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The July 1, 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 from a discarded baseball cap identified a 1988 murderer.
- Illinois – a cold hit secured a confession in a 2001 rapist (databased for DUI).
- Massachusetts – DNA from a cigarette butt convicts a rapist.
- Minnesota – DNA evidence is increasingly being used in gun possession crimes (DNA from grips).
- Nevada – DNA helps to charge a man with two murders; DNA helps indict a man for a murder.
- New York – Local police are using DNA more frequently for non-violent crimes; cold hits identified a robber (DNA from discarded water bottle); and identified a 1995 child rapist (on Alabama's database – also a John Doe indictment case); a serial rapist is making victims wash to remove DNA traces; DNA linked a man to a murder.
- Ohio – a cold hit brings a murderer to trial (on Florida's database for stolen property trafficking)
- Oregon – DNA links a man to 19 burglaries and 2 rapes.
- Pennsylvania – DNA testing identified a rapist.
- Tennessee – a cold hit identified a murderer (databased for robbery).
- Canada – DNA from a discarded hat identified a robber.

**POLICY AND FUNDING ISSUES:** Illinois may create a fund to guarantee quick DNA testing in child murder cases; and Florida legislators failed to fund the final expansion of the state's DNA database. Oklahoma lawmakers approved a DNA testing fee of \$150 to be charged to all convicted felons; and Iowa will use Microsoft settlement money to fund its DNA database program. An Indiana city has plans for "quicker" DNA testing.

**LEGAL DEVELOPMENTS:** The US Supreme Court will consider a Tennessee appeal for post conviction DNA testing.

**OTHER FORENSIC DNA ISSUES:** The first case considered by the team reviewing Virginia's crime lab has found no fault with the lab. Remains of a Korean War soldier were identified. A new private DNA lab is being built in California; and a Florida medical examiner would like a county DNA facility.

**INTERNATIONAL NEWS:** Israel used DNA to convict a serial rapist. A Canadian judge has ordered post conviction DNA tests. Bangladesh will soon be using DNA to aid criminal investigations. In Australia, a drop in burglaries is credited in part to DNA testing laws.

