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The January 14, 2005 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

Ohio passed a law to require DNA from all convicted felons -- final total for 2004 is 38 states with all-felons DNA database laws. New bills for all felons databases have been introduced in Indiana, Nebraska, North Dakota, and Oklahoma. The Maryland appeals court upheld a trial court's admittance of mitochondrial DNA evidence. New Jersey will appeal a ruling requiring convicted offender samples to be expunged upon completion of sentences.

Police are collecting volunteered DNA samples from local men in a Massachusetts murder investigation, and from the media in a Kansas serial murder investigation. Animal DNA was used in an elk poaching case. A cold hit on the DNA database linked a man about to be deported in Texas to a sexual assault. The DNA database solved burglaries in New York (DNA on discarded juice carton) and Virginia (DNA on discarded syringe). A Utah parole board will keep a man in prison indefinitely based on DNA linking him to serial rapes that can no longer be prosecuted. A Massachusetts cold hit solved a rape case just months before the statute of limitations would have expired.

Backlogs at crime labs made headlines in Arkansas, Georgia, Kentucky, Maryland and Mississippi. Virginia's crime labs may receive additional state funding this year, along with an oversight panel. A local lab might be built in North Carolina. New York's anti-crime agenda includes collection of DNA from property crime scenes.

An Oregon bill would eliminate the statute of limitations for certain sexual assault cases if DNA evidence is available. Bills to expand access to post conviction DNA tests were introduced in Mississippi, Washington and Oregon, and post conviction DNA testing in Texas has freed a man. A Wisconsin panel has recommended fast-tracking court ordered post conviction DNA testing at crime labs.

In international news...Russia is developing DNA database legislation. In Japan, the DNA database is operating, and investigators used dog DNA in a theft case. DNA testing may identify tsunami victims in Thailand. Northern Ireland police are using a mass DNA sampling in a murder investigation. A victim's father in England is calling for worldwide forensic DNA databases and database sharing. England may get a break in an old murder investigation thanks to familial matching, and is collecting DNA from users of a specific inhaler in another investigation. Iraq is calling for DNA help in identifying victims of the Saddam Hussein regime.

STATE LEGISLATION

Forensic DNA

1. Indiana HB 1241 -- Expands DNA database to include all convicted felons, including convictions of conspiracy to commit a felony and attempted felony. Retroactive only to currently incarcerated, but prospective to include community sentences. Does not include juveniles.

2. Mississippi HB 73 -- Provides for post-conviction motions for DNA for all capital death penalty cases.
3. Nebraska LB 143 – Expands DNA database to include all convicted felons, including juveniles. Includes community sentences, and retroactive only to currently incarcerated.
4. North Dakota HB 1061 – Expands offender DNA database to include all sex offender registrations.
5. North Dakota HB 1235 – Expands DNA database to include all convicted felons, including community sentences. Not retroactive, does not include juveniles.
6. Oklahoma HB 1219 – Expands DNA database to include all convicted felons, including community sentences. Retroactive only to currently incarcerated (if convicted after 1996). Does not include juveniles.
7. Oregon HB 2312 -- Eliminates requirement that motion requesting performance of post conviction DNA testing be filed by certain date.
8. Oregon SB 200 -- Eliminates statute of limitations for specified sex if DNA evidence from the crime is preserved and capable of being tested.
9. Vermont SB 5 – Expands offender DNA database to include statutory sexual assault.
10. Virginia HB 1639 – Expands offender DNA database to include arrests for solicitation of prostitution or a drug offense.
11. Washington SB 5003 – Provides for post conviction DNA testing. Eliminates current time limitation.

Genetic Privacy

12. Mississippi HB 141 -- Prohibits the use of genetic testing for discriminatory purposes by employers.
13. Mississippi HB 531 -- Prevents genetic discrimination in health insurance.

