interior ministers from the five biggest EU member states urge international cooperation in sharing DNA evidence in confronting terrorism. Retired Scotland detectives have been activated to help solve old murders using DNA evidence. DNA evidence leads to the arrest of a father of three in the rape of a 14 year-old girl in the UK. Australian National Party leader Brash calls for DNA testing on anyone arrested by police. DNA testing may face budget cutbacks in the UK. Australian

authorities claim that since June 2000, DNA tests have led to 922 inmates being charged in connection with 1552 previously unsolved crimes.

NEWS ARTICLES

Forensic DNA

1. “Registered sex offender to face homicide charge; DNA sample from victim ties suspect to kidnapping, rape case.” Spokesman Review, June 30, 2004.
In Washington, a registered sex offender was charged with first-degree murder after DNA from the crime scene matches his DNA in the statewide convicted felons’ database. He also faces a variety of charges for allegedly kidnapping a 25 year old woman, raping her twice, stealing the contents of her purse, and leaving her bound.
2. “Socks held 13 years lead to conviction.” The Brockville Recorder and Times, June 28, 2004.
In Canada, a prostitute’s dirty socks, held in police storage for 13 years, have led to a rare DNA conviction for the city’s cold case sex crimes squad. This is the second time the cold case unit, working with Ontario Centre of Forensic Sciences, has gained a conviction using DNA evidence from the four-year-old national crime databank.
3. “EU interior ministers’ group wants more action on terrorism.” Agence France Presse, July 6, 2004.
In France, interior ministers from the five biggest EU member states agreed Tuesday on the need for more and better cooperation within Europe to confront the menace of cross-border terrorism. Wrapping up a two-day meeting in the north of England, they said the threat was serious enough for European nations to harmonize their legal systems and DNA records, among other things.
4. “Governor Arnold Schwarzenegger Endorses Prop. 69, The DNA Fingerprint Initiative; Statewide Bipartisan Coalition Includes Attorney General Bill Lockyer and California’s Leading Public Safety and Victims Rights Organizations” PR Newswire, July 7, 2004.
In California, Governor Arnold Schwarzenegger announced his support for Proposition 69, the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, that establishes an all-felon DNA database for California. Proposition 69 is nonpartisan and endorsed by every major statewide law enforcement organization, district attorneys, sheriffs, police chiefs, crime scene investigators, victims’ advocates, Republicans and Democrats. Proposition 69 requires convicted felons and those arrested for rape and murder to give DNA, collected by mouth swab, not blood, for a statewide database.
5. “Japan develops new method that cuts DNA analysis time” Asia Pulse, July 6, 2004.
In Japan, an associate professor at Nara Institute of Science and Technology joined with an Osaka-based plating technology start-up to develop a technique that cuts the time needed to examine a DNA chip from more than eight hours to about 20 minutes. The technology enables reactions on a DNA chip to be observed in real time. They aim to bring the technology into practical use in three years.

6. "La Puente man pleads innocent to Old Chinatown Murder." City News Service, July 6, 2004.

In California, a La Puente man accused of fatally stabbing his former employer in Chinatown nearly 10 years ago pleaded innocent today to a murder charge. Blood stains were recovered from the vehicle and the garage, with the evidence being flagged about a month ago by a state DNA databank, according to the District Attorney's Office.

7. "Jailed: the teenage thugs who used meat cleaver in 10-day reign of terror" The Evening Standard, July 6, 2004.

In the UK, two teenagers who inflicted 10 days of violence and robbery were arrested after the cars they stole from their victim's were found outside their home. DNA was identified from a sample left on a cola can at one of the suspect's homes.

8. "Retired police tackle 30-year-old killings" The Independent, July 6, 2004.

In Scotland, more than 60 retired detectives have been recalled to try to help solve three of Scotland's most mysterious murders from nearly 30 years ago. Using DNA technology, police have discovered "strong links" between the murders, which they believe to be the work of one man.

9. "Girl tells court of rape ordeal" The Northern Echo, July 6, 2004.

In the UK, a 14 year old girl was assaulted and raped by a father of three. Samples revealed DNA collected from the girl matched that of the accused.

10. "Brash vows all-out war on crime." The Daily News, July 5, 2004.

