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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 December 10, 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 ACLU has filed a suit against California's new DNA law to require DNA from felony arrestees, and a challenge to Alaska's statute has failed. Staffing is a problem at Mississippi's crime lab. A local lab in South Carolina is seeking DNA accreditation. The Kansas state lab has significantly increased its DNA capacity and has made over 100 hits this year, and collection of DNA from jailed offenders is a problem for one Washington State jurisdiction.

Cold hits on DNA databases aided investigations / prosecutions in California (1972 murder linked to Ohio inmate), Georgia (1986 murder), Indiana (2 rapes), Kansas (rape/murder – DNA from cigarette butts), Michigan (serial murderer on database for forgery), Missouri (1987 murder), New York (1993 rape), and Pennsylvania (1993 murder). The DNA database verified serial rapists are at work in New York and Pennsylvania. DNA evidence was also important to a Texas robbery case (DNA from air bag in wrecked vehicle) and a West Virginia murder threat case (DNA from a letter).

DNA tests exonerated a potential suspect in a Kansas serial killer investigation. A man initially identified in a John Doe warrant has been convicted of rape in Wisconsin.

Post conviction DNA testing further proved guilt in a Florida case, and has been requested in an Arizona case. A post conviction DNA review project in a California county has yielded no exonerations.

In international news... South Korea may establish a criminal DNA databank, and the Czech criminal DNA databank has aided over 100 cases. Backlogs and staff retention pose problems for South Africa's DNA program. Guam was urged to build a forensic laboratory. An Australian state has used DNA to help solve robberies, and another is using DNA in a bombing attack. In England, a 1989 rape was solved from a hit to a shoplifter. DNA also aided rape cases in Ireland and New Zealand. British police collected DNA from Caribbean islands in their bid to build a profile of a rapist.

STATE LEGISLATION

Forensic DNA

1. California SB 22 -- Loans \$7 million to the Department of Justice for implementing Prop 69 (all felons DNA database expansion), and appropriates \$4 million from the state DNA Identification Fund to the Department of Justice for purposes of implementing the act.