NEWS ARTICLES

Forensic DNA

1. “Crime lab backlog targeted.” Atlanta Journal –Constitution, January 12, 2004.
Georgia’s Governor hope to cut the GBI’s persistent crime lab backlog --- more than 32,000 tests were behind schedule as of last month --- by providing \$4.4 million for more scientists and outsourcing of some of the work. The backlog has created problems for prosecutors, who have been forced to drop criminal cases because they didn't get timely evidence analysis, and for relatives, who need autopsy results to claim death benefits. The governor told business leaders and later police chiefs that he wanted to spend \$1.4 million to hire 20 more scientists and lab technicians beginning July 1. He also wants to spend \$3 million to pay private labs to conduct tests on evidence collected in death investigations and sexual assault and drug cases.
2. “Baffled Police Try DNA Sweep.” The Washington Post, December 12, 2004
Police in a small town in Massachusetts have been requesting DNA samples from every man in town in an effort to solved a three-year-old murder case. The town’s population is 2,000. About 75 men volunteered in the first day of testing, and dozens of others were tested earlier in the investigation. But several hundred men in town remain unscreened, and police have said they may extend the search to nearby communities. Some say they complied because they believe it will help authorities narrow their search. Others denounce the sweep as invasive and unlikely to advance the investigation. They say it shows that the police are grasping at straws.
3. “Thailand exhumes tsunami victims as world's largest forensic ID center opens.” Agence France Presse, January 11, 2004.

Thailand forged ahead with the grisly task of exhuming tsunami victims for DNA testing as the largest ever international forensics operation to identify the thousands killed was launched. Authorities repeated assurances that all the bodies they had of tsunami victims, including some which had already been interred, would be DNA-tested amid fears people have been buried without proper identification. Some bodies have also been cremated but only after being positively identified.

4. "DNA Hunt For The Killer Who Sexually Attacked Pensioner." Belfast News Letter (Northern Ireland), January 11, 2004.

In Northern Ireland, men and teenage boys are being asked to undergo voluntary DNA sampling to help track down the killer of a retiree. In addition to the murder, police have revealed that the perpetrator also sexually assaulted the victim's older sister. Northern Ireland's Police Ombudsman confirmed her staff would oversee the destruction of all DNA samples that are not relevant to the case and also all records relating to them. She said the samples would not be added to the DNA database and would not be checked against other crimes.

5. "DNA test anger of victim's father." Yorkshire Evening Post, January 10, 2005.

In England, the father of a Leeds University student found murdered in France 15 years ago has complained that French police had not completed DNA tests on a man suspected of killing his daughter. The victim's parents have always believed her death was never properly investigated with obvious leads ignored and crucial DNA evidence and witness reports lost or missing. The girl's father suspects a convicted rapist, who is currently under arrest in Belgium on suspicion of kidnapping a 13-year-old girl, killed his daughter. Belgian Police say the man has admitted the rape and murder of six young girls.

6. "Winston-Salem State proposes lab to aid Triad law agencies." The Associated Press State and Local Wire, January 9, 2005.

In North Carolina, a state university wants to create a lab to handle DNA testing and drug analysis for Triad area law enforcement agencies that now have to wait months for results from a centralized state lab. A spokesman for the SBI said that the agency will do what it can to help the university open a crime lab. The SBI has expanded its own lab in the past year, but its backlog remains at more than 450 cases. The agency could not provide figures on how long it takes to process evidence.

7. "Man takes hit in DNA case." The Advocate (Baton Rouge, LA), January 9, 2004.

In Louisiana, a federal magistrate has determined that damages should not be awarded to a man who sued the East Baton Rouge Parish Sheriff's Office because his DNA sample, collected during the south Louisiana serial killer investigation, has not been returned. The ruling issued Friday by U.S. Magistrate Judge Stephen Riedlinger does not address two other parts of the lawsuit. Those parts of the suit seek an injunction to preserve the DNA sample and also seeks to have declared unconstitutional a Louisiana law that compels someone suspected of a crime to give DNA samples. The judge said in his ruling that defendant's 14th Amendment rights, which protect due process, were violated because he was forced to give the DNA sample. But because he waited more than a year to file the lawsuit, the claims of 14th Amendment violations should be dismissed.

8. "Prop. 69 needs strict oversight, not lawsuits." Monterey County Herald, January 8, 2004.

