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The March 18, 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: Investigations and prosecutions aided by DNA evidence include:

- California – DNA database identifies a 1995 rape (prior burglary conviction).
- Florida – DNA database solves a robbery (DNA from a cap) and a burglary (prior burglary conviction). DNA links a suspect to a rape case.
- Illinois – DNA from a cigarette butt identified a suspect in a double homicide. Elimination DNA samples are being collected in a triple homicide investigation. Delayed DNA testing may have resulted in a preventable murder.
- Indiana – DNA tests on spit in a police officers soda identified the culprit.
- Iowa – A DNA database solves a stolen car case (DNA from blood on cigarette pack).
- Kansas – DNA database identifies a murderer. DNA from a suspect's daughter confirmed the identity of the BTK serial killer. 1,300 elimination DNA samples were collected for the BTK investigation.
- Louisiana – DNA from fingernail scrapings identified a murder suspect.
- Massachusetts – DNA database solves a 1994 rape.
- Missouri – Delayed DNA testing confirms a 3 rape allegations.
- New Jersey – Elimination DNA samples collected from 50 potential murder suspects.
- Ohio – DNA database links a 9th victim to a serial rapist, and identifies a suspect in 2 rapes.
- Wisconsin – DNA from a ski mask identifies an armed robber.
- England – DNA from a mug identified a robber, and from a glove identified a burglar.
- Canada – DNA from cigarettes found floating in toilet bowl identified a murderer.
- US scientists find strong results in creating full DNA profiles from saliva left on half-eaten food.

POLICY AND FUNDING ISSUES: DNA database expansion bills were introduced in Idaho and New York, and similar bills in Hawaii, Indiana and Oklahoma are nearing enactment. DNA backlogs and related funding issues made headlines in Iowa, Louisiana, Mississippi, Oklahoma, Tennessee, Utah, and Virginia

COURT DECISIONS: The 11th US Circuit Court of Appeals has upheld Georgia's DNA database laws. A California court has granted the defense access to a crime lab's documentation regarding the accuracy of its testing procedures.

OTHER FORENSIC DNA ISSUES: DNA evidence exonerated jailed rape suspects in West Virginia (2004 arrest), and New Jersey (2003 arrest). Post conviction DNA testing bills were introduced in Arkansas, New York, South Carolina, Texas and West Virginia, and a new law was signed in Washington. Post conviction DNA tests led to an exoneration in Louisiana and Canada, and are requested in Illinois and Missouri cases.

INTERNATIONAL NEWS: An Australian DNA lab faces an independent review after problems surfaced. DNA testing of remains is underway in Italy (Afghanistan plane crash), South Korea (Korean War), and the Philippines (murder victim). The EU is working towards greater sharing of forensic DNA data. Swiss legislation will further regulate the DNA database. An RCMP lab in Canada will be closing, and a new lab will be opening in India.

STATE LEGISLATION

Forensic DNA

1. Arkansas HB 2857 – Extends the statute of limitations for crimes involving DNA evidence, and addresses post conviction DNA testing issues.
2. California AB 1427 – Requires a physician and surgeon performing an abortion on a minor to retain sufficient tissue of the aborted fetus to permit DNA testing for the purpose of determining paternity and establishing the guilt or innocence of the accused.
3. Idaho SB 1197 – Expands DNA database to include an additional 50 felonies.
4. Michigan HB 4413 – Extends the deadline for filing a petition for post conviction DNA testing.
5. Minnesota HB 1423 & SB 1323 – Makes permanent the existing statute to require DNA from all convicted felons (current statute has a sunset provision).
6. Missouri HB 684 – Clarifies agencies responsible for collecting DNA from convicted felons.
7. Missouri SB 397 – Creates a Laboratory Oversight Committee to review state lab operations
8. New York AB 5235 & SB 2888 – Requires county medical examiners to send DNA samples to the state police of unidentified bodies.
9. New York AB 5470 -- SAVE-NY Violence Against Women Prevention Act of 2005". Provides that for post conviction DNA testing, defendants must prove the evidence was not available for testing if the person was convicted after 1996. Requires county medical examiners to send DNA samples to the state police of unidentified bodies. Allows for relative samples for missing persons searches. Expands DNA database to include all misdemeanor and felony convictions.
10. New York AB 5474 & SB 2959 – Expands offender DNA database to include all felony convictions and felony juvenile adjudications.
11. New York AB 5964 – Provides that for post conviction DNA testing, defendants must prove the evidence was not available for testing if the person was convicted after 1996. Requires county medical examiners to send DNA samples to the state police of unidentified bodies. Allows for relative samples for missing persons searches. Expands DNA database to include all and felony convictions and felony juvenile adjudications.
12. New York AB 5967 -- Provides that for post conviction DNA testing, defendants must prove the evidence was not available for testing if the person was convicted after 1996. Requires county medical examiners to send DNA samples to the state police of unidentified bodies. Allows for relative samples for missing persons searches. Expands DNA database to include all misdemeanor and felony convictions.
13. New York SB 2852 – Requires that in any prosecution where the court determines that there is relevant admissible evidence containing DNA, such evidence shall be admitted.
14. North Carolina SB 468 -- Authorizes the court to assess a fee for the costs of the services of a municipal crime laboratory.
15. North Carolina SB 559 – Permits expunction of record for certain non-violent crimes. Allows that the DNA sample may also be expunged in such cases.
16. South Carolina HB 3657 – Creates a state “Innocence Protection Act” to provide for post conviction DNA testing.
17. Texas HB 1788 – Establishes regional DNA laboratories. Allows the laboratories to charge fees for services.