In New Zealand, it is proposed that DNA samples be taken off everyone arrested by police as part of an "all-out assault on crime in our communities." If they were convicted, their DNA would be added to the national DNA database. If they were not charged or were acquitted, the DNA sample would be destroyed. At present, only DNA samples from those convicted of offences generally attracting sentences of more than seven years were added to the DNA database, he said.

11. "DNA samples destroyed in serial rapist case" Daily Press, July 5, 2004.

In Virginia, more than 160 DNA samples collected from black men during the police search for a serial rapist have been destroyed, and this week another 50 samples will be incinerated. Charlottesville's Police Chief vowed in April to have saliva swabs and other DNA evidence periodically destroyed when testing shows that a sample does not match the serial rapist's profile.

12. "DNA database call" Evening Chronicle, July 5, 2004.

In the UK, moves to harmonize European efforts to thwart terrorism are suggested to include the creation of an EU-wide DNA database. Pooling suspects' DNA and fingerprint records is one of a number of potential anti-terror weapons on the table at high-level talks.

13. "DNA nabs tree-napper" The Halifax Daily News, July 5, 2004.

In Indiana, scientists at Purdue University have used DNA testing to match the stump of a stolen black walnut tree with two logs sold to a lumber mill 95 kilometers away.

14. "Lab will ease growing pains; Expanded quarters will allow hiring of scientists, help with forensic backlog" The Indianapolis Star, July 5, 2004.

In Indiana, the State's Police crime lab is seriously out of date. About 50 forensic scientists work in a 20,000-square-foot lab, dealing with a growing backlog of more than 10,000 criminal cases. Scientists are doing work that could clear innocent suspects, identify a rapist or help catch a hit-and-run criminal. The Indiana State Police has the OK and will have the money to hire more scientists.

15. "DNA testing operation may fall victim to cutbacks" UK Newsquest Regional Press, July 5, 2004.

In the UK, police chiefs fear for the future of their ability to analyze DNA samples. They are asking the Lancashire Police Authority to find an extra £2.25million from an already over-stretched budget so they can continue to use forensic science and run checks against a national DNA database at the current level. DNA is estimated to be a major factor in solving around 1,100 cases every year in the county.

16. "DNA key to old crimes; Prisoner samples pay off" Sunday Herald Sun, July 4, 2004.

In Australia, hundreds of murders, rapes, abductions and other serious crimes have been solved using DNA taken from Victorian prisoners. The latest police statistics reveal that since June 2000, DNA tests have led to 922 inmates being charged in connection with 1552 previously unsolved crimes. Police said another 243 cases had been solved after court orders were taken out to force prisoners to give DNA. In more than 680 cases, DNA evidence from one crime scene had been linked to another. DNA matches had been found in the cases of 1300 burglaries, 48 aggravated burglaries and 70 thefts.

17. "Fireman's 9/11 Site Cash Find" Sunday Mirror, July 4, 2004.

In New York, an Irishman who worked day and night at Ground Zero to find his missing firefighter son, was dealt a bittersweet surprise this week when a wad of money was returned to him. He was amazed to receive a call from the police saying that DNA tests confirmed the folded banknotes found in the wreckage of the World Trade Center belonged to his Irish American son.

18. "DNA link in rape arrest" The Advertiser, July 3, 2004.

In Australia, a man who allegedly sexually assaulted two women inside their homes more than 10 years ago was yesterday arrested by police. The 34-year-old was charged with two counts of rape over two separate incidents that occurred in the northwestern suburbs in March and June, 1991. The man was arrested by detectives from the Helix Task Force, responsible for linking suspects to unsolved crimes by using DNA samples.

19. "French citizens protest release of mental patient after girls' body found" Agence France Presse, July 3, 2004.

In France, dozens of people demonstrated in protest over the premature release of a psychiatric patient who is accused in the killing of a 14-year-old local girl. Sources close to the investigation said traces of the girl's blood identified by DNA analysis had been found in suspect's car and that traces of his blood had been found on the girl's bicycle.

20. "Man guilty in sex attacks; Campus rapist faces more trials" The Atlanta Journal-Constitution, July 3, 2004.