Editorial regarding the ACLU lawsuit against California's new law to require DNA from all felony arrestees. "The group says the DNA hubs could become a trove for Big Brother, cataloging defendants' genetic information, medical histories, even their predisposition to disease. If that sounds paranoid, it is. Under Proposition 69, only law enforcement can use DNA information, and only as an identifier or an investigative tool. Using data from the profiles for any other purpose is a crime, punishable with fines or jail terms. Nor does the ACLU object to the state's massive fingerprints records filed on all California suspects -- including people charged with misdemeanors and other minor offenses. If it's OK to warehouse fingerprints, why not store DNA, a much more accurate identifier?...Privacy advocates can best protect the public by insisting on tough oversight of the DNA database. Acting as watchdogs can make the public more secure; that, rather than filing fanciful lawsuits, would be a productive way to use the ACLU's clout."

9. "Dog thieves collared by DNA evidence." Mainichi Daily News, January 7, 2005.

In Japan, DNA testing has confirmed the identity of dogs suspected to have been stolen from a pet store in 2003. At the request of police, the Maebashi Institute of Animal Science compared the DNA of the dogs that were thought to be stolen with that of the dogs thought to be their parents, and found a match. The suspected dog-napper has since admitted to the crime.

10. "State to appeal DNA decision." The Record (Bergen County, NJ), January 7, 2005.
New Jersey's State Attorney General said he will appeal a recent court ruling that allows many felons to have their state-mandated DNA samples destroyed after they serve time in prison. The ruling last month by Superior Court Judge Jack Sabatino was the first challenge to the expansion of a 1996 New Jersey law requiring DNA samples to be collected from all convicted criminals and kept on permanent record. Sabatino upheld the constitutionality of taking the DNA, but he ruled that those convicted of non-sexual crimes - such as burglary, robbery, embezzlement and drug possession - have the right to demand that their DNA record be expunged once they complete their sentence.
11. "DNA test prompts charges against inmate in '00 rape." Star Tribune (Minneapolis, MN), January 7, 2005.
In Minnesota, a man imprisoned for a violent home invasion was linked through DNA tests to the rape of a 17-year-old girl in a north Minneapolis park in 2000. The state Bureau of Criminal Apprehension gets about a dozen hits on cases each month by running inmate DNA against a database of unsolved cases.
12. "Avery task force recommends legislation on DNA testing." The Associated Press State & Local Wire, January 6, 2005.
In Wisconsin, a task force has endorsed legislation that would move court-ordered post conviction DNA tests to move to the front of the line at the state crime lab. In one well-known Wisconsin case (Steven Avery), after a judge issued a court order to allow DNA testing on hairs taken from the crime scene, it took 1 1/2 years for the state crime lab to match the DNA with the genetic profile of another man whose information was on file. The proposed legislation would also allow police departments to keep only the genetic material needed to develop a DNA profile to make it easier to hang onto the evidence. Under current law, if physical evidence includes a blood stain on a couch, police have to keep the whole couch rather than just the fabric containing the genetic material. Additionally, prosecutors would be permitted to file charges for crimes linked to a sexual assault, such as burglary or theft, after the statute of limitations has expired if there is a DNA profile of the perpetrator available before that time.
13. "Pataki calling for anti-crime program expansion." The Associated Press State & Local Wire, January 5, 2005.
New York Governor Pataki's anti-crime agenda includes expanding the use of genetic DNA evidence to catch criminals. Officials will begin collecting DNA evidence from property crime scenes - such as burglaries and car thefts - besides that already collected from violent crimes. "The feeling is if we can expand the evidence collected from these crime scenes, we can build a better DNA database and catch more criminals," said one of the administration officials, speaking only on condition of anonymity. "Studies show these criminals are often responsible for things other than property crimes."
14. "Appeals court upholds use of mitochondrial DNA." The Associated Press State & Local Wire, January 5, 2005.
In Maryland, the state's second highest court has upheld the use of mitochondrial DNA evidence. The Court of Special Appeals ruled the trial judge did not abuse his discretion in allowing mitochondrial DNA evidence to be used against Russell W. Wagner, who was subsequently convicted of murder. In Wagner's case, FBI scientists obtained mitochondrial DNA from a single strand of hair found on a glove recovered from a neighbor's back porch. Defense attorneys argued processing of this type of DNA is particularly susceptible to laboratory contamination.
15. "DNA leads to arrest in 3-year-old jewelry heist." The Associated Press State & Local Wire, January 4, 2005.
In Virginia, DNA collected from a discarded syringe has led to an arrest in connection with a 3-year-old jewelry heist. The syringe was found near the store along with some jewelry the burglars had dropped as they were fleeing the scene. The syringe had been sent to the state lab for DNA analysis after the heist, but turned up nothing. When it was checked again several months ago, a match was made with the DNA of a man recently convicted of grand larceny in Virginia.
16. "DNA Evidence May Be Key in Saddam Trial." Associated Press Online, December 29, 2004.
Analysts say prosecutors should have ample evidence when Saddam goes to trial, pointing to dramatic advances in DNA technology as a prosecutorial tool in recent years. They say DNA will help to clearly establish the identity of many of Saddam's victims who ended up in the country's mass graves.
17. "Free After 17 Years for a Rape That He Did Not Commit." The New York Times, December 22, 2004.
In Texas, shown by DNA testing to have been wrongly convicted of rape in 1988, Brandon Moon was released from prison at a court hearing -- the latest among 154 men and women in the United States exonerated by such tests. In the courtroom, Mr. Scheck said he would ask for an audit of all cases using evidence from the Department of Public Safety's former blood-testing expert, Glen David Adams, whose incorrect scientific results helped to