18. Texas SB 680 – Allows that a convicting court may order forensic post conviction DNA testing if the court finds that the testing would be in the best interest of justice.
19. Texas SB 1263 – Creates a Texas Forensic Science Commission. Would require all laboratories that conduct forensic analysis to be accredited by the commission.
20. West Virginia HB 2596 – Provides for post conviction DNA testing of biological material in death penalty cases, under certain circumstances.

Paternity

21. Florida SB 1456 – A man who is required to pay child support as the father of a child may file a motion to set aside a determination of paternity at any time, if the motion is accompanied by genetic tests
22. Texas SB 1178 – Requires any notification sent to a man regarding paternity allegations be accompanied by a statement explaining the man’s right to a genetic paternity test..

NEWS ARTICLES

Forensic DNA

1. “Officials revise number of DNA samples collected for BTK probe.” The Wichita Eagle, March 16, 2005.
In Kansas, officials have clarified that DNA swabs were collected from only about 1,300 people in the BTK serial murder investigation, as opposed to the 4,000 figure cited in earlier press conferences. The 4,000 figure actually referred to the number of tips that were cleared by the 1,300 samples. In many cases, Wichita police asked a person for a sample after receiving multiple tips about him. The samples will be held by the crime samples that processed them. Although some have questioned plans to hold onto the evidence from people who have been cleared, prosecutors noted that state law requires evidence in criminal cases to be kept as long as the case remains open. If and when the BTK investigation is closed, it will be up to a judge to decide what to do with the samples.
2. “European interior ministers agree to exchange information on terror suspects.” Associated Press Worldstream, March 15, 2005.
Interior ministers from five major European powers agreed on ways to speed the exchange of information on terror suspects, monitor the Internet’s use by terrorists and criminals and tip each other off when weapons or explosives are stolen. At the sixth meeting of the informal group set up in 2003, ministers from Britain, France, Germany, Italy and Spain also agreed to increase cooperation on the exchange of data on fingerprints, DNA, criminal records, missing people, unidentified bodies and stolen vehicles.
3. “DNA test clears kidnap-rape suspect.” The Associated Press Worldstream, March 15, 2005
In West Virginia, DNA testing has cleared a man accused of abducting and raping a woman in 2003. Charges of first-degree sexual assault, unlawful assault and abduction were dismissed in the case in late February after results of a DNA analysis excluded him as a suspect. He was 20 when he was arrested in April 2004. He had faced up to about 45 years in prison.
4. “Ministers Forge Closer Police Ties.” Press Association, March 15, 2005.
A panel of experts is to be set up to decide how European Union states should share DNA evidence, as well as information on other subjects including stolen cars, missing persons and identity fraud. England’s Home Office said: "When you have information on people suspected of being involved in terrorism then we would share that information. A group of senior civil servants will come up with proposals to regulate the sharing of information on all these things. They will devise a practical way to regulate on a case-by-case basis. He added: "It's pointless if people are clearly involved in activities which pose a threat that are known about in one country but not in the next." He said DNA details were already sometimes shared across borders but today's agreement was likely to lead EU states to "work far harder on it".
5. “Perry creates criminal justice council.” The Associated Press State & Local Wire, March 14, 2005.

Citing problems at Texas crime labs and recent U.S. Supreme Court decisions, the Texas Governor announced a new criminal justice advisory council that will give advice on the adequacy of criminal proceedings. Several problems have been identified at crime labs throughout the state. The Texas Rangers had been called into investigate the Houston Police Department's troubled crime lab and how 280 boxes of evidence had been mislabeled and improperly stored.