In Georgia, a man is convicted of a string of sexual assault cases. He received a sentence of back-to-back life terms for sexually assaulting two Georgia State University students at knifepoint in their dorm. He received an additional 60 years for forcing two other students in

the dorm suite and a student's mother to strip before tying them to chairs during the two-hour ordeal.

21. "Prince Edward Island man sentenced to two months in jail for bat attack" The Canadian Press, July 3, 2004.
In Canada, a man who assaulted his common-law wife with a baseball bat after she tried to end their relationship was sentenced this week to two months in jail. In addition, he had to give a DNA sample and was placed on 18 months probation
22. "Accused man's excuse bizarre" Capital Times, July 3, 2004.
In Wisconsin, a caretaker is accused of impregnating a developmentally disabled patient. The man is scheduled to make an initial appearance on a charge of first-degree sexual assault and other potential charges after a criminal complaint is prepared. A husband and father of three, was tied to the assault of the now 36-year-old woman through his DNA.
23. "DNA from cereal bar wrappers lead police to suspect." Eastern Daily Press, July 3, 2004.
In the UK, a burglar's failure to get rid of cereal bar wrappers led the police to him. In prison for another offense, his DNA was found to link him to the break-in.
24. "A criminal's past caught up with him when a DNA sample from a burglary more than two years ago was matched to him." Eastern Daily News, July 3, 2004
In the UK, a DNA sample from a burglary more than two years ago was matched to a man who currently stands trial for the crime. The prosecutor explained how blood found at the scene of the break in at a house in January 2002, was matched to the accused.
25. "Ontario asks Supreme Court to overturn DNA ruling: Convicts' rights pitted against need to quickly identify suspects." Edmonton Journal, July 3, 2004.
In Canada, the government is asking the Supreme Court of Canada to overturn a ruling that said convicted murderers and repeat sex offenders are entitled to a full court hearing to challenge any request for a DNA sample. The province warned it may "bring into question" the validity of a part of the DNA data bank which has 1,800 profiles of the country's worst criminal offenders, if an Ontario Court of Appeal ruling is allowed to stand. The DNA Identification Act, which came into force in June 2000, allows courts to order the taking of DNA samples from people convicted of serious crimes. Dangerous offenders, multiple murderers and repeat sex offenders convicted before June 2000, who are still in prison or on parole, could also be subject to a court order to provide a DNA sample.
26. "Governor spares life of inmate; Convicted killer of Gary couple was to be executed next week." The Indianapolis Star, July 3, 2004.
In Indiana, the governor commuted a death sentence for the first time in almost 50 years, sparing the life of a condemned killer. The man was to have died by lethal injection July 9 for the 1986 murders of a husband and wife. The execution was halted to allow time for DNA testing of blood from the crime scene.
27. "Veteran villain pinned for second armed robbery" Mainichi Daily News, July 3, 2004.
In Japan, a 74-year-old man standing trial for attacking a cash delivery van has been indicted for shooting a guard in a separate robbery which netted him 5 million yen, prosecutors said. Prosecutors pressed charges after analyzing a cartridge found at the scene and a gun the man kept in a safe. DNA on the gun was also found to be a match.