convict Mr. Moon on three counts of aggravated sexual assault, resulting in a 75-year sentence, and sample checks of other crime laboratory evidence. Mr. Adams worked at the Lubbock crime laboratory from 1986 to 1991. The department said that his whereabouts now were unknown.

18. "New funding for crime lab could help solve old cases." The Courier-Journal, December 20, 2004.
In Kentucky, federal grant money will be used to assist the state crime lab in reducing backlogs of DNA evidence awaiting testing. A backlog of cases at Kentucky's six crime labs was eliminated in 2004 after a major push. The cases being submitted now will be tested largely by outside labs, with the results verified and catalogued by the crime lab's analysts.
19. "Forensic Science Laboratory of Abu Dhabi Police." Emirates News Agency, December 20, 2004.
In the first collaboration of its type to have taken place in the United Arab Emirates, scientists from the Forensic Science Laboratory at Abu Dhabi Police Headquarters and archaeologists from the Abu Dhabi Islands Archaeological Survey, ADIAS, have combined their skills to study the oldest skeleton ever found in the United Arab Emirates.. Although the ancient DNA was not well preserved, using the latest forensic science techniques, the Forensic Laboratory was able to determine that the skeleton was a male from its DNA profile. Radiocarbon dating, as well as associated finds, demonstrates that the skeleton dates to around 7500 years ago. This makes the skeleton, and the building in which it was found, the earliest evidence yet found of the presence of Man in the Emirates.
20. "Give Virginia's Crime Lab The Help It Needs." Roanoke Times & World News, December 19, 2004.
Editorial: "The separate recommendations call for additional funding for salary increases and for hiring new scientists, a step critical to the operation...The Crime Commission also proposes to create a panel of scientific advisers to lend expertise to the laboratory's board of directors, which is now composed of law enforcement authorities. That sensible measure would provide credible oversight in reviewing procedures and establishing guidelines when errors occur. After years of trimming the crime lab's budget and failing to initiate expert oversight, state leaders should enact positive change that will help ensure the integrity of its work."
21. "Some say parole board sets 'dangerous' DNA precedent." Salt Lake Tribune, December 19, 2004.
In Utah, the state Board of Pardons and Parole revoked a man's July parole date and ordered he serve at least another 25 years after he was linked through DNA to a series of rapes from the early 1990s. Utah's parole board acknowledged it has entered "uncharted waters" by keeping the man behind bars based on evidence of crimes for which he has not been convicted. He will never be tried for the rapes because the four-year statute of limitations has expired. But the DNA evidence was compelling enough for parole board members to deem the man a sexual predator who would pose an "unacceptable risk" to the community. Because the man is serving a five-years-to-life term for aggravated robbery, the board can keep him locked up for the rest of his life.
22. "DNA Breakthrough: Police Trace Family Of Bible John Serial Killer." Sunday Mail, December 19, 2004.
In the UK, a breakthrough in the search for the 60s killer who preyed on women in Glasgow came through a crime in the city within the past two years. The crime is said to have been a minor one - but DNA taken from the scene was found to be an 80 per cent match for that found on one of the three victims of Bible John. And experts say that means the criminal involved is almost certainly related to the killer.
23. "Persistent Felony Offender Sentenced To 44 Years To Life." Buffalo News (New York), December 18, 2004.
In New York, a man who has five previous felony convictions has been sentenced to a prison term of from 44 years to life for burglarizing the home of a vacationing Buffalo police lieutenant and attempting to break into a second home days later. He was linked to the first burglary through DNA found on an empty carton of orange juice he left in the front hallway.
24. "City settles lawsuit over rape arrest." San Jose Mercury News, December 18, 2004.
In California, the city of Palo Alto settled a federal lawsuit filed by a man arrested for a brutal nursing home rape who was later exonerated by DNA evidence. Lawyers for the man agreed to accept \$75,000 to settle the case -- the second time this year that Palo Alto has paid out a cash settlement to someone claiming to be the victim of overzealous police. Lawyers argued that police used make-believe evidence to manipulate the man into admissions that led to his arrest. He spent nearly a month in jail before DNA evidence on the rapist's jewelry and other items later cleared him. The crime is still unsolved.
25. "NPA brings DNA database online." Daily Yomiuri (Tokyo), December 17, 2004.