6. "Bill affects all convicted felons." The Associated Press State & Local Wire, March 14, 2005.
In Oklahoma, a bill expanding the state's DNA database will be a major help to authorities in cold case crimes, a state senator said. The Senate unanimously approved a bill by Sen. Jonathan Nichols, that would expand the state's DNA data base to include all convicted felons.
7. "Burglar Tracked Down By DNA On Mug." Coventry Evening Telegraph, March 14, 2005.
In England, a man who left his DNA at the scene of a distraction burglary after sipping water from a mug has avoided a jail sentence. The man and an accomplice tricked an 81-year-old pensioner into letting them into her home. The pair told the elderly woman they were fitting a carpet in the flat upstairs and needed to make sure they had not damaged water pipes. While one man, who has never been caught, rifled through her flat and stole her handbag, the other man asked for some water. His DNA was later collected from the mug.
8. "Closure sought from DNA ." The Kansas City Star, March 14, 2005.
In Missouri, a Kansas City woman hopes that a recently passed law and DNA testing will yield answers in the murder case of her mother, who was killed in 1985. This case is among 850 unsolved homicides in Kansas City. State authorities are stepping up efforts to collect DNA samples from felons to compare against evidence from unsolved crimes. The move is part of a Missouri law that went into effect in August that requires testing of all felons and misdemeanor sex offenders. Felons pay \$30 for the testing. Misdemeanor offenders pay \$15. Previously, the state tested only violent criminals and rapists. Missouri Highway Patrol officials in Jefferson City have distributed 25,000 DNA test kits and trained more than 1,000 Missouri Department of Corrections employees to collect swabs from offenders' cheeks.
9. "DNA Test to Trace Soldiers Killed." Korea Times, March 14, 2005.
In South Korea, the government will conduct DNA tests on the unidentified remains of those killed during the 1950-53 Korean War to return them to the bereaved families, the Defense Ministry said. The ministry said it will begin collecting blood samples from families between April and August to identify the soldiers' remains that had not been returned to their families. Families applying to have DNA sampling should be members in a direct line, it said. Researchers will use mitochondrial DNA testing and Y-STR testing for paternity lines.
10. "Crime lab backlog exceeds 3,000." Chatanooga Times Free Press, March 13, 2005.
In Tennessee, it can take months for the state's primary crime lab to process evidence in some criminal cases, and local police opinion varies as to whether these processing backlogs have stalled any investigations. With 67 forensic scientists in three offices across the state, the Tennessee Bureau of Investigation's crime lab conducted 251,000 tests in 2004. A District Attorney said evidence-testing backlogs can cause them to delay court hearings. Also, arrests can be slowed if lab reports aren't ready in time for prosecutors to present cases to a grand jury. The cost, he said, isn't in dollars but in keeping criminals on the streets while attorneys await test results.
11. "DNA spurs arrest in decade-old rape case." The Boston Herald, March 12, 2005.
In Massachusetts, more than 10 years after a 16-year-old girl was abducted and raped, police arrested a convicted felon whose recently collected DNA matched evidence taken from the crime. "We were at a dead end in this case. If it wasn't for the DNA and that database, we wouldn't have caught this guy," said one detective. Police told the victim's family yesterday the crime had been solved. The victim's father was near tears at the news and immediately phoned his daughter.
12. "Police seek voters' help." The Daily Oklahoman, March 12, 2005.
In Oklahoma, insufficient space to handle crime evidence is a major reason Tulsa Police Department officials support a \$250 million general bond issue that voters will decide on April 5. The department's forensic laboratory of about 7,000 square feet is less than a fourth of the size it probably needs for accreditation required by state law. The Tulsa bond issue proposal includes \$1 million for the lab, \$1.5 million for a new property room and \$2.6 million to improve security, as well as to either renovate or expand the department's uniform divisions at three locations.