28. "Conviction, sentence upheld in '02 slaying; The court rejects claims by Luis Vargas, who was found guilty in the death of an Omaha restaurant manager." Omaha World Herald, July 3, 2004.
In Nebraska, one of two men convicted of killing a woman outside an Omaha restaurant in 2002 found no relief Friday from the Nebraska Supreme Court. A unanimous court upheld the conviction and sentence. He also argued that DNA tests of blood found on a dollar bill and on a vehicle used in the robbery should have been thrown out. The court however found that the DNA tests were properly performed, using a scientifically accepted and reliable methodology.
29. "DNA of Pismo murder victim found on defendant's clothes, expert says" The San Luis Obispo Tribune, July 3, 2004.
In California, DNA from a murder victim matches that of blood found in his kitchen and on the shorts of Clinton Crites, who is accused of killing him, a DNA analyst from the Department of Justice testified Friday.
30. "Three years jail for knifepoint robbery" Scunthorpe Evening Telegraph, July 3, 2004.
In the UK, a 65-year-old woman was robbed by when she ran errands on May 13, 2002. Her purse, along with other items, were found in a trash bin, and upon analysis, the crime was linked to a man through his DNA.
31. "Retiree arrested in sexual battery case" St. Petersburg Times, July 3, 2004.
In California, a 66-year-old Hernando Beach man was arrested on Thursday after he was accused of entering through his neighbor's unlocked door and forcing her to perform oral sex on him, authorities said. A towel that was used during the 2 alleged attacks was submitted into evidence and later tested for DNA, the report said. The results are pending.
32. "Oliver found guilty of 1981 rape; Case depended on DNA evidence." The Tallahassee Democrat, July 3, 2004.
In Florida, the victim of a 1981 rape and beating left the courtroom Friday with "a sense of relief," a prosecutor said, after the man charged in her attack was convicted. A DNA test three years ago linked the man to bodily fluid on the woman's underwear, according to evidence. Experts again testified this week that the accused man's DNA and the rapist's DNA were the same.
33. "DNA leads to six robbery charges." The Advertiser, July 2, 2004.
In Australia, DNA taken from a syringe cap at a crime scene led to the arrest of a man yesterday for six armed robberies committed two years ago. 39 cases have been solved using DNA evidence since the Helix Task Force was established in May.
34. "'One of worst rapists' gets four life sentences" The Advocate, July 2, 2004.
In Louisiana, after describing him as "one of the worst rapists" he has come across in 25 years, a state judge on Thursday sentenced a Baton Rouge man to four consecutive life sentences. In addition to the life sentences for four counts of aggravated rape, he was also sentenced to 40 years each for four counts of second-degree kidnapping, and another 40 years for forcible rape. DNA evidence linked three women to the man.
35. "Man gets 40-year term in Gurnee sex assault" Chicago Tribune, July 2, 2004.

In Illinois, a former Lake County man was sentenced to 40 years in prison Thursday after pleading guilty to charges of sexually assaulting a woman three years ago in Gurnee. The man, who is serving a 12-year prison sentence for arson and burglary convictions in Downstate Jackson County and a 2-year sentence for retail theft in Lake County, pleaded guilty to aggravated criminal sexual assault in a plea agreement. He was linked to the crime by DNA evidence.

36. “Former policeman charged in slaying of Kentucky college student” The Associated Press State and Local Wire, July 2, 2004.
In Missouri, a former Columbia police officer was charged Thursday with first-degree murder in the slaying of a University of Missouri-Columbia student from Kentucky with whom he acknowledged a sexual relationship. DNA matching that of the ex-officer was found under the fingernails of the slayed.
37. “Life sentence upheld for convicted murderer” The Associated Press State and Local Wire, July 2, 2004.
In Nebraska, the conviction and life sentence of a man found guilty of murdering an Omaha restaurant manager was upheld Friday by the Nebraska Supreme Court. Convicted of first degree murder and use of a deadly weapon to commit a felony, his argument that the court was wrong to receive certain DNA evidence at the trial was dashed.
38. “Teen charged in Concordia dorm rape.” The Associated Press State and Local Wire, July 2, 2004.
In Minnesota, a 16-year-old West St. Paul boy accused of raping a female student in a Concordia University dormitory Oct. 18 is charged with two counts of first-degree criminal sexual conduct and one count of burglary. St. Paul police arrested the teenager this week after being notified Monday that the state Bureau of Criminal Apprehension had matched his DNA sample on file with DNA evidence found at the crime scene.
39. “Attorney for man accused of rapes challenges DNA evidence.” The Associated Press State and Local Wire
In Indiana, a defense attorney asked a judge to throw out DNA evidence that prosecutors say links a man to five sexual assaults, arguing that it was illegally obtained. He argued in a motion filed in Delaware County Circuit Court that the state law that allows authorities to collect DNA from certain convicted felons violates constitutional protections against unreasonable search and seizure. His client’s DNA links him to three others in which he has not been charged. The five victims, from Delaware and White counties in east central Indiana, ranged in age from 7 to 67. The database later linked the man’s DNA with DNA taken from the girl raped near his home, as well as a 14-year-old girl and a 23-year-old woman who were raped, and two other women who were sexually assaulted.
40. “A factory worker who raped a woman in her sleep starts a six-year jail sentence” Eastern Daily Press, July 2, 2004.
In the UK, a factory worker who raped a woman in her sleep was last night starting a six-year jail sentence. The man was arrested the same morning of the attack and told police he had not been in the girl's room. He denied the offence in interviews and claimed he was not at the hostel, even after officers found his DNA on the victim.
41. “Man gets life in prison for murder at bar;” Morning Call, July 2, 2004.