Japan's National Police Agency has begun using a database of DNA data obtained from samples of blood and bodily fluids collected at crime scenes to help identify suspects and determine whether they were involved in criminal cases. The agency previously deemed DNA taken from suspects to be "personal information" and destroyed samples after an investigation was completed due to privacy concerns. But the agency intends to build up the database of suspects' DNA since such information could replace fingerprints in identifying suspects in criminal cases.

26. "Tennessee man charged with killing elk in national park." The Associated Press State & Local Wire, December 16, 2004.
After a yearlong investigation, a Tennessee man was charged in federal court with killing a bull elk at Rocky Mountain National Park. It is illegal to kill wildlife in national parks. Witnesses and surveillance cameras spotted the man that night in the same area, and the next morning, a citizen reported a large elk carcass with no head. Authorities executed a search warrant on his home and seized an elk head, other animal heads, and a small amount of meat. A DNA test determined that the elk head was from the carcass found at the park.
27. "Inmate Charged In 1990 Rape After 11th-Hour DNA Match." The Boston Globe, December 16, 2004.
In Massachusetts, a suspect in a rape case has been identified through a DNA match and indicted in Essex County just before the statute of limitations was to expire in the case. The 15-year statute of limitations would have expired in April. Salem police detectives, aware of the pending expiration, asked for evidence to be retested against the national database. The man is currently in prison for a murder in 2000.
28. "House OKS Changes In Plan To Increase DNA Sampling." Columbus Dispatch, December 16, 2004.
In Ohio, the state legislature has enacted a bill to require DNA from all convicted felons. The Governor is expected to sign the measure. State Attorney General Jim Petro hailed passage of the bill, saying it would speed the apprehension and prosecution of felons.
29. "Father calls for database." Cornish Guardian, December 16, 2004.
In England, as a lasting memorial to his murdered daughter, John Dickinson is calling for a worldwide forensic DNA database system. "If DNA information is put onto computer, analyzed in the same way and hopefully shared, then this will not only help in finding these suspects but also in minimizing the duration of the search for them." Of the 182 countries in Interpol, only 24 are contributing to and using its DNA database.
30. "Panel Wants \$11.6m To Beef Up Crime Labs." Daily Press (Newport News, Virginia), December 16, 2004.
Recommendations endorsed by the Virginia State Crime Commission total about \$11.6 million for the Division of Forensic Sciences. It would result in 31 new forensic staff members, a 26.3 percent across-the-board salary increase to compete with federal labs in hiring, expansion of the Norfolk lab, buying land and planning a new lab in Northern Virginia and a mitochondrial DNA testing program. A crime panel recommended the sweeping changes to the state forensics lab after hearing a report that characterized scientists as overworked, underpaid and unable to stem a backlog of tests on criminal cases.
31. "Inmate, about to be deported, is linked to 1996 rape case." Fort Worth Star Telegram, December 16, 2004.
In Texas, DNA testing of a man about to be deported has linked him to a 1996 sexual assault. The man is in prison for robbery and was scheduled to be deported on December 29. A DNA database hit on December 6 identified the inmate as the rapist.
32. "Danielle: DNA tests made on hundreds." UK Newsquest Regional Press - This is Lancashire, December 15, 2004.
In England, hundreds of DNA profiles of some men living as far away as Australia have been checked by detectives hunting a killer. Only a few of the 1,600 men known to use inhalers of the same type as the one found near the body of the pregnant 21-year-old still have to be checked. Officers probing the 2002 death of the prostitute found DNA of the killer on a distinctive inhaler found on the car park where her body was dumped. They have checked the unique structure of the DNA with swabs taken from hundreds of men who have used the same inhaler.
33. "Iraq calls for international help to find one million missing people." Agence France Presse, December 14, 2004.
Iraq urged the international community to help it find more than one million people who have gone missing or disappeared over the last 25 years, mainly during the rule of Saddam Hussein. 700 to 800 bodies needed to be identified every month in the Baghdad area alone, but the country has no DNA laboratories and a severe shortage of forensic experts. Despite a population of some 27 million people, Iraq has just 20 forensic pathologists, while Jordan, with its five million inhabitants, has 35. Germany has pledged to help equip a DNA laboratory in Iraq,