13. "With murders solved, questions linger over killer." Milwaukee Journal Sentinel, March 12, 2005.
Chicago Police have determined that DNA found on a cigarette butt in the sink of the federal judge whose husband and mother were murdered matches DNA from a man who left a suicide note. He wrote: "I regret killing husband and mother of Judge Lefkow as much as I regret that I have to die for the simple reason that they personally did me wrong."
14. "Peckish pilferers caught out by snack attack." New Scientist, March 12, 2005.
Researchers at National University in La Jolla, California, wanted to test the reliability of recovering DNA from foods – and discover which discarded items should be analyzed first. Complete DNA profiles were recovered from 43% of the samples collected half-eaten food purposely left by guests participating in a staged "dinner party." Another 33% of the samples yielded partial profiles. The remaining samples had too little DNA. A 1973 article in the *British Dental Journal* reported that, "Criminals appear to be unable to resist food, chocolate or fruit that they find on premises into which they enter illegally. They are also inclined to leave, at the site, the unconsumed portions." "The message is that police investigators should collect food at the scene and try it for DNA," said one of the researchers.
15. "When solving crime collides with human rights." Ottawa Citizen, March 12, 2005.
In Canada, Ottawa homicide detectives had a strong case in a murder investigation, but DNA evidence found on cigarette butts floating in the toilet bowl was the clincher. The victim had been dead for a few days before his body was discovered, and the butts had been in the toilet all that time but still held DNA. The DNA was vital in placing the suspect at the crime scene. In 2004, Ottawa found 68 DNA matches involving 129 crimes, including 115 break and enters, six robberies, five homicides, two sexual assaults and an assault. In that time, some 321 DNA samples were collected under a judge's order.
16. "DNA tests find ninth victim of serial rapist 2004 attack was on W. 56th in Cleveland." Plain Dealer (Cleveland, OH), March 12, 2005.
In Ohio, Cleveland police linked a ninth victim through DNA to a serial rapist who has been at work in the area since at least 1996. In the last two weeks, DNA tests identified this previously undetected serial rapist as well as the work of another rapist in Cleveland. Police have few clues to help them find the one linked to nine rapes. Police said that as DNA testing of evidence from past rapes continues, they suspect that more victims of the serial rapist will be found.
17. "Inquiry focuses on 6 to 8 suspects." The Record (Bergen County, NJ), March 12, 2005.
In New Jersey, investigators are focusing on a group of six to eight male co-workers in their narrowing search for the killer of a water-treatment-plant chemist. Detectives have interviewed all 85 employees at the plant and taken DNA samples and fingerprints from about 50 who were working when the chemist disappeared in early February. Three employees were asked to come to the Prosecutor's Office recently for follow-up questioning.
18. "Clinics fight plan seeking fetal tissue." The Kansas City Star, March 11, 2005.
In Kansas, a lawmaker wants abortion clinics to collect tissue samples of fetuses aborted by girls under the age of 16 for use in criminal investigations. The legislation marks the latest round in a fight with abortion providers that began when a judge subpoenaed 90 abortion records from two Kansas clinics. The state Attorney General said the files are needed to go after child predators and illegal late-term abortions. The proposal is called the Child Rape Protection Act. In 2003, approximately 78 girls under 16 received abortions in Kansas. Clinics say that they report all suspicions of child molestation and that no change in the law is necessary.
19. "S.F. judge grants crime lab info to PDs." The Recorder, March 11, 2005.
In California, a judge has ruled that criminal defense attorneys going up against DNA evidence can get information about the accuracy of San Francisco's DNA testing procedures. In a tentative ruling that applies to eight felony cases, the Superior Court Judge ordered the district attorney's office to produce "any and all documentation" from the San Francisco Police Department's crime lab related to lab machinery six months before and after each case. She also ordered access to logs at the lab that document "unexpected or unusual occurrences" or contaminated evidence. The judge will also allow defense attorneys to visit the SFPD Crime Lab and examine "internal validation studies" related to their cases and request copies of those studies. They can now request copies of files related to testing discrepancies and correction actions.
20. "Governor signs mental health parity into law." The Associated Press State & Local Wire, March 10, 2005.

In Washington State, the Governor signed a bill to extend a post conviction DNA testing law that expired at the end of last year. The law allows convicted felons to request DNA testing that could exonerate them, and requires law enforcement agencies to preserve DNA evidence for future testing.

21. "Debts owed to Crime Lab surprise police officials." Biloxi Sun Herald, March 10, 2005.
Debts owed the Mississippi Crime Lab came as a surprise to law enforcement officials, who said they were unaware of delinquent bills until the news surfaced after a legislative watchdog report. Crime Lab customers - law enforcement and related public safety agencies - owe \$593,836 for forensic services, according to a report released in February by the Performance Evaluation and Expenditure Review joint committee. The PEER report blasts the Crime Lab for failing to process evidence in a timely manner, poor organizational structure, poor information management and a lack of training guidelines. However, the report does not indicate most of the debt is from 10 to 12 years ago. The PEER report recommends the Crime Lab refuse services to agencies that owe for more than two months' service. The DPS Commissioner said he won't cut any service. The report also does not recommend additional funding.
22. "Doctors call for police to fund forensic testing centre." AAP Newsfeed, March 9, 2005.
In Queensland, Australia, doctors called for police, rather than the Queensland Health department, to fund the state's only forensic testing centre. The Australian Medical Association Queensland president said funding responsibility for the troubled John Tonge Centre DNA laboratory in Brisbane should be handed to the Justice Department because it was wasting valuable health dollars on crime investigation. The centre has been under the spotlight in recent weeks after a leaked internal report threw doubt on the accuracy of DNA evidence provided by the centre, which has been struggling with a heavy backlog of DNA samples for testing. The state government has ordered a review of operations at the centre, which will be conducted by an expert from New Zealand's Environmental Science and Research facility.
23. "DNA test delay baffles victim's daughter." Chicago Tribune, March 9, 2005.
In Illinois, the daughter of a homicide victim wants to know why officials did not conduct DNA tests earlier that could have taken the man charged with killing her as well as two other women off the streets sooner. "If that murder could have been prevented, why couldn't they figure a way to do it?" she said. "If they could have done it, that man could have been off the streets way before then. They could have dealt with it better than they did." Illinois State Police and their Chicago counterparts have continued to disagree over how a delay in the testing of forensic evidence in an earlier case, allegedly allowed the perpetrator to claim his third victim even after his DNA had been recovered months earlier. A state police evidence-submission form shows Chicago police requested testing of blood and DNA samples from the second victim in July 2004. But additional forms reviewed by the Tribune also show those swabs were not immediately sent by Chicago police to the crime lab for testing. They were not signed for by state police investigators, the documents show, until December--the month after the third body was found in the lot where the second had been recovered.
24. "DNA from cap leads to arrest in church robbery." The Miami Herald, March 9, 2005.
In Florida, DNA from a discarded cap has led to the identification of a man wanted for armed robbery of parishoners at a church in November. The cap, with eye holes cut out, was found wrapped inside a black T-shirt which was also holding a wallet belonging to one of the victims. The DNA profile was immediately matched to a felon on the database, who was located already sitting in the Broward County Jail. Fort Lauderdale police had arrested him on February 12 on a number of outstanding warrants, including possession of marijuana, driving without a valid license, driving under the influence and trespassing.
25. "DNA Testing Identifies Mother Of Baby Found In Sewer." New Zealand Press Association, March 9, 2005.
In New Zealand, the 15-year-old mother of a premature baby found dead in a sewer in January was "very upset," police said after identifying her from the baby's DNA.
26. "Forensic Lab Headed For N.Va. Industrial Park." Richmond Times Dispatch, March 9, 2005.
In Virginia state officials have approved money to buy land for a new forensic lab in Prince William County, and hope the new lab will ease a backlog of forensic cases statewide. In the recently completed General Assembly session, legislators appropriated \$2 million to buy 10 acres for a new Northern Virginia forensic lab while authorizing the governor to arrange for a private company to build it. In 1999, the average time to test evidence in all types of cases was 39 days. In September 2004, the average case took 95 days, with DNA cases stretching to eight months, according to a Virginia State Crime Commission report.