NEWS ARTICLES

Forensic DNA

1. "Suspect held in '86 homicide." Atlanta Journal –Constitution, December 8, 2004.
In Georgia, DNA evidence collected 18 years ago has linked a career criminal to the 1986 slaying of an Atlanta television station receptionist. The suspect was identified after a cold hit on the DNA database. The man's arrest is the first by the Atlanta Multi-Agency Cold Case Squad. The Squad, established last March, is investigating 150 unsolved sex-related homicides in Fulton County between 1975 and 1997. The suspect served prison and jail time from 1974 through 1988 for seven convictions on charges ranging from burglary and armed robbery to marijuana possession and theft. He was convicted again in 1990 of armed robbery, and released from the state prison system in December 2002.
2. "Moroney praises forensic unit's robbery investigations." AAP Newsfeed, December 8, 2004.
In New South Wales, Australia, forensic specialists have helped identify eight gangs behind 70 robberies on hotels, TABs and financial institutions. Officers from the forensic armed robbery unit have assisted detectives at 131 crime scenes since September 13. They have recovered 193 DNA samples, 285 finger and palm prints and 69 shoe marks, with police laying 34 charges against three men thought to be responsible for dozens of armed robberies across Sydney. Each of the three has been charged with 19 separate robbery offences.
3. "South Africa; DNA Crime Evidence Lies Unattended." Africa News, December 7, 2004.
In South Africa, about 16000 evidence bags were waiting for DNA testing in Pretoria and about 600 evidence collection kits were backed up at the laboratory in Cape Town on November 15. Almost 8000 of these crime kits have been waiting longer than two months to be screened for foreign genetic material. The backlog is partly attributed to problems of retaining forensic scientists to handle the caseload. The Safety and Security Minister acknowledged that the introduction of a skills retention bonus to try and keep the forensic scientists in their posts had significantly failed to achieve its purpose. A bonus system was started in March this year but since April 18 forensic scientists had resigned. Moreover, the minister said there was difficulty filling some of the vacancies because they were not funded in the current budget. However, new facilities for DNA laboratories to the tune of R187m are "in the pipeline."
4. "Man gets another eight years after linked to rape by DNA." The Associated Press State & Local Wire, December 7, 2004.
In Wisconsin, a man already serving a murder sentence has been ordered to serve eight more years in prison after DNA evidence tied him to the 1994 Milwaukee rape of a 15-year-old girl. He was linked to the sex crime in 2003 when DNA testing on a pair of jeans containing semen from the rape found a match with the sample he provided to the state database as a felon. Before the DNA hit was made, a "John Doe" warrant had been filed because the statute of limitations was set to expire.
5. "Inmate sentenced for threatening Capital High principal." The Associated Press State & Local Wire, December 7, 2004.
In West Virginia, an inmate will spend an additional year and a half in prison for threatening to kill a high school principal. The inmate made the threat in a letter he sent to the principal after reading a newspaper article about the suspension of some students who were protesting the war in Iraq. In the letter, the inmate threatened to kill the principal or plant a bomb in his office. He was charged after the FBI compared samples of his DNA and handwriting to the letter, and he has pleaded guilty to the crime.
6. "ACLU files challenge to law expanding DNA database." The Associated Press State & Local Wire, December 7, 2004.
In California, the ACLU has filed a federal suit to stop the implementation of Proposition 69, calling it an unconstitutional and "vicious assault" on privacy. The new law expands California's DNA database to include samples from people arrested, but not necessarily convicted of a felony. The ACLU estimates 50,000 Californians are arrested each year but never convicted. The group contends collecting the samples at the time of arrest runs counter to presumed innocence until guilt is proven in court. A spokesman for the state Attorney General's office said he had not yet seen the suit, but predicted it would fail.
7. "DNA traps rapist after 15 years." Bristol Evening Post, December 7, 2004.
In England, a man has been convicted in a 1989 rape after the DNA database linked him to the crime. His DNA sample was included on the database after he was caught shoplifting.
8. "Retrial ordered for man serving life term." The Irish Times, December 7, 2004.

In Ireland, the Court of Criminal Appeal has overturned the conviction and life sentence imposed on a Cork man for the rape and murder of a young woman in 2000. A retrial has been ordered. The man's conviction was quashed on grounds relating to the trial judge's directions to the jury as to how it should approach the DNA evidence. The prosecution had claimed this evidence linked the man directly to the crime and that DNA in semen recovered from the victim matched DNA in saliva samples taken from the suspect. In presenting the appeal, defense lawyers argued that the trial judge had failed to direct the jury adequately on the DNA evidence and failed to deal adequately with the "circumstantial evidence" in the case. He argued it was known that science could make mistakes, and that semen could be found days after being discharged.

