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The January 28, 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

LAW ENFORCEMENT: A Nebraska bill would limit circumstances under which police may collect DNA samples. Investigations and prosecutions aided by DNA evidence include:

- Maryland -- Database hit leads to a conviction in 2 murders
- New York – Database hit identifies suspect in 1987 murder; blood on a broken window identified a suspect in a church burglary
- North Carolina – Database hit on a rape suspect in custody linked a Florida murder
- Ohio – Database hits lead to 2 serial rapists convicted on a total of 11 counts of rape.
- Pennsylvania -- Database hit identifies suspect in 1989 murder
- Texas -- DNA in a getaway car solved a bank robbery
- Virginia – Database hit on a rape linked to a forgery offender results in conviction; Database hit identifies suspect in 2002 murder

POLICY AND FUNDING ISSUES: All felons DNA database bills were introduced in Hawaii and Oklahoma. Bills to provide additional funds to labs in Alabama and Arkansas were introduced. Backlogs at crime labs in Delaware and Virginia made headlines. DC will be building its own crime lab.

COURT DECISIONS: A Michigan court has allowed DNA evidence obtained through Y STR testing. New Jersey may retain offender DNA profiles pending the appeal of a decision that such retention is not constitutional.

OTHER FORENSIC DNA ISSUES: Bills extending the statute of limitations for crimes for which there is DNA evidence were introduced in Nebraska and New York. An Ohio man was exonerated through post conviction DNA testing, and a man similarly exonerated in Florida is seeking compensation. Outside investigators will be examining Houston's crime lab and handling of recently recovered evidence that had been misplaced.

INTERNATIONAL NEWS: An Australian inmate is seeking post conviction DNA testing. A 1994 rape was solved in Scotland after a man's DNA sample was taken after he threw water on police. North Korea has questioned Japan's DNA analysis of remains. Kenya law enforcement would like access to more DNA testing. DNA tests in India have cleared a military officer of rape in Kashmir.

STATE LEGISLATION

Forensic DNA

1. Alabama HB 44 – Increases the fee assessed in bond forfeiture proceeding cases from \$2 to \$10. The proceeds from this fee are distributed to the Alabama DNA Database Fund.
2. Hawaii HB 64 -- Requires collection of DNA from all persons convicted of a felony, including minors adjudicated of a felony, and requires defendant to provide buccal swabs in addition to blood samples. Retroactive only to currently incarcerated and community sentences. Includes juveniles.
3. Hawaii HB 191 & HB 229 -- Requires collection of DNA from all persons convicted of a felony, including minors adjudicated of a felony, and requires defendant to provide buccal swabs in addition to blood samples. Retroactive only to currently incarcerated and community sentences. Does not include juveniles. Makes an appropriation.
4. Hawaii HB 470 -- Requires collection of DNA from all persons convicted of a felony, including minors adjudicated of a felony, and requires defendant to provide buccal swabs in addition to blood samples. Retroactive only to currently incarcerated and community sentences. Does not include juveniles.
5. Indiana SB 522 -- Expands DNA database to include residential entry and incest, plus attempts or conspiracy to commit any crime listed as a DNA database offense.
6. Mississippi 2999 -- Allows the commissioner of public safety to present monetary claims against counties and municipalities that have not paid for crime lab services. Provides that the crime lab director cannot be dismissed without cause.
7. Nebraska LB 713 – For felony cases in which DNA evidence is collected within three years of the crime, a suspect may be prosecuted within one year after a DNA identification is made, regardless of other statutory limitations for prosecutions.
8. Nebraska LB 755 -- prohibit the taking of a DNA sample by law enforcement without probable cause.
9. New Mexico HB 165 -- Requires DNA samples for all sex offender registrations. Establishes the sex offender DNA identification system
10. New York SB 938 – Extends the statute of limitations for prosecutions if DNA evidence was collected within 30 days of the crime.
11. Oklahoma SB 506 -- Expands DNA database to include all convicted felons, including community sentences. Retroactive only to currently incarcerated. Does not include juveniles.