while France and some Scandinavian countries have also made positive noises.

34. "Special Report: Budget, competing pressures hamstring crime lab Legislators to crime lab director: How can we fix it?." Arkansas Democrat Gazette, December 14, 2004.
The Arkansas state crime lab, laboring under a 16,000-case backlog, sometimes takes a year or more to test evidence for police investigations and criminal trials or to determine a cause of death. The lab has no established system for deciding the order in which cases will be processed. Occasionally, legislators and governors have provided extra money for the lab. But the patchwork funding has done little to solve its widespread problems. The legislature has taken a keen interest in the lab's chronic underfunding, and additional money may be on the way this year.
35. "Other states hit snags but still improve labs." Arkansas Democrat Gazette, December 14, 2004.
Several state labs have created alternate funding sources to help it pay for increased costs. Mississippi charges police a \$50 flat fee for each criminal case referred to the lab and counties pay \$550 per autopsy. Oklahoma is building a \$20 million crime lab with money collected from a \$3.25 charge tacked onto every moving violation ticket. The state also charges \$100 for a cremation permit, drawing about \$620,000 per year. In 1997, Arkansas began charging convicted felons \$250 to process their DNA samples, but only about 10 percent of those fees are collected. Arkansas Code Annotated 12-12-1118 allows judges to waive the fee for indigent defendants if it would cause "undue hardship." The DNA Detection Fund draws about \$120,000 per year. The fund could bring in \$3.5 million a year if all convicted felons paid the fee.
36. "Investigators in BTK serial killings target media, police in DNA sweeps." The Associated Press, December 12, 2004.
Due to the BTK serial killer's communication with media, several in the local press corps have been asked to give DNA samples to investigators as a means of eliminating them as possible suspects. In general, reporters have been very cooperative, if not somewhat taken aback by the request. The Kansas Bureau of Investigation confirmed it has done hundreds of DNA swabs in connection with the BTK investigation, but did not offer specifics.
37. "Bosnia-based organization starts DNA identification in Croatia." Associated Press Worldstream, December 10, 2004.
In Bosnia, the International Commission on Missing Persons has started analyzing blood samples from family members of the missing in Croatia. The ICMP has collected 754 new blood samples for DNA testing. The organization said the latest two-weeks campaign also led to 118 new missing person reports.
38. "Federal government approves \$3.3 million in grants for New York State's DNA labs." Long Island Business News, December 10, 2004.
The federal government has approved \$3.3 million in grants for New York State's DNA laboratories, including about \$200,000 for Long Island. About \$156,000 will go to the Suffolk County Crime Laboratory, and \$55,000 will go to the Nassau Department of Forensics Genetics DNA Laboratory. More than half of the money, about \$1.8 million, will go to the New York City Office of the Medical Examiner's DNA lab.
39. "Thai forensics team to withdraw from south due to police non-cooperation." BBC Monitoring Asia Pacific – Political, December 9, 2004.
In Thailand, the deputy director of the Central Institute of Forensic Science had led a team of forensic experts to southern provinces to collect DNA profiles of people suspected of involvement in militant attacks in the region, and to train police and military personnel on proper ways of collecting DNA samples. However, the team was preparing to withdraw, saying local police were not interested in collecting DNA samples for testing and matching. Police were still used to collecting only material evidence at crime scenes.
40. "Sailor to face trial for rape of woman." Northern Territory News, December 9, 2004.
In Australia, a US serviceman was committed for trial over the rape of a woman in February. The police forensic biologist said in testing the accused's underpants she found a DNA profile consistent with the complainant. Swabs and smears taken from the woman the next day found no sperm or semen.
41. "Judge upholds suit to destroy DNA samples." The Advocate (Baton Rouge, LA), December 8, 2004.
In Louisiana, a federal judge has refused to throw out a lawsuit challenging whether the government can keep the DNA profiles of innocent men. In his ruling, U.S. District Judge Frank Polozola declined to dismiss a lawsuit filed last year demanding the return or destruction of DNA swabs collected during the hunt for a Baton Rouge serial

