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Smith Alling Lane, P.