## NEWS ARTICLES

### Forensic DNA

1. "Police increasingly use DNA to fight crime." Associated Press, June 29, 2005.  
In Minnesota, St. Paul Police have begun using DNA to solve a wider range of crimes. DNA collection has been used primarily for murder and rape cases, but now it is being used to solve everything from felony gun offenses to burglary. Because guns rarely have semi-smooth grips it is difficult to lift fingerprints, police are better able to lift dead skin cells or sweat. This helps with gun cases where there are multiple people in the car or home where the gun is found. Since July 2004, Ramsey County judges have ordered more than 60 suspects to produce samples for investigations into gun possession, burglary, arson, and robbery.
2. "Justices review rules for death row cases." The New York Times, June 29, 2005.  
The US Supreme Court accepted an appeal from a Tennessee death row inmate who contends that DNA evidence proves his innocence of the murder for which he was convicted and sentenced to death 20 years ago. The Innocence Project, a New York based legal clinic, filed a brief on his behalf after reviewing the evidence in his conviction. Prosecutors had a seemingly airtight scientific case based on blood typing semen on the victims clothes, but 20 years later DNA analysis matched the stain with the victim's husband.
3. "Remains of missing Fergus Falls soldier found in North Korea." The Associated Press State & Local Wire, June 28, 2005.  
The remains of a U.S. soldier who was missing in action during the Korean War were identified and will be returned Wednesday to his family in Minnesota for burial. The remains of Cpl. John O. Strom were discovered in the summer of 2002 at a site near the village of Unsan, North Korea. They were found after a villager had reportedly reburied what were believed to be human remains from another location. A team of U.S. and North Korean specialists investigated and found human remains. The team used DNA to identify Strom.
4. "Funds sought to rush DNA in youth victim cases." Chicago Tribune, June 28, 2005.  
In Illinois, Cook County State's Attorney joined state lawmakers to call for the creation of a fund to ensure speedy testing of DNA evidence in cases involving the murder of children. The legislation would set aside \$100,000 to pay for expedited testing at private laboratories. The money would be available for murders with a victim under age 16, to make sure DNA is examined as quickly as possible. There were 39 such murders in the state in 2003. The legislation comes on the heels of a case in which a man was held for 8 months in jail for the murder of his daughter before DNA evidence exonerated him.
5. "Haifa's 'stairwell rapist' given prison term of 31 years." The Jerusalem Post, June 28, 2005.  
In Israel, a man was sentenced to a 30-years prison term by the Haifa District Court. Over a two-month period the offender raped and assaulted women in darkened stairwells throughout the city. The soviet immigrant was living with his parents at the time of the three attacks, and was caught and convicted on DNA evidence collected on a tip from the victims' descriptions.
6. "Man pleads guilty to rape of two teens." Philadelphia Daily News, June 28, 2005.  
In Pennsylvania, a 23-year-old man was identified as a rapist through DNA matches on the database. He is imprisoned for robbery, and recently pleaded guilty to raping two teenagers at knifepoint last year. The offender was identified in January after a DNA analysis identified the same assailant as the teens' rapist. After witnesses identified the man from a photo array, police obtained a DNA sample from him in prison. The sample was a match to the DNA of the unknown rapist.
7. "N.B. judge approves DNA testing on evidence in 12-year-old murder." The Canadian Press, June 27, 2005.  
In Canada, a judge has ordered DNA tests on evidence from a trial that resulted in a murder conviction twelve years ago. Hair samples found on the victim's body, along with vaginal and rectal swabs and her nightgown will all be examined using DNA technology not available during the 1993 investigation.
8. "Lawmakers limit fee increases." The Daily Oklahoman, June 27, 2005.  
In Oklahoma, criminals who are required to pay for their own DNA sampling will be among the few to see fee increases this year. The fee collected from a new law requiring all felons to submit to, and pay for, DNA testing could produce up to \$600,000. About 20,000 people are convicted of felonies every year, and the DNA testing fee is \$150.