Genetic Privacy

12. New York AB 720 -- Prohibits discrimination in life and disability insurance based upon genetic characteristics.
13. Washington SB 5452 – Prohibits requirement of genetic testing as a condition of life insurance.

Paternity

14. Connecticut HB 6152 -- Allows a court to order genetic testing to determine parentage of a child upon request of the child or any parent or alleged parent.
15. Indiana SB 576 -- Provides that a person may petition for a redetermination of paternity and a redetermination of child support if a genetic test excludes the person as the biological father of the child.

16. New York AB 1437 – Permits genetic paternity tests to be conducted posthumously.

NEWS ARTICLES

Forensic DNA

1. “Man convicted of rape with DNA databank match.” The Virginian-Pilot, January 27, 2005.
In Virginia, a man has been convicted raping a student from Ireland in 1999. He was identified as the perpetrator in the crime due to a cold hit on the DNA database. He is a nine-time convicted felon whose DNA was on the database due to a forgery conviction. In deciding his sentence, jurors were asked by defense attorneys to consider that although long and varied, the man’s criminal record does not contain crimes against persons. Jurors recommended an 18 year sentence.
2. “DNA test clears parolee of 1987 rape conviction.” The Plain Dealer, January 27, 2005.
In Ohio, post conviction DNA testing on evidence from a 1987 rape case has exonerated the convicted man who is now on parole. Access to the testing was granted due to a 2003 law that allowed inmates one year to request a DNA test if they felt it would prove their innocence. Inmates could apply for the test if they had not pleaded guilty at trial and if some DNA was still available to be tested. He may now seek compensation for the years he was wrongly imprisoned, but counting those years may be difficult as he was serving a concurrent sentence for an unrelated carjacking.
3. “Murder pardon being sought after DNA queries.” AAP Newsfeed, January 25, 2005.
In Australia, a man convicted of the murder of a British waitress on a remote Great Barrier Reef island more than 20 years ago could find out within weeks whether his petition for a pardon has been granted. The man was jailed for life in Queensland in February 2001 after DNA evidence linked him to the 1983 murder. However, a blood group specialist questions the validity of the DNA results and believes that test tubes may have been mislabeled at the crime lab. He basis this theory on his findings that the semen tested for DNA does not match the man’s blood type.
4. “Police: DNA links inmate to 1989 rape, slaying of teenager.” The Associated Press, January 25, 2005.
In Pennsylvania, a man already serving a life sentence for murder was linked through DNA evidence to the rape and murder of a teenager more than 15 years ago. The man is currently in prison for a 1992 murder. At the request of prosecutors, police ordered a review of evidence in the case last November, at which time evidence was submitted to the crime lab for testing.
5. “Arkansas House approves bill to salvage nursing home medications.” The Associated Press State & Local Wire, January 25, 2005.
The Arkansas Senate unanimously passed a bill that would require plaintiffs to pay an extra \$25 to file civil lawsuits in circuit court to boost funding for the beleaguered state Crime Lab. The bill would raise the fee from \$100 to \$125 and direct proceeds from the increase to the Crime Lab, which has seen its caseload steadily increase, from fewer than 17,000 in 1994 to more than 27,000 last year. Officials say the lab's backlog has built up much more in just the last two years, increasing to four times what it was in 2002.
6. “Rapist To Serve 18 Years In Plea Deal.” Columbus Dispatch, January 25, 2005.
In Ohio, a man has pleaded guilty to six felony counts -- four of rape and one each of aggravated burglary and aggravated robbery -- and was sent to prison as a sexual predator for 18 years. An additional 21 counts of rape, robbery, burglary and kidnapping were dismissed by prosecutors as part of the plea bargain. The man had been accused of raping five women since 1997. Four attacks on three women were linked through DNA evidence, but two other victims could not be found. Because of a lack of state funding, his DNA sample had remained unprocessed for more than two years.
7. “Robbery suspect's tip led to charges against brothers.” The Dallas Morning News, January 25, 2005.
In Texas, the man first charged in a November takeover-style bank robbery and the violent getaway that included three carjackings told the FBI that two area men were his accomplices. The man was linked to the robbery from DNA found on bodily fluid recovered from an airbag in one of the carjacked vehicles.
8. “Rape suspect pleads guilty.” Dayton Daily News, January 25, 2005.