In Pennsylvania, an Allentown man pleaded guilty Thursday to first-degree murder and attempted homicide for opening fire in a city bar during a foiled robbery, killing a patron who was celebrating his birthday and wounding another. After the shooting, police recovered beer bottles that had the man's DNA on them.

42. "Burglar gets last warning." Nottingham Evening Post, July 2, 2004.
In the UK, a 33-year-old former drug-addict admitted burgling four caravans at parks. Police arrested the man after his fingerprints and DNA from cigarettes found in the caravans were recovered.
43. "Geneva youth charged in slayings of 2 teens" Rochester Democrat and Chronicle, July 2, 2004.
In New York, a 16-year-old was charged Thursday with four counts of murder, one count of arson and additional counts of rape, sodomy and unlawful imprisonment in connection with the killings of two teens and the forcible rapes of two other victims, ages 14 and 12. DNA evidence "played a significant role" in the decision to charge the man with the killings.
44. "Marrero man is guilty in rape case; He faces mandatory life term in prison" Times-Picayune, July 2, 2004.
In Louisiana, a jury has convicted a man of aggravated rape for forcing a woman to have sex with him shortly after she arrived at her job. DNA evidence confirmed that he had intercourse with the woman. The court-appointed defense attorney argued that her client claimed that the woman consented to sex. McGinnis admitted having sex with the woman and testified that after the act, he asked her for her phone number.
45. "Thief traced by cigarette butt" Wakefield Express, July 2, 2004.
In the UK, a man who burgled a pet shop was traced by DNA from a cigarette butt he dropped at the scene.
46. "Woman says was raped by relative" Chattanooga Times Free Press, July 1, 2004.
In Tennessee, a Chattanooga woman testified Wednesday in Hamilton County Criminal Court that she was 16 years old when a relative held her down and raped her in April 2002. The woman was taken to the Rape Crisis Center where officials were able to obtain semen and a DNA sample. The sample matched that of the man that is on trial for the offense.
47. "State budget, new laws take effect today;" The Myrtle Beach Sun-News, July 1, 2004.
In Florida, the state government's new fiscal year starts today, with a \$5.5 billion budget that sends more money to schools but still slashes spending at many state agencies, at a time when the state is trying to compile a DNA database. Anyone convicted of a felony or placed on probation or parole will be required to provide a DNA sample that will become part of the database.
48. "Death crash driver claimed he was in back seat" Press Association, July 1, 2004.
In Pennsylvania, a man accused of killing a young woman in a car accident said in court today that he could not remember driving the car. He was one and a half times the legal blood alcohol limit when he is alleged to have crashed. DNA evidence from the front seat of the car showed traces of the man's skin where he had broken his leg.

49. “DNA database for convicted offenders is constitutional, N.Y. judge rules” The Associated Press, June 30, 2004.

In New York, a federal judge ruled that the law establishing New York State's database of DNA samples from convicted offenders is constitutional. A U.S. District Judge found that the program, which seeks to match crime-scene DNA samples with those of known criminal offenders, doesn't violate protections against warrantless or suspicionless searches under the Fourth Amendment of the U.S. Constitution.

50. “Man is given three life sentences for robbery” Liverpool Daily Echo, June 30, 2004.

In the UK, an armed robber who terrified a family in their home was yesterday given three life sentences by a judge in the city. He was arrested two months after the crime when his DNA was found on handcuffs used at the scene.

51. “DNA on sheet drew quick guilty plea in murder case” Roanoke Times and World News, June 30, 2004.

In Virginia, a man is awaiting trial for three counts of capital murder. He pleaded guilty to first-degree murder in exchange for a 50-year prison sentence. A sheet from the crime scene wasn't fully tested until after charges against had been dropped and then reinstated. DNA results from the sheet didn't arrive until more than 2 1/2 years after police found it.