9. "Experts say DNA testing in death row case properly handed." The Associated Press State & Local Wire, June 26, 2005.  
In Virginia, a team of scientists reviewing cases handled by the state crime lab concluded the lab properly handled the DNA evidence in the case of a death row inmate scheduled for execution next month. The scientists are examining more than 160 cases handled by the lab as part of a study ordered by the Governor last month after an independent audit sharply criticized the crime lab's performance in a high-profile murder case. They reviewed this case first at the Governor's request, so he could consider their findings as he decides whether to stop the execution.
10. "Murders down, solved rate up." The Commercial Appeal (Memphis, TN), June 26, 2005.  
In Tennessee, the Memphis Police Department, with federal grant money, submitted to the state Bureau of Investigation DNA from unsolved cases dating back 10 years. Just recently, investigators solved a year-old case of a young woman stabbed to death in her home when they got a DNA hit on a convicted robber, who had just been released from jail.
11. "Lead surfaces in 17-year-old case of attorney's homicide." Contra Costa Times (California), June 26, 2005.  
In California, the Santa Clara County District Attorney's office announced that DNA from a baseball cap left behind of a man who killed a defense attorney in 1988 matched that of a Texas prison inmate. The man is serving a life sentence for two rapes and robberies in Texas. Last year, investigators took a new look at the case -- one of many cold cases they were re-examining -- and found usable DNA on sweat from a blue paisley cap the attacker had left at the crime scene. Prosecutors are considering the death penalty.
12. "Brizzi fireworks shed light on '06 re-election fight." The Indianapolis Star, June 26, 2005.  
In Indiana, at a Criminal Justice Planning meeting, the Marion County Prosecutor and several other local politicians sat down to address the county's jail crowding problem. The meeting ended with a \$12 million plan that calls for things like quicker DNA testing and more court space. "Simple, unsexy stuff" that will ease jail crowding by shortening pretrial jail stays, the mayor said.
13. "Burglaries Decrease In Nassau, But Police Feel Strain." The New York Times, June 26, 2005.  
In New York, the Nassau police are also beginning to use DNA more frequently on non-violent crimes. Burglars often wear gloves to avoid leaving fingerprints, but they are less conscious of DNA, traces of which can be found in the smallest bodily particles. Last July, for example, the police extracted DNA from a small quantity of blood left by the burglar who broke into a church. It matched DNA in a state database, and a suspect was identified and arrested.
14. "Murder trial begins Monday." Newark Advocate (Ohio), June 26, 2005.  
In Ohio, a murder from 2000 has been solved thanks to a cold hit with Florida's DNA database. The man is now facing trial on charges of aggravated murder, murder, aggravated robbery, aggravated burglary and kidnapping. He can be executed if found guilty on the aggravated murder charge. More than 100 leads on possible suspects were investigated to no avail. Then in early 2004, the man landed in a prison in Florida on a warrant charging trafficking in stolen property. In February 2004 a hit was made on the database to the unsolved murder in Ohio. In the spring of 2004 the man was released from Florida prison and returned to Ohio where police monitored his activity, and he was finally arrested for the crime in September 2004.
15. "DNA test ready in Bangladesh for criminal cases." Xinhua General News Service, June 26, 2005.  
In Bangladesh, DNA will soon be used for investigation of criminal cases. There is no need of making any new law for introducing DNA test for criminal investigation. Under a clause of an existing law, court will accept analysis result of biological evidence. A national technical advisor of the DNA Profiling Laboratory was quoted as saying that they are now experimentally working on DNA analysis and hoped that real case dealing would begin in two months. He said there are training programs for police, judges and lawyers on utilization of DNA profile in breaking criminal cases. The National Forensic DNA Profiling Laboratory, an independent Laboratory under Ministry of Women and Children Affairs, has been set up at the forensic department of Dhaka Medical College Hospital.
16. "Fiend's DNA Dodge." The New York Post, June 25, 2005.  
In New York, a rapist nicknamed the "Spider-Man" rapist has been terrorizing women in Manhattan and forcing his victims to shower and brush their teeth after the attacks in an attempt to destroy DNA evidence. Investigators were tight-lipped about the ploy's degree of success as cops put together a task force to hunt down the man. The rapist has also managed to hide his identity by covering his victims' faces with pillows and shirts. The rapist has earned

his nickname due to his habit of scaling fire escapes in order to gain entry to apartments.