In Ohio, a man has pleaded guilty to seven counts of rape. Each count represented a different woman linked to him by DNA evidence taken during a four-year period that ended in 1996. The man previously told investigators he had committed "about 25" sexual assaults over that period. Investigators did not know the cases were linked until after the Miami Valley Regional Crime Lab linked five rapes to the same, unknown offender.

9. "DNA Test Leads To City Rape Arrest 10 Years On." Evening News (Edinburgh), January 25, 2005.
In Scotland, a man who was given a DNA test after allegedly throwing a cup of water over a police officer has been charged with raping an Edinburgh woman ten years ago. Following the incident officers routinely took a DNA swab which matched up with a sample gathered during the investigation into the rape of a woman in 1994. "This is another excellent example of how useful science and DNA sampling and comparison have become in solving serious crime," said a police spokesman. "It truly allows us to never give up on the hope of tracking down culprits for historic crimes."
10. "Rangers To Review Crime Lab." The Houston Chronicle, January 25, 2005.
The Houston Police Chief agreed to let outside investigators examine the department's crime lab and property room. He made the decision after state lawmakers, with the support of the Lt. Gov., strongly urged Houston officials to immediately open to external scrutiny the Houston Police Department's efforts to catalog thousands of pieces of misplaced evidence. Lawmakers said doing so would restore confidence in the lab. Among the ideas the Lt. Gov. asked legislators to explore are centralized state crime lab or several regional crime labs. "I guess my instincts are that we eliminate controversy if we have one gold standard and it's done on more of a centralized basis," said the Lt. Gov. In his statement, the Houston Police Chief said he agrees that regional crime labs should be created.
11. "DNA Bags Church-Rob Suspect." The New York Post, January 25, 2005.
In New York, a Long Island man has been charged with burglarizing a church after a DNA test linked him to the crime through blood he left at the scene. His blood was found near a broken window.
12. "Voodoo doll found at boss' home leads to police investigation and lawsuit." The Associated Press State & Local Wire, January 24, 2005.
In Louisiana, three workers claim in a lawsuit that they were illegally interrogated and forced to submit to DNA tests after their boss accused them of being connected to a voodoo doll found at his home. The men are seeking monetary damages and the return of their DNA, which they claim is being stored in government databases. The Iberia Parish Sheriff, who was named in the suit, denies that the DNA is being preserved. The Sheriff said the employees were questioned after consultation with Cargill management and labor union representatives. He said the workers voluntarily agreed to answer questions and submit to DNA tests. The employees' DNA was compared to evidence found at the home, but the samples were not preserved.
13. "North Korean memorandum on Japanese DNA tests of disputed remains." BBC Monitoring Asia Pacific – Political, January 24, 2005.
North Korea has issued a memorandum condemning Japan's "fabrication" of DNA test results on remains Pyongyang asserts are those of abductee Megumi Yokota. In the document, issued by the Korean Central News Agency on 24 January, the procedures used by the Japanese were questioned along with the scientific legitimacy of the results.
14. "New Phuket forensics centre wants to re-check tsunami victims." Agence France Presse, January 23, 2005.
Many tsunami victims in Thailand need to be identified again to conform with standards of the international police liaison body Interpol, international forensics experts said. Swedish detective Sergeant Urban Johansson, forensics teams coordinator at a new disaster victim identification site on Phuket island, said he would like to see the entire process begun from scratch at the new centre. "I would like to see all the bodies come here, but we are guests in the country and I respect the way the Thais see it," he said, citing a lack of uniformity among various testing techniques used by different teams.
15. "Delaware officials working to reduce DNA processing backlog." The Associated Press State & Local Wire, January 23, 2005.
The Delaware state crime lab has a significant backlog of unanalyzed DNA cases. In one case, a sample from a rape case, which could have solved the crime, took one year to be analyzed. In the interim, the elderly victim died. The state has had to prioritize cases that are headed to trial, which means other cases must wait. The state's chief medical examiner, said his office has taken steps to address the backlogs, which he attributes to past hiring freezes.