27. "Jailed for string of burglaries." Scunthorpe Evening Telegraph, March 9, 2005.
In England, a burglar has been jailed for a string of crimes committed during daylight hours after one of his gloves was recovered from a crime scene. The glove contained a DNA profile matching the man. The man has previous convictions for burglary and attempted robbery
28. "Evidence caught up with man, police say ." St. Louis Post-Dispatch, March 9, 2005.
In Missouri, five years after a 13-year-old girl accused a man from St. Louis County of raping her, DNA testing has proven her story. The victim told her guardians about the rape when they found her crying one morning in July 2000, police said. The girl told police that the man, a relative of her then-guardians, had crawled into bed with her and raped her. Detectives took her statement and a pair of underwear as evidence, and sent it to the lab for processing. Police arrested the man and released him pending charges, which prosecutors did not issue pending the lab results. Two years later, the victim, then about 15, called police again to report that the man had raped her and a friend. This time, police took a DNA swab from the man, and nearly a year later, the swab came back as a match to semen found in the girl's underwear from the first attack. Detectives said the backlog of DNA testing caused the delay. Police said they also had a difficult time locating the victim, who had run away.
29. "Forensic scientist describes DNA evidence in bar robbery trial." Wasau Daily Herald, March 9, 2005.
In Wisconsin, a forensic scientist has testified that DNA collected from a discarded ski mask used in an armed robbery belonged to the defendant. The crime lab analyst also testified that another mask contained DNA belonging to the suspect's brother. Shortly after the early-morning robbery, the suspect knocked on the door of an acquaintance and told the woman he needed to store his sister's car in her garage. The woman told police she agreed but became suspicious and checked the garage. She saw the car and smelled and saw smoke. Police searched the garage and found the ski masks and the remains of what appeared to be recently burned items, including a grocery store card belonging to one of the robbery victims
30. "Crime clues come with pricetag." Daily Advertiser, March 5, 2005.
In Louisiana, for the third year, the Acadiana Crime Lab is struggling to fill budget holes as it works to keep up with the onslaught of requests for DNA work and a growing number of cases in general. The lab, which does forensic lab work for law enforcement agencies in the eight-parish Acadiana region, has seen incoming cases climb from 6,024 in 2002 to a projected 6,781 this year. Since cold case work began, more than 50 suspects have been named in unsolved sexual assaults and murders, some dating back 20 years. One possibility is a new property or sales tax in the eight parish region served by the lab. The lab commission received legislative approval last year for a taxing district -- the first step in passing a tax -- but the crime lab commission voted not to push the issue at this time.
31. "Angola inmate cleared by DNA evidence." The Associated Press State & Local Wire, March 8, 2005.
In Louisiana, a man wrongfully convicted of rape nearly 24 years ago was due to be released from the Louisiana State Penitentiary at Angola after DNA evidence exonerated him. The man was sentenced to life without parole in 1981, when he was 16. He was convicted of the aggravated rape of a 22-year-old woman who had tutored him. The victim testified Williams had a crush on her and had been harassing her. But he maintained his innocence and after watching the O.J. Simpson trial, became interested in DNA evidence and how it might win him his freedom. In 1998, he turned to the Innocence Project, a group of lawyers who fight to have DNA from old crimes re-examined. He will become the eighth Louisiana prisoner freed because of DNA testing in the past two years.
32. "Hearing is set on DNA in '86 rape." Chicago Tribune, March 8, 2005.
In Illinois, a Lake County judge ordered an evidentiary hearing next month to determine whether untested DNA evidence has the potential to exonerate a convicted rapist serving a 60-year prison term. The hearing will consider testimony from an employee of a private DNA testing firm and an employee of the Northern Illinois Crime Laboratory, where the evidence was discovered last year. At his original trial, the man was identified by a woman as her attacker. She said he pulled her into a ravine and beat, bit and raped her. A dentist said he matched the man's teeth to a bite mark on the victim, and his jacket was found nearby. The man testified that he had spent the evening in a nearby tavern and had been robbed of his money and coat on his way home. A dry-cleaning receipt found in the pocket of the coat led police to the man.
33. "New DNA test key to execution or exoneration." The Kansas City Star, March 8, 2005.
In Missouri, a lawyer has fought to get a death-row inmate a DNA test that would prove him innocent or guilty for the past seven years. Time and again, courts ruled against him, but the man has recently received unexpected news that the Missouri Supreme Court, without explanation, had issued an order approving the test. The order, he said, is