17. "Arrest made in ten-year-old rape cases." The Associated Press State & Local Wire, June 24, 2005.  
In New York, a cold hit on the national DNA database identified a man on Alabama's DNA database as a suspect in the rape of three school girls in 1995. The man is being held in federal custody in Alabama on allegations that he fled New York to avoid prosecution for the rape of three girls, ages 12 to 17, who were on their way to school in November and December 1995. As a five-year statute of limitations was ready to expire in 2000, a grand jury indicted the alleged rapist by the name of "John Doe," based on the man's DNA profile.
18. "Witness: DNA links suspect to slaying." Las Vegas Review-Journal, June 24, 2005.  
In Nevada, a man charged with killing two women found dead in the same Las Vegas apartment complex on the same day is linked to one of the crimes by DNA evidence. A Las Vegas police criminalist said the defendant's DNA was found inside the body of one of the slaying victims. His DNA also was found in May on a carpet beneath the same victim's body in her apartment. The analyst said the chances of the DNA evidence coming from anyone other than the defendant was 'rarer than 1 in 600 billion.' However, DNA evidence from the other victim's body and a phone cord found wrapped around her neck showed trace evidence of another man's DNA, not the defendant's. Nonetheless, authorities are convinced the defendant, a convict with a history of violence, killed both women. He is a parolee from California with prior felony convictions for first-degree arson and robbery.
19. "Lawmakers stiff DNA database." Orlando Sentinel, June 24, 2005.  
In Florida, state legislators failed to provide funding this year to allow the state to take the final step in expanding its DNA database to include all convicted felons. FDLE officials anticipated the added felony convictions would triple the number of samples coming into its lab during the first year -- from about 50,000 felon samples during the past 12 months to about 150,000. Legislators contacted for this article either expressed surprise that the expansion was not funded this year, or simply failed to return phone calls.
20. "WA still burglary capital but good news on car theft." The West Australian, June 24, 2005.  
In West Australia, the state has retained its status as the worst for burglaries despite a 24 per cent drop in offenses. The Police Commissioner said WA had recorded 13,000 fewer volume crimes last year, including about 10,000 fewer burglaries. He attributed the drop in these "volume" crimes to DNA legislation, better use of police intelligence and the success of the linked crime unit, which he planned to boost.
21. "Convicted felon found guilty in stabbing death of woman." The Associated Press State & Local Wire, June 23, 2005.  
In New York, a man was convicted of second-degree murder in the death of a woman found stabbed outside a factory. The man, serving a four-year prison sentence for carrying an illegal weapon, was charged in August after investigators matched his DNA with hair and fingerprints scrapings from the crime scene.
22. "DNA Labs International Inc. Obtains ISO/IEC 17025 Accreditation." Business Wire, June 23, 2005.  
DNA Labs International announced its ISO/IEC 17025 accreditation, which makes it one of a dozen private DNA testing labs to realize this achievement. The ISO/IEC 17025 accreditation, which runs in compliance with national and international standards for the operation of accrediting bodies, enables all forensic DNA samples test results produced by DNA Labs International to be uploaded into the Combined DNA Index System (CODIS).
23. "Trial Opens For Man Accused Of 19 Burglaries." The Oregonian, June 23, 2005.  
In Oregon, a Portland man is charged with 19 burglaries in surrounding areas between July 3 and Sept. 16. In some of the break-ins, the man is accused of threatening residents with a gun or knife, which led to six counts of first-degree robbery. He also sexually assaulted two women who were home or came home while he was there. Police noticed a pattern in the burglaries: most were in ground-floor, corner apartments or condominiums and the intruder often ate what he found -- cookies, pudding, roasted chicken -- and watched pornographic videos or DVDs, read adult magazines, stole sex paraphernalia and disturbed women's underwear. The man was finally tied to the burglaries through DNA, fingerprints and the identification of friends who said he gave them items that were later found to be stolen. He was on the DNA database due to a prior burglary conviction. In all, the man stole more than 170 items during the burglaries.
24. "Grand jury indicts man in 2001 slaying of Verdi woman." Reno Gazette-Journal, June 23, 2005.  
In Nevada, a Washoe County grand jury has indicted a 25-year-old man in the slaying of an elderly woman four years ago in the home she had lived for about 60 years. The man is currently being held in a California prison on

an unrelated case. Police did not give out much details, but the victim's son stated that in October 2004, the family was notified that authorities had positively identified a suspect through a DNA match.