Federal funds have not been sought to outsource the backlogged cases because new hires are being trained using the cases.

16. "Grand jury lifting veil on unsolved mob hits." Chicago Tribune, January 23, 2005.
Working on tips, federal investigators have fanned out across the Chicago area, swabbing more than 30 known mafia associates for DNA samples to try to link them to some of the area's most notorious gangland slayings. A federal grand jury is investigating at least 16 unsolved killings, making it one of the biggest law-enforcement strikes against organized crime in Chicago history. Sources close to the investigation--dubbed Operation Family Secrets--and attorneys for some of the alleged mob members say they expect the grand jury to hand up indictments as early as next month. Convictions on this scale would be unprecedented. The Chicago Crime Commission counts 1,111 Chicago-area gangland slayings since 1919, but only 14 have ended in murder convictions and three cases were cleared when the suspected killers were murdered before being arrested, according to the commission.
17. "TV raises DNA expectations." The Commercial Appeal, January 23, 2005.
Reports that "jurors' near-obsession with DNA is rocking the justice system. Partly because of DNA's growing importance, police submit anything that could possibly be evidence, and labs around the country are clogging with DNA material. Testing DNA takes months, leaving police to hurry up and wait. And the delays mean this: Suspects who should be free sit in jail, and some who should be in jail are free."
18. "DNA tests stall murder inquiry." The Daily News Leader, January 23, 2005.
DNA backlogs in Virginia have delayed a murder inquiry. Approximately 2,000 cases in Virginia are awaiting DNA analysis. The load's not getting any lighter, either, with an estimated 150 new DNA cases arriving at state labs every month. Paul Ferrara, who directs the Division of Forensic Science at Virginia's Department of Criminal Justice Services, said the problem stems from a huge increase in case demands. "Our DNA backlog has increased 111 percent in just the past three years," Ferrara said. "Staff has not increased at the same rate." Without priority tagging, DNA evidence sits in the lab for an average of six months. Forensic scientists will be working mandatory overtime for the next four months to try and decrease the backlog.
19. "Scientist on Roundabout Journey to Crime Lab ." The Washington Post, January 23, 2005.
Washington, DC has hired Kevin Miller to help coordinate efforts to construct the police department's first crime laboratory. Mr. Miller received his bachelor's degree in physiology from Cornell University and his master's degree in veterinary pathophysiology from the Virginia-Maryland Regional College of Veterinary Medicine. He got his doctorate in molecular anthropology from the University of Cambridge in England. He worked for a Louisiana crime laboratory and was a researcher in the FBI's counter-terrorism forensics unit. Most of DC's forensic work is done by the FBI. The department and top city leaders hope to fix that in coming years with the construction of an \$80 million lab. Last fall, police took their first steps toward that goal by hiring Miller and nine DNA technicians and examiners.
20. "Kenya; Police Take the Heat Over Murders ." Africa News, January 22, 2005.
Kenya has been unable to secure many convictions to off-set it's rising crime rate. A law enforcement official said murder investigations have been greatly hampered because his department does not have a forensic laboratory and they rely on the Government Chemist for DNA analysis. "We have no control over the Government Chemist and we have to go through the Ministry of Health. We collect samples from the scene and they take weeks or months to be analysed," he said. He went on: "Only a few samples go through the DNA tests. We have to order chemicals from Britain and they are very expensive. DNA tests are crucial in resolving murders but we achieve little results when we can't use forensic science to link suspects to a crime." The deputy director of CID in charge of forensic, said DNA analysis equipment is estimated to cost Sh50 million. "It is a worthwhile investment because it would be used for analysing samples collected from the scene and give immediate leads and the directions investigations are to take," he said. He went on: "You can't expect us to solve many crimes without DNA tests."
21. "Too Effective To Scrap." Columbus Dispatch, January 22, 2005.
Editorial in Ohio newspaper supporting increased use of DNA testing. Excerpt reads: "DNA-matching technology has raised concern among some who fear that mass collection of samples by the government could lead to their misuse. This issue merits discussion but cannot detract from the value of DNA matching. In fact, the technology deserves increased support... Strict rules governing the use of DNA samples should prevent the state from overreaching. The value of continuing to pursue matches is beyond question."
22. "Ohioan linked to 1988 murder ." The Miami Herald, January 22, 2005.