9. "Inmate Charged in 1972 Slaying." Los Angeles Times, December 7, 2004.
Prosecutors have charged a suspected serial killer from Ohio with rape and murder of a 23-year-old California mother in a 1972 case -- the oldest to be revived in Orange County through use of DNA analysis. The victim's husband had been dogged by suspicions that he was guilty of murder and estranged from her family for more than three decades. The murderer is now serving a life sentence for the murder of a 21-year-old woman in rural Ohio. The match came from a cold hit on the DNA database. He has a criminal history that stretches to his childhood, with convictions for robbery, burglary, drug possession, rape and kidnapping. Between prison stints, he is believed to have traveled around the country and is suspected of killing other women in Arizona, Oklahoma and West Virginia. Police still do not know how the man came into contact with the victim.
10. "DNA test backfires for murderer." The Miami Herald, December 7, 2004.
In Florida, a man who had his death sentence commuted amid claims he was wrongly convicted of killing a teenage girl 31 years ago has been linked to the slaying by new DNA evidence. The man was sentenced to death for the 1973 slaying of a 13-year-old girl who was blindfolded, raped and shot at least five times. After a witness changed his testimony in 1979, then-Gov. Bob Graham commuted the sentence to life in prison. However, new test results show that the victim's blood was found on the victim's clothes, while his semen was inside the girl. The DA has not said if he will seek to reinstate the death penalty. Prosecutors suspect the inmate knew he was guilty, but hoped the DNA evidence had disintegrated enough to be inconclusive.
11. "Analysis: Innocence clinics in demand." UPI, December 7, 2004.
A campaign is under way in Texas to expand the number of law school centers examining the claims of prison inmates who say they are innocent. The first Texas project was started four years ago at the University of Houston, and others have been opened at the University of Texas in Austin and Texas Tech University in Lubbock, but there is a need for more, officials say. With 140,000 to 150,000 inmates in the Texas prison system, second only to California, there is no shortage of inmates who claim they are innocent. The task of the innocence projects is to find the ones that have a chance of proving it in court.
12. "KBI moves DNA tests into fast-forward gear." The Wichita Eagle, December 7, 2004.
The Kansas Bureau of Investigation no longer has to send DNA samples from a convicted-felon database to out-of-state laboratories, and expects that the new system will cut the time it takes to process DNA samples by at least half. Because samples no longer have to be sent out of state, the turnaround time for testing a sample has been cut from two to six months down to one month. The state has made 100 hits on its database this year -- involving crimes from homicides to rapes to drug offenses -- are up from 26 last year and 11 in 2002. The KBI director and Attorney General thanked Kansas' congressional delegation for help with funding, but noted that the governor and legislators have yet to make KBI funding a priority in the state budget. They worry whether future funding will allow the DNA lab to work at the current pace.
13. "County health departments offering flu shots." The Wichita Eagle, December 7, 2004.
In Kansas, two cigarette butts left at the scene of a 1995 rape and murder are enough to link the crimes to a prison inmate who was serving time for an unrelated rape. The break in the case came when police got a "cold hit" as a computer compared the cigarette butt sample with DNA that the man provided when he was admitted to prison in the late 1990s.
14. "Budget crunch leaves Mississippi Crime Lab short on staff." The Associated Press State & Local Wire, December 6, 2004.
A shortage of employees at the Mississippi Crime Lab is limiting the agency's ability to test for DNA, latent prints and gunshot residue. The tests are being performed only when the results are requested by courts. The Crime Lab can have 100 employees, but is down to 72 because of budget limitations, James said. A 1999 study showed proper staffing would be 120. Roughly a quarter of the lab's employees have left since 2001 -- many have left to work for

private laboratories that offer higher pay. The Department of Public Safety Commissioner is asking lawmakers for a \$1.3 million increase in funding. Of that total increase, \$953,626 would go toward salaries.