the first time the state high court has spoken on whether inmates whose cases involved obsolete DNA testing can get modern and certain DNA testing. In 2003 a Missouri appeals court ruled that the man did not qualify for several reasons. It said: "We perceive no legislative intent to allow serial retesting of evidence due to a change in DNA technology." While the Supreme court chose not to take an appeal from that ruling, this new ruling in effect overturns the appeals court and indicates that the state law allowing inmate DNA tests might be more broadly interpreted.

34. "Remains Of Cult Head's Wife Exhumed." Philippine Daily Inquirer, March 8, 2005.
In the Philippines, a group of forensic experts exhumed the three-year-old cadaver of the wife of a cult leader who now stands accused of killing her. In addition to exams to determine cause of death, the forensic experts will also conduct DNA tests to verify identity.
35. "DNA expert links victim, suspect." Times-Picayune (New Orleans), March 8, 2005.
In Louisiana, skin cells found under a victim's fingernails the day he was shot to death in his home matched the DNA profile of the man standing trial this week in his murder. Just as important to the prosecutors' case is testimony that the suspect's skin cells found under the fingernails of the victim were higher in quantity than the victim's own DNA. "It's a pretty good, intentional scratch," said the expert. "It's not just a minor contact of shaking hands."
36. "Convict to stand trial in death of custodian." The Wichita Eagle, March 8, 2005.
In Kansas, a match on the DNA database led police to a suspect in a murder case. Police believe that on the day the suspect was released from jail, he went to the home of an acquaintance, took the acquaintance's wallet and stabbed him to death. A condom found in the victims' wallet a few blocks from his home contained DNA, and the profile matched the suspect. The suspect was found in a Texas jail and denied any sexual interaction with the victim.
37. "State DNA database struggles for funding." The Associated Press State & Local Wire, March 7, 2005.
In Iowa, a 2002 law required DNA samples from people convicted of all felonies, making Iowa one of 37 states with broader collection guidelines. However, the program has been unable to complete the expansion, in part because state matching funds were never approved. Initially, lawmakers expected the federal government to help cover a share of the costs, but the lab reports it could not pursue those federal dollars because staffing in the state program was too low. The expanded program would cost the state \$1 million for manpower and equipment in the first year, a little less in year two and \$600,000 to maintain annually in the following years. Lawmakers continue to indicate that funding for this program might not be a priority this year, once more.
38. "Chief surprised by lab closure." The Calgary Herald, March 7, 2005.
In Canada, Calgary's police chief says he was blindsided by the RCMP's decision to close the province's only crime lab, forcing police to send forensic evidence out of province. The RCMP announced just over a week ago it will close the Edmonton lab to consolidate services, thus saving about \$1.2 million per year. The coordinator of forensic studies at Mount Royal College said she is appalled at the decision to close the lab, which she said is overworked from processing DNA samples from provincial police. Samples she sends in as a sexual assault nurse are put on the back burner and only tested if the case is going to court -- which could mean serial sexual assaulters are slipping through the cracks.
39. "Lawyers Hope for Fair BTK Trial." Associated Press Online, March 6, 2005.
In the Kansas case of the BTK serial killer, one issue that's likely to come up at trial (if there is one) is the quality of the DNA from 30-year-old crime scenes. "The samples that were taken were collected before DNA evidence was being used," said one defense attorney. "You have to look at the possibility of degradation of samples, the possibility of cross contamination."
40. "Court upholds DNA profiling." The Atlanta Journal-Constitution, March 6, 2005.
The Georgia Department of Corrections can force incarcerated felons to submit saliva samples for DNA profiling, the 11th U.S. Circuit Court of Appeals ruled. In a unanimous decision, the three member panel said that collecting the samples does not violate constitutional guarantees against unreasonable search and seizure or an inmate's right to privacy under the U.S. or Georgia constitutions. The 11th Circuit said that the state may constitutionally intrude upon privacy if the practice is used to further a compelling state interest and is narrowly tailored to achieve that goal. In this practice, the court said, the state has limited the population of eligible inmates only to felons who are incarcerated and the DNA profile information only can be released to help criminal investigations. The decision also added, "Law enforcement constitutes a compelling state interest."