An Ohio man accused of killing a Florida truck driver 16 years ago was extradited to Broward County to face charges of premeditated murder. The victim had gone missing in 1988 and his whereabouts remained unknown until 2003 when detectives who had reopened the case came across the Florida Unidentified Decedents Database. The database catalogs a statewide listing of unidentified remains. They spotted information about a body found in August 1989 -- 14 months after the man went missing. They matched the DNA from the remains to that of the victim's mother. With concrete evidence, detectives were able to move forward with the investigation.

23. "Murder, Kidnapping, Rape Counts Levied." Palm Beach Post, January 22, 2005.
A handyman accused of rape in two states is the predator who kidnapped and murdered a young Peruvian nanny last year. DNA testing from a North Carolina rape in October 2004, for which the man was a suspect, was linked through the DNA database to a January 2004 murder in Florida. The man is also the suspected rapist in a November 2003 sexual battery on a child case. In 2001 he was arrested in Florida on misdemeanor offenses and extradited to New Jersey on drug charges. He served about 20 months in a New Jersey prison on charges of possession of cocaine and heroin, and distributing drugs on school property.
24. "Man charged in 1984 murder of NYC woman." The Associated Press, January 21, 2005.
In Pennsylvania, a 76-year-old man faces murder charges in the death of a woman whose body was found in 1984 but not identified until 2003. After the body was identified, the victim's mother and her friends told authorities she last was seen with the suspect. Police found him living in Wisconsin. He allowed investigators to collect a DNA sample, and a laboratory matched the DNA to hair found with the body.
25. "Man freed from prison to ask state for \$4.9 million." The Associated Press State & Local Wire, January 21, 2005.
In Florida, a man freed after serving 22 years behind bars for a rape he did not commit plans to ask the state Legislature for about \$4.9 million in compensation. Since there is no provision to compensate those wrongly convicted, a special claims bill has to be passed.
26. "Jailed For Sexually Assaulting Child-Like Woman." Edmunton Sun, January 21, 2005.
In Canada, a 41-year-old man was sentenced to more than two years in prison after pleading guilty to sexually assaulting a woman who has the mind of a child. The plea came on Dec. 23 after city police used DNA evidence from a bite mark on the then-28-year-old woman to help identify him. The woman functions at the mental level of a seven-year-old. Officers later got a warrant to compare the man's DNA with DNA from the victim's bite mark.
27. "Files found for 7 death row inmates." The Houston Chronicle, January 21, 2005.
The cataloging of misplaced evidence in thousands of Houston Police Department cases is about 74 percent complete. The previously lost evidence was in 280 mislabeled boxes found in the HPD property room in August. They sat unopened for a year, even as an effort by the Harris County District Attorney's Office to retest DNA from 379 cases - tested by the HPD's discredited and now-closed DNA lab - stalled because of missing evidence in 20 cases. The 280 boxes also contain evidence from 28 capital murder cases, including seven in which the defendants are awaiting execution.
28. "DNA find reignites cold case of woman found dead in '87." The Times Union (Albany, NY), January 21, 2005.
In New York, the DNA database helped to identify a suspect in a 1987 murder. The man has been in prison since 1990, when he was sentenced to 8 1/3 to 25 years for raping a 16-year-old girl. State Police efforts to find a suspect came up empty. But a 1996 state law requiring convicted rapists to submit DNA samples provided investigators with a solid lead when the man's DNA allegedly matched evidence in the case.
29. "Indian army says DNA tests clear Kashmir soldier of rape charges." Agence France Presse, January 20, 2005.
In India, DNA tests have cleared an army major in revolt-hit Kashmir of charges he raped a mother and daughter. The rape accusations against the major sparked widespread demonstrations last November in Indian Kashmir where a bloody insurrection against Indian rule has raged since 1989. The mother and her 12-year-old daughter in north Kashmir alleged to police they were raped by the major in early November when soldiers conducted a search of their house in quest of rebels.
30. "City/County Digest." The Baltimore Sun, January 20, 2005.
In Maryland, a Baltimore man was convicted of second-degree murder after a DNA match sparked a cold-case investigation into the death of two women. The man submitted an oral swab of DNA to prison officials after being arrested in 2003 for violating his parole in a 1989 second-degree murder and child abuse conviction. That sample