15. "Retesting of crime lab work in question." The Houston Chronicle, December 6, 2004.
In Texas, a DNA analyst for a private laboratory testified that he consulted with police and prosecutors before drafting a report about evidence in a capital murder case, raising questions about whether retests of work from the Houston crime lab truly are independent. Problems with this case began when another analyst with the private lab confused two samples, resulting in an error that she testified was the "worst moment in my entire career." The error, caught by an HPD official, prompted a third round of testing and the contact between the second analyst and two assistant district attorneys. When asked whether it is proper for an independent laboratory to consult with prosecutors, the analyst said, "I did not bring those individuals in to consult -- it was basically how we were going to format the results." He added that the communications took place at HPD's request.
16. "DNA Divorce Case Returns To Court." Palm Beach Post, December 5, 2004.
In Florida, the case of the DNA divorce comes out of a court-ordered freeze this week in a trial that could revive it or snuff any chance of the DNA evidence ever being heard. Suspecting her husband of an affair, a woman sent bed sheets to a private laboratory for analysis, which turned up her husband's DNA, mixed with that of his third ex-wife. Their divorce case is reported to be the first time DNA evidence had been used to document infidelity. However, the case remains on hold until the court decides whether the man was mentally competent enough to understand an amendment made to the couple's prenuptial agreement in 1999.
17. "Richland County crime lab earns DNA accreditation." The State (Columbia, SC), December 5, 2004.
In South Carolina, the Richland County Sheriff's Department has learned it would be only the second crime laboratory in the state to earn accreditation for DNA analysis. The lab was inspected recently by a team from the DNA Advisory Board, and accreditation will allow Richland County to participate in the FBI's Combined DNA Index System. The entire crime lab cost about \$500,000, Lott said. The department used federal grant money, taxes and drug money it had confiscated to pay for it. The lab's annual operating budget -- including salary for personnel -- is expected to be \$300,000.
18. "Man cleared in BTK." The Wichita Eagle, December 5, 2004.
In Kansas, the lead investigator in the BTK serial murder case confirmed that a man arrested last week following a BTK-related tip is no longer a subject of the investigation. DNA testing has helped to exclude the man as a viable suspect, although the sample was apparently obtained "against his will."
19. "La. leader in database of DNA." The Advocate (Baton Rouge, LA), December 4, 2004.
In Louisiana, state law has allowed police agencies to take nearly 140,000 DNA samples from people convicted and those accused of crimes during the past three years. Most of the DNA taken so far has been made possible by a 2003 state law allowing oral swabs to be taken from anyone arrested for felonies or specific misdemeanors. Between November 2002 through November 2004, 72,610 oral swabs have been taken from such people. So far, only about 20 percent of the samples collected have been processed and uploaded into state or national databases, but the rest is expected to be processed within the next year by four private companies. A 16,000-square-foot expansion to the crime lab will allow State Police to process all of its work within three years.
20. "Felon DNA collection laws upheld in narrow ruling." Anchorage Daily News, December 4, 2004.
The Alaska Court of Appeals upheld the state's felon DNA collection laws but only in the narrowest terms, leaving the door open for a broad constitutional attack on the statute. In his appeal, the plaintiff argued that the law subjects him to an unreasonable search and seizure and violates his privacy. But the appeal failed to offer legal support for these assertions and failed to explain why Alaska's law might be unconstitutional in view of the fact that rulings in three dozen federal and state courts around the country have upheld such laws, said the judge in the opinion. Only two judges in the country have struck down DNA laws: one in California and one in Maryland, and both were reversed by higher courts. However, in its opinion the court said, "To put the matter plainly, DNA collection statutes present very difficult legal issues. ... each rationale for DNA collection holds the potential for government abuses and infringement of citizen privacy." Therefore, the court concluded, "In the absence of meaningful adversarial briefing, we believe it is better to leave these important issues undecided."
21. "DNA leads to charges in woman's 1993 murder." The Associated Press State & Local Wire, December 4, 2004.
In Pennsylvania, DNA evidence has led to murder charges against a New York man in the 1993 murder of an 18-year-old Russian woman whom he wed six months before she was found dead. A law requiring felons convicted of

certain crimes to provide a DNA sample led to the man's arrest and the identification of the dead woman. Police did not know who the dead woman was, but found photos of her in the man's home. Investigators said it was the first case in which the DNA profiling database from felons has led to a homicide arrest in Cumberland County. "Without it, I don't believe we ever would have come to this point of identifying a suspect."