41. "DNA Fingerprinting Laboratory In Bangalore Soon." The Hindu, March 6, 2005.
In India, a DNA laboratory will be set up in Bangalore soon to investigate crimes better, the Director General of Police (Corps of Detectives, Telecommunication and Technical Modernisation) said. The center is to be functioning by the end of the year.
42. "State crime labs have brain drain ." Salt Lake Tribune, March 6, 2005.
In Utah, the state crime lab faces a continuing problem of personnel retention due to the lowest pay rates for forensic scientists in the country. In February, three people -- half of the state's DNA analysts -- took higher-paying jobs in other states and with private companies. Because the state has instituted a hiring freeze, their positions remain vacant. A U.S. Bureau of Justice Statistics report released in late February shows that at the end of 2002, forensic labs were backlogged 500,000 cases, a more than 70 percent increase compared to the beginning of the year. The report "Census of Publicly Funded Forensic Crime Laboratories" states that the country's crime labs would have had to hire about 1,900 additional full-time employees in 2002 at a price tag of \$ 70.2 million for a 30-day turnaround of evidence.
43. "DNA leads to arrest in car theft case." The Associated Press State & Local Wire, March 5, 2005.
In Iowa, blood left on a pack of cigarettes in a stolen car 18 months ago was matched to DNA of a man in North Carolina who was earlier convicted of a robbery. The match was made through a cold hit on the DNA database.
44. "Sperm clock calls time on rape." New Scientist, March 5, 2005.
The predictable death of sperm in condoms laced with spermicide could help police pinpoint the time of a rape, and possibly even corroborate the testimony of the victim or the defendant. An increasing number of rapists are using condoms, forensic medical examiners report. A 1999 study in Oakland, California, found that 13.5 per cent of assailants used one, probably to protect themselves from identification by DNA profiling. Those condoms are sometimes recovered if they are discarded at the crime scene, or at a suspect's home, and can be useful in a police investigation. Curious as to the effect of spermicide, researchers found the commonly used spermicide nonoxyl-9 did not affect sperm DNA, which could still be found in the condom. They also noticed that when sperm were incubated with nonoxyl-9 their numbers seemed to fall at a steady rate, thus possibly allowing the evidence to suggest a timeline for rape.
45. "Suspect held in 1995 rape." San Jose Mercury News, March 5, 2005.
In California, police they have arrested a suspected rapist, nearly 9 1/2 years after he allegedly stepped through an unlocked patio door and attacked a sleeping woman in her 60s. The man was arrested based on a DNA sample that was recovered from the woman's apartment in 1995. In September 1996, the man was sent to state prison on charges of burglary and false imprisonment. Following his release in September 2000, he was sent back to prison on charges of evading a police officer and drunken driving. He was paroled at the end of January but had been required to submit a DNA sample, which was matched to this rape.
46. "Computer Disk and DNA Led to BTK Suspect." Associated Press Online, March 4, 2005.
In the Kansas investigation of a serial killer called BTK, a suspect was arrested after DNA tests link the man to the crimes. After police identified the man as a suspect, they obtained a warrant for a tissue sample from the man's daughter. The daughter was unaware that her DNA was taken by police, who collected it from her medical records and without her knowledge in order to keep her father from discovering that he had become a suspect.
47. "Swiss To Create National Police Register To Centralize Data." BBC Monitoring International Reports, March 4, 2005.
The Swiss government has announced it wants to create a national police register to help speed up investigations throughout the country. Currently, police have to submit individual requests to each of the country's 26 cantonal police forces as well as the federal authorities when looking for criminal information. The central record is part of a draft law on police information systems. The legislation would regulate three federal databases that are not linked and whose use is currently defined by separate laws. One of the databases is the he Federal Police Office's Ipas system which manages all the exchanges with Interpol as well as identification data such fingerprints and DNA profiles.
48. "Several' interviewed in slayings." Bellville News Democrat, March 4, 2005.

In Illinois, police interviewing people in a triple homicide case have collected voluntary DNA samples. The crime lab will assist in determining how to use the samples or whether they could help locate the killer or killers.