matched DNA found on the bodies of two women who were sexually assaulted and killed in 2001.

31. "OK Rep. Fred Morgan proposes collecting DNA of convicted felons." Journal Record Legislative Report, January 20, 2005.
Oklahoma State Rep. Fred Morgan has filed legislation that would require anyone convicted of a felony in Oklahoma to submit a DNA sample for inclusion in the state's database of offenders. Morgan said House Bill 1219 could potentially quadruple the samples stored in the state's database, subsequently increasing the odds of identifying criminals. Morgan said if his bill becomes law, some of the expense of increased testing could be covered by the recently approved federal DNA Initiative, which pledges \$1 billion in funding over five years to expand and improve use of DNA technology.
32. "Two bills fine-tune DNA use." Omaha World-Herald, January 20, 2005.
In Nebraska a bill has been introduced under which rape victims could report sexual assaults anonymously and still have the DNA evidence from their medical examinations collected and preserved. There is also a bill that would limit when law enforcement can demand DNA samples -- as well as requiring that those samples be returned if potential suspects are ruled out.
33. "Police Arrest Man After DNA Match." Richmond Times Dispatch, January 20, 2005.
In Virginia, police arrested a man after his DNA matched evidence left at a homicide scene three years ago. The man was convicted last June in the 2001 murder of a Virginia Beach hotel clerk and given a life sentence. His DNA was entered into the Virginia database, where the state Division of Forensic Science matched it to evidence found in the victim's apartment.
34. "Prosecutors may use new DNA evidence in Ann Arbor-area murder case." The Associated Press State & Local Wire, January 19, 2005.
In Michigan, a judge has ruled that prosecutors may submit DNA evidence obtained through Y STR testing. The Michigan State Police crime laboratory found a mixture of DNA in the victim's fingernail clippings. They say it included the victim's DNA and that of a male, which later testing determined to be a match to the suspect. Traditional DNA testing often does not yield results when a mixture of DNA is found with higher levels of female DNA, but the new Y STR process can isolate the male DNA and test only that. "It's not as unique of an identifier as the other methods can be," said Charity Anne Holland, a forensic technical leader for DNA identification firm The Bode Technology Group who testified about the process. The assistant public defender argued against allowing the DNA evidence, saying the statistical reliability is lower with the new method.
35. "Judge allows state to retain DNA samples pending appeal." The Associated Press State & Local Wire, January 24, 2005.
In New Jersey, a judge said that the state can retain DNA samples taken from criminals pending an appeal of a court ruling last month, which said that those who complete prison sentences have a right to demand that the samples be destroyed. Superior Court Judge Jack Sabatino stayed the December ruling pending the appeal filed by state Attorney General Peter C. Harvey.
36. "A faulty fishing expedition." USA Today, January 19, 2005.
Editorial: "Our view: Asking non-suspects for their DNA raises privacy, coercion concerns." Arguments sites concerns of implied coercion, questionable effectiveness, retained samples, and lab errors. "Before sampling is expanded, that backlog needs to be addressed. So do safeguards that ensure that only identity profiles are kept in databases and samples are destroyed. That's needed so the information they contain cannot threaten the privacy of the innocent."
37. "Sweep can solve crime." USA Today, January 19, 2005.
Editorial: "Opposing view: Request for DNA is voluntary and limited to small area." "Prosecutors and police perform the balancing test every day between individual rights and the right of citizens to be free of crime in their homes and neighborhoods, and they are watched over closely by our courts. For all in law enforcement, this balancing of rights is not an academic exercise, but a real test, where the consequence of being wrong is that a killer may go free or, even worse, an innocent man may be convicted."
38. "DNA Neglect Like Crime In Progress." Winnipeg Sun, January 19, 2005.
Editorial: "Our government has a duty to provide citizens with real security and the science of DNA provides officials with a means to offer exactly that. It can preclude people from becoming future victims by tracking down