22. "Cabbie Victim Of Racist Abuse." Daily Post (Liverpool), December 4, 2004.
In England, a taxi driver is now scared to go out at night after a drunk hurled racist abuse at him, before spitting at him. However, the suspect was traced through DNA tests on his spit found on the windshield of the taxi. The man was committed on bail for sentencing by a crown court judge after he admitted racially-aggravated assault.
23. "Man charged in '87 murder of woman, 88." The Kansas City Star, December 4, 2004.
In Missouri, DNA tests have identified a suspect in the 1987 murder of an 88 year-old woman. A DNA profile of the killer was developed a few years ago, and was matched to an offender this year. The suspect was on the database due to a conviction for raping a child. The man had been questioned in the original investigation, but was not considered a suspect.
24. "DNA link cited in bomb case." The Mercury (Australia), December 4, 2004.
In Australia, two men accused of being involved in the attempted bombing of the state's forensic science laboratories could not explain how their DNA was found at the scene. A forensic scientist told the Supreme Court that DNA was found on a petrol can top and the bomb left at the Government Analytical and Forensic Laboratories in New Town in March 2000. He said the DNA profile on the petrol can top matched one of the suspects, and DNA found on components of the bomb could not exclude the other suspect from touching it. The men deny any role in the bombing, and believe they were set up.
25. "No resolution yet on DNA dispute." The News Tribune (Tacoma, Washington), December 4, 2004.
In Washington State, the union representing Pierce County's forensic technicians said it has no agreement with the Sheriff's Department to take DNA samples of convicted felons. The department stopped taking the samples after the forensic technicians filed a grievance in April, which involves whether obtaining the samples is outside the forensic technicians' work classification. The Sheriff's Department wants them to do the new work; the union says its members should be paid extra for the additional chores. Because of the labor dispute, the county has sent no DNA samples to the crime lab in the past eight months.
26. "Condemned inmate seeks exoneration with new DNA tests." The Associated Press State & Local Wire, December 3, 2004.
In Arizona, a death row inmate who has served 13 years behind bars for raping his elderly neighbor and strangling her with her own oxygen tube is asking a judge to exonerate him based on new DNA evidence. The man was convicted largely using bite marks found on the victim's body - evidence defense attorneys argue is "junk science." Many of the DNA samples tested from the crime scene contain genetic material from several people, making it hard to exclude him as the source of the DNA left at the crime scene. Saliva from the bite marks has been tested by the Department of Public Safety and an independent lab. Both have said he could not be excluded. However, the man's attorneys argue that new tests on other items, including fingernail clippings, the oxygen tube, cigarette butts and swabs of saliva found on the body do exclude him.
27. "Governor signs Maitland's DNA bill." The Evening Sun (Hanover, PA), December 3, 2004.
In Pennsylvania, the Governor has signed into law a bill that requires DNA to be collected from all convicted felons. Though the bill passed the House and Senate unanimously, it has been criticized by the American Civil Liberties Union, which says the state should not be spending money on more DNA when other services need money. The bill also removes the statute of limitations for prosecuting felonies and certain misdemeanor sex crimes if DNA evidence is available, and allows DNA samples to be taken from convicts who submitted an inadequate sample or did not give one because of an oversight. The bill takes effect in 60 days.
28. "DNA test links accused to woman, court told." The Irish Times, December 3, 2004.
In Ireland, a jury at the Central Criminal Court has been told that DNA profiling has linked the accused with a young French woman who alleges he kidnapped and raped her in Limerick last year. The Garda Forensic Science Laboratory said the chances of the profile matching anyone else in Ireland were one in 130,000. The analyst said that for anyone else to have the same DNA profile, that person would have to be a close relative of the accused.
29. "DNA nabs lake rapist." Waikato Times (New Zealand), December 3, 2004.

In New Zealand, a man who snatched a teenager off a street in 2001 and raped her has been jailed for 11 years after providing a DNA sample for a serious assault conviction. The man had 45 previous convictions -- mostly for dishonesty, driving offences and failing to obey court orders. In the past two years the number of DNA samples held by police has more than doubled from 21,000 to 43,000. Police can get a court order to compel people with certain convictions to give a sample, they can be done voluntarily or with consent. When police have samples from a crime scene tested 52 per cent are linked to people already on the DNA databank.

30. "Years after death of victim, New York man's DNA leads to rape conviction." The Associated Press, December 2, 2004.

New York, a DNA sample taken from a man in prison for burglary led to his conviction in a 1993 rape - nine years after the victim died of natural causes. The man's DNA sample - taken in 1999 when he was in prison on a burglary charge - was matched against a database of DNA from unsolved crimes, and technicians found a match with DNA from the 1993 rape. On Dec. 17, 2002 - when he was to have been released from prison - detectives arrested him.

31. "British detectives visit Caribbean countries on trail of London serial rapist." Associated Press Worldstream, December 2, 2004.

British police on the trail of a serial rapist left Trinidad after spending three days collecting DNA samples from islanders to create a genetic profile of the suspect. Scotland Yard believes a man of West Indian descent is responsible for raping 34 elderly women between the ages of 68 and 93 in London since 1992. They are uncertain where his origins lie in the Caribbean. Initial DNA testing from samples left after the rapes has concluded the "offender's origins probably lie in the Caribbean," London police said earlier this year. Six British detectives are now collecting DNA samples through mouth swabs from volunteer police officers in five Caribbean countries to narrow down the suspect's parentage.