killer. The judge cited a July report in which U.S. Magistrate Stephen Riedlinger said the men will "suffer injury" if their genetic profiles remain stored in government databases and are used to solve other crimes. The decision means information gleaned from the swabs cannot be used by law enforcement until the case is decided. It also means claims that Louisiana's law permitting DNA collection is unconstitutional still stand.

42. "Analysis of crime samples on hold." The Baltimore Sun, December 8, 2004.
In Maryland, the processing of trace evidence from nearly 400 crimes has been put on hold at the state police crime lab while officials scramble to replace analysts who have departed, leaving the facility unable to pry clues from the hairs, fibers and gunshot residue found at crime scenes. The lab has in the past year lost all three of the analysts who handled trace evidence, a state police spokesman said yesterday. The third of those to leave resigned last month from the lab, which like others in the area struggles to compete against federal agencies for the services of forensic scientists.
43. "State must boost funds for Crime Lab." Hattiesburg American, December 8, 2004.
Editorial regarding Mississippi's crime lab: "Mississippi lawmakers like to brag that they're "tough on crime." If that's true, they can make a collective statement in the next few months by providing the state Crime Lab with the resources it desperately needs to process evidence in criminal cases... We can only hope that lawmakers are listening, and that their "tough on crime" rhetoric - which fills the airwaves at election time - translates into additional resources for one of Mississippi's most important agencies."
44. "News In Brief." Business Law Review, November 30, 2004.
Authorities in Russia are working on DNA database legislation. The bill provides for voluntary and compulsory registration of DNA samples, he said. The registration will be compulsory for servicemen, law enforcement officers, crews of aircrafts and ships and members of all professions where activities are risky. These samples will only be tested on an as-needed basis and will not be databased. DNA samples are also to be taken from foreigners arriving in Russia for permanent residence and refugees. DNA samples will also be taken of people guilty of especially grave crimes while all other citizens may provide DNA samples voluntarily. The data on persons who have provided DNA samples will be stored in bases until these people are 100 years old or until they are dead.

Paternity

45. "Child Was A Phantom." Albuquerque Journal, December 12, 2004.
In New Mexico, a judge has ruled that a child – for which a man has already paid \$20,000 in support – does not exist. In what was apparently an elaborate ruse, the alleged mother orchestrated fake DNA evidence and forged a Social Security number and birth and baptismal certificates. In June 2000, a second DNA paternity test was ordered, but, this time, the woman was told to have it done by a private doctor, not Mobile Blood Services. Again, the woman did not obey the court order and instead went back to Mobile Blood Services to have the test done. Tests were apparently conducted by a friend of the woman's who also falsified the reports. Because of the DNA matches, the Child Enforcement Division garnisheed the man's paycheck, forcing him to pay child support.