those who should be in jail. Our national leaders need to act by putting some teeth into the DNA legislation instead of worrying about a possible court challenge from some low-life rapist. And the program needs to be funded and staffed properly. . . . Canada's criminal code defines as criminally negligent "everyone ... who in doing anything or in omitting to do anything that it is his duty to do shows wanton or reckless disregard for the lives and safety of other persons." If the government fails to seize the opportunity to radically improve this legislation and truly make Canada a safer place they are indeed negligent. Almost criminal."

Paternity

39. "Legislature 2005: Bill seeks to fill in paternity blanks." The Atlanta Journal-Constitution, January 26, 2005.
In Georgia, a state representative introduced the Baby's Right to Know Act, which would require hospitals to ask who a newborn's father is. The bill would allow the hospital to put a man's name on the certificate and file it with a notation that the paternity is "unconfirmed." The county Health Department would then be called upon to try to find the man and give him the opportunity to accept paternity or challenge it through DNA testing.
40. "Paternity Suit Against TV Star Scandalizes Egyptians." The New York Times, January 26, 2005.
In Egypt, a celebrity paternity suit scandal may set an Egyptian legal precedent by requesting that the court order the alleged father to submit to a DNA test to establish whether he is the father of the child. DNA testing is relatively novel here, never before used to prove paternity in court.
41. "DNA may help name fathers ." St. Petersburg Times, January 25, 2005.
Florida's Governor has called for the state to offer DNA testing for suspected fathers who are willing to be tested. Bush wants to use DNA to help establish the paternity of newborns where that is in doubt, as well as for 800,000 children who don't have a legally recognized father. A federal grant would pay for most of the DNA testing, with the state picking up 10 percent of the tab. Using that same federal grant, certain hospitals and birthing centers also would get an incentive - like a rebate - for every birth certificate signed by an unwed father. Once paternity is established, child support payments could be ordered by the state Department of Revenue instead of through family court. The proposal still needs legislative approval.
42. "News In Brief." New York Law Journal, January 19, 2005.
In a New York case involving a man seeking to prove that he was the son of his mother's deceased ex-husband, a surrogate court used DNA from the decedent's toothbrush to establish paternity. A funeral home provided a hair sample for DNA testing, but the hair lacked the follicles needed for nuclear DNA testing. To prove the toothbrush was the deceased, the son submitted analysis of the hair sample. Though it lacked nuclear DNA, the hair contained mitochondrial DNA, which could be matched to the toothbrush. "The results confirmed that the toothbrush and hair sample were a match in that they possessed a rare, identical mitochondrial DNA sequence."