32. "Jury convicts Muncie man whose DNA linked him to rapes." The Associated Press State & Local Wire, December 2, 2004.

In Indiana, jurors convicted a Muncie man of raping two young girls during burglaries, and police say his DNA links him to at least three other attacks in eastern Indiana. The defense attorney questioned the validity of the DNA evidence but did not call any witnesses. He has argued that police illegally obtained the man's DNA. Police arrested the suspect in May 2003 on an unrelated warrant shortly after a 7-year-old girl was raped near his home. A judge later revoked the man's probation on a burglary charge, and his DNA was entered into a national database. The Indiana Court of Appeals later ruled that the judge should not have revoked his probation but that the state was entitled to test his DNA anyway because he was a convicted felon.

33. "Southwestern Michigan man charged in 1969 killing of law student." The Associated Press State & Local Wire, December 2, 2004.

In Michigan, a state law requiring convicted felons to provide DNA samples to state police led to the arrest of a 62-year-old man in one of a series of seven brutal killings of young area women in 1967-69. After pleading guilty to forging narcotics prescriptions, the man's DNA sample was included on the DNA database and a match was made to the murders. Another man who had been convicted of strangling a victim in the area had been a suspect in the other killings, but he never was charged.

34. "DNA Tests Yield New Clues To Identity Of 'Bike Path Rapist' Sought Since 1990." Buffalo News (New York), December 2, 2004.

In New York, the Buffalo Police Department has uncovered new clues to the identity of the serial "bike path rapist" who killed a woman in 1990. DNA tests indicate he was the same man who raped and killed another woman in Buffalo in 1992. The man is being sought for two rape-murders and seven other rapes, but they have not yet put a name to the offender.

35. "Mother Pleads For DNA-Testing Bill." Columbus Dispatch, December 2, 2004.

In Ohio, a bill nearing passage in the state legislature would require county coroners to extract DNA from unidentified remains to be included in a statewide database linked to missing-persons data. Currently, DNA is required to be extracted from bodies, but not from partial remains. The bill also expands required DNA testing to all felons; expand the number of relatives of a missing person who might offer a DNA sample to assist in identifying any remains; and expands the list for which victims-of-crime fund money can be used to include DNA collection.