49. "DNA test frees suspect in rape allegation." Courier News (Bridgewater, NJ), March 4, 2005.
In New Jersey, a man imprisoned since 2003 while awaiting trial for an alleged rape has been released after DNA testing partially cleared him of the crime - but the charges have not been dropped. The public defender's office said the evidence was not sent to a lab previously because testing is expensive and it had remained unclear whether the case would proceed to an actual trial. When tests were performed recently, authorities found DNA from two other men, but not from the suspect. The alleged victim and the man lived in the same rooming house two years ago. The woman said the suspect came into her room one day and sexually assaulted her at knifepoint.
50. "Forensic testing review ordered." Courier Mail (Queensland, Australia), March 4, 2005.
In Queensland, Australia, an independent review of the quality and management of crucial DNA work at the State Government's troubled forensic laboratories was ordered yesterday amid fears of a walkout by scientists. In an internal report leaked to the media, a forensic biologist said she feared that she and other scientists were breaking the law by falsely declaring that DNA evidence was accurate. Her report stated that a tool in the DNA measuring process had been proved to be inaccurate despite being used since last April.
51. "Justice quashes Driskell murder conviction after 12-year incarceration." National Post, March 4, 2005.
In Canada, James Driskell had his 1991 murder conviction quashed by a Justice Minister and, because the Manitoba government will not proceed with a new trial, he is a free man after spending 12 years in prison. Mr. Driskell found guilty of first-degree murder in a 1990 shooting death, has been out on bail since 2003, when new DNA evidence emerged and spurred a federal Justice Department review. Manitoba's Attorney General has ordered a judicial commission of inquiry into the miscarriage of justice. He said a judge from outside the province will be appointed within weeks to lead the inquiry, which will include looking into whether criminal offences might have been committed by police or prosecution officials.
52. "DNA From T-Shirt Leads Cops To Suspect." Palm Beach Post (Florida), March 4, 2005.
In Florida, a man who burglarized a convenience store left behind a T-shirt he wrapped around a bleeding wound he received during the course of the burglary. DNA evidence from the T-shirt was matched on the DNA database to the man who had a 1998 burglary conviction. He's been arrested 17 times since 1984 on charges that include vehicle theft, possession of stolen property, cocaine possession and aggravated battery on a police officer, state records show.
53. "DNA links patrolman's killer to unsolved rapes." Plain Dealer (Cleveland, OH), March 4, 2005.
In Ohio, DNA from a man sentenced to death for killing a state patrolman in 2000, strongly suggests a match to two unsolved 1994 rape cases. A match has been made on the DNA database, and a search warrant was recently served in order for detectives to secure another sample from the man for verification of the match.
54. "Man, 42, Convicted Of Rape, Burglary." Tampa Tribune, March 4, 2005.
In Florida, a man was convicted of breaking into the house of a woman who lived in a gated community and raping her while he was out on bail on a separate rape charge. Prosecutors provided evidence including the man's DNA on the victim's T-shirt and on a box cutter. His jacket was found behind the house, where screens had been cut from the porch windows.
55. "Afghanistan to send DNA samples to Italy to identify crash victims." Agence France-Presse, March 3, 2005.
Afghan authorities will send DNA samples from the bodies recovered from the wreckage of a February plane crash to Italy for identification. The plane crashed into a frozen mountainside near the capital Kabul killing all 104 people on board. Twenty-four of the victims were foreigners. Only 73 bodies have been recovered and 15 have been identified through their clothes and belongings by their families. Afghanistan lacks the technology for DNA testing and the Italian forensic team will continue to identify the recovered bodies after leaving on March 5. A Turkish forensic team, who have arrived in Kabul, will also help in the identification process.
56. "Restaurant Worker Apologizes for Spitting." Associated Press Online, March 3, 2005.
In Indiana, a restaurant worker convicted of spitting into a police officer's soft drink cup has apologized in writing to the officer. Under a plea agreement in the man was ordered to write a letter of apology to the officer and was also ordered to pay a \$500 fine and spend 60 hours doing community service work. The employee served the officer a drink at a Burger King restaurant in July 2004. The officer took the lid off before taking a sip and found

what looked like saliva on top. The officer took the drink to a restaurant manager, who agreed it looked like saliva. The substance was sent to an Indiana State Police lab, where a DNA analyst verified it was spit from a male.

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57. "Grants' clan credentials investigated by DNA test." Aberdeen Press Journal, March 3, 2005.
In Scotland, DNA is being used to try and trace the roots of one of the most famous clans in the world. A scientific study has been launched in the US to establish the ancestry of Clan Grant in an attempt to solve the mystery of their origins. People with the Grant surname will be able to find whether they are descended from clan chieftains by taking a DNA test in the project. The researchers are appealing for Scottish clan members to come forward so that they can more accurately trace the clan lines. Only results from men are relevant because the project is tracing the history of a surname and women do not carry the Y-chromosome being examined.
58. "DNA is eagles' secret weapon." The Daily Telegraph (Sydney, Australia), March 4, 2005.
In Australia, a rugby team has already DNA tested 18 of 24 players in its elite squad. Individual training programs for each player will be drawn up based on the test results. DNA swabs were obtained by scraping the inside of players' cheeks with a cotton bud in the belief the information will show the medical team how the heart responds to stress and exercise, the nature of the player's muscle and their power potential. The DNA should also show how the body responds to inflammation and treats lactate (the end product of exercise), how blood vessels respond to exercise and how the body tolerates noxious substances which build up during exercise.