25. "DNA, print evidence nets 159." The West Australian, June 23, 2005.  
In West Australia, a crackdown on high-volume crimes using DNA and fingerprint evidence gathered at crime scenes has led police to charge 159 people with 374 crimes. The Superintendent said most charges related to burglary offenses and intelligence gathered from the operation would be used to target other criminals. "The biggest majority of these people are recidivist offenders," he said. "We do know about them and using technology through DNA and fingerprint we are able to identify and charge them."
26. "DNA Evidence Helps Convict Man In 1997 Rape." The Boston Globe, June 22, 2005.  
In Massachusetts, based in part on DNA taken from cigarette butts left at the crime scene, an East Boston man was convicted of raping, beating, and robbing a college student eight years ago in the victim's apartment. While the man beat and raped the woman for more than an hour, he smoked four cigarettes, leaving the butts in the apartment. DNA collected from those cigarettes, along with fingerprints found in the apartment and a positive identification by the victim, led to the man's arrest. The victim, who now lives out of state, returned to court to testify against her attacker. The man was already in prison serving a sentence for armed robbery and could face up to life in prison.
27. "DNA Evidence Leads To Robbery Charge." Buffalo News, June 22, 2005.  
In Canada, a man was charged in connection with a February robbery in St. Catharines after police used DNA evidence taken from a hat left at the scene. The man was already in custody when authorities were told that his DNA matched that found in a hat that was left at the home during a robbery there Feb. 3. Police believe a marijuana-growing operation in the basement of the home was the target of the home-invasion robbery.
28. "White Plains." The Journal News (Westchester County, New York), June 22, 2005.  
In New York, an ex-convict who stole \$7,000 in cash and merchandise from a Yonkers gas station only to be caught when his DNA was matched to a bottle of water he left behind was sentenced to 12 years in state prison. The man entered the Mobil Mini Mart and bought the water before pointing a handgun at the clerk and locking her in a bathroom. He then stole cash, cigarettes and lottery tickets and fled. The robbery was recorded on surveillance video, and Yonkers detectives recovered the water bottle. A saliva sample was tested and matched the man's DNA, which was in a database as a result of a prior stint in prison for robbery.
29. "Iowa To Spend Microsoft Attorney Fee Funds On Law Enforcement." US Fed News, June 22, 2005.  
In Iowa, the State will spend \$1.7 million collected from the Microsoft antitrust case to improve the use of DNA evidence and purchase 37 State Patrol vehicles. The money comes from about \$2 million Microsoft Corp., paid earlier to Iowa in compensation for attorney costs in the case. The Attorney General said that \$904,206 will be spent for lab equipment and staffing to upgrade the state's DNA capability, and \$25,000 will be spent to upgrade the on-line Sex Offender Registry. "The State Patrol cars will help ensure safety on our highways," he said, "and the DNA money will be used to establish an all-felons data base, which I have long advocated. Everyone convicted of a felony must give a DNA sample, and that will aid future investigations as well as help solve and prosecute more previously-unsolved crimes."
30. "Medical Examiner Looks To Future." Tampa Tribune, June 19, 2005.  
In Florida, Pasco County's medical examiner would like to persuade the county to build a DNA testing laboratory so that crime-scene evidence and samples taken from suspects can be analyzed in-house, rather than being sent to the Florida Department of Law Enforcement. The FDLE lab services agencies from all over the state and has a consistently large backlog of work, the medical examiner said. He also said that currently only the state attorney's office can have DNA tested as evidence and to aid in decisions on whether to prosecute suspects. If he could get his own DNA lab, the medical examiner said it would be open to all local law enforcement agencies as an investigative tool.
31. "DNA evidence points to suspect in sexual assaults." Chicago Daily Herald, June 17, 2005.  
In Illinois, a state police DNA database has helped solve a 2001 sexual assault in Des Plaines and linked the same man to a similar case in Northlake. The man confessed to the Des Plaines crime after authorities arrested him earlier this month. In 2003, state police took DNA from the man after he was convicted of driving under the influence. Des Plaines police on June 1 learned a match had been made, and charges were brought two days later.
32. "Private Forensic DNA Testing Laboratory Under Construction in Redlands." Press Release, June 15, 2005.

In California, construction has begun on a private laboratory for DNA testing called Human Identification Technologies, Inc. HIT, Inc. will offer the following services: Nuclear DNA testing (traditional DNA testing), Mitochondrial DNA Testing, Consultation, Case Review, and Training for judges, attorneys and police agencies.

### Paternity

33. "Baby reunited with family." New Straits Times (Malaysia), June 26, 2005.  
In Malaysia, an infant who had been abducted from the hospital and later recovered has been reunited with its birth parents after DNA testing confirmed paternity. A hospital nurse had stolen the baby.