36. "Suspect indicted in Takeover Bandits bank robbery." The Dallas Morning News, December 2, 2004.
In Texas, a man police say is linked by DNA evidence to a brazen bank robbery and violent getaway last month faces new charges after a federal grand jury in Dallas indicted him. A detective has testified that investigators found bodily fluid with DNA matching the suspect's on an airbag in a carjacked pickup the robbers wrecked in Plano during the getaway.
37. "Omaha plans to keep DNA until trial." Omaha World Herald, December 2, 2004.
In Nebraska, the Omaha Police Chief has reiterated that the department will destroy the DNA -- and any record of it -- of those exonerated in a serial rape investigation. However, the samples will not be destroyed until after the "individual responsible for these crimes has been arrested, tried and convicted," the chief said. No one has been arrested in connection with the rapes of four young black women over the past two years. Under state law, defense attorneys have a right to have their own expert examine evidence collected by police -- such as blood, semen or fingerprints. If police destroy the samples, prosecutors cannot submit the test results as evidence at trial, according to a prosecuting attorney. However, a defense said the preservation-of-evidence statute applies only to evidence against the defendant -- not to evidence used to exonerate others.
38. "Czech DNA Database Helped Solve 107 Cases." CTK National News Wire, December 1, 2004.
The Czech National DNA Database launched three years ago has helped solve 107 cases. As of mid-November, the database had 8374 DNA profiles, some 6000 of which are profiles of perpetrators of serious crimes and about 2000 come from traces found on the site of crime. 138 DNA profiles come from victims who have not been identified and a part of them are profiles of unknown corpses.
39. "Court of Appeals to consider whether murder suspect entitled to publicly-funded DNA expert." The Daily Record (Baltimore, MD), December 1, 2004.
In Maryland, the Court of Appeals is considering whether a murder suspect who could not afford a \$225-per-hour DNA expert should be entitled to one at public expense -- where he was represented at trial by a private attorney and not by the public defender's office. The Court of Special Appeals concluded that any constitutional duty to provide expert DNA assistance was satisfied since the prosecution used an independent laboratory for its testing. There was nothing to indicate that that company's work was not impartial, the court noted; further, the defendant was provided with the documents created by the lab prior to trial, enabling him to generate a defense.
40. "DNA evidence ties man to two rapes, police say." Philadelphia Daily News, December 1, 2004.
In Pennsylvania, two late-night knifepoint rapes in Philadelphia in June have been linked to the same man through DNA evidence. But with different physical descriptions of the attacker from the two victims, police are still searching for more information so they can nab the rapist.
41. "Prosecution Seeks to Set Up DNA Database for Criminals." Korea Times, November 30, 2004.
In Korea, the state prosecution plans to present a bill for establishing a DNA database for serious criminals to the National Assembly by early next year. The Supreme Public Prosecutors' Office said Monday that the bill comes 10 years after the first attempt to set up a gene bank for criminals by prosecutors and police stirred controversy in 1994. The move ended in failure due to conflict between prosecutors and police as well as concerns over the misuse of the information raised by civic groups. If the bill becomes law, prosecutors and the police will have the authority to collect and manage DNA information from suspects and prisoners who commit offenses among burglary, homicide, sexual assaults and violation of domiciles.
42. "Your Views: Letters to the Editor." The Olympian, November 30, 2004.
In a letter to the editor, the Washington State Patrol director answers questions regarding a looming state deadline for post conviction DNA motions. "Despite the impending expiration of the DNA post conviction law, Washington State Patrol detectives, evidence officers and crime laboratories have been directed to preserve any evidence in their control that is not returned to the investigating agencies so that it will be available for further testing as determined by the courts."
43. "Our View." Pacific Daily News, November 30, 2004.
Editorial from Guam. "In order to ensure the safety of our community, our police force must have the necessary resources, such as trained personnel, equipment and vehicles. But one of the most important tools of law enforcement is something the Guam Police Department lacks - a modern forensic laboratory... In August of 2002, the Legislature overrode the governor's veto of Bill 283, which authorized the construction of a modern crime lab, but no real progress has been made in turning the forensics facility from simple legislation into physical reality..."

This has to be one of the 28th Guam Legislature's priorities when senators take office in January, and needs the full support of the administration of Gov. Felix Camacho.”

44. “County DNA project finds no one wrongly convicted.” The San Diego Union Tribune, November 28, 2004. In Orange County, California, a review of possible post conviction DNA testing cases has found that no inmates prosecuted by the county have been wrongly convicted. Four years ago, the county District Attorney's Office undertook the project. It decided to review the convictions of hundreds of people it sent to prison before 1993 to see if DNA testing would shed new light on the cases. After reviewing 766 cases of San Diego County convicts who assert their innocence, not one has been exonerated. Two cases remain -- both involving men on death row -- and authorities say they doubt the results will be surprising. To have their cases reviewed, inmates had to be alive, incarcerated and convicted before 1993, when the San Diego Police Department's crime laboratory began doing its own DNA testing. An additional criterion, though not an absolute one, was that the inmates had "relatively consistently maintained their innocence." In one case a man who had maintained his innocence in a murder case refused the DNA testing when it was offered recently. This refusal was received poorly at the man's next parole board hearing.

Paternity

45. “Women switched at birth settle lawsuits.” The Associated Press State & Local Wire, December 6, 2004. In Wyoming, two lawsuits filed by women who were switched at birth 46 years ago have been settled. The first DNA tests were done after one of the women's ailing father requested the tests to put the matter to rest – having always suspected he was not her biological father. One of the women said she would like DNA testing to be available for parents before they bring their babies home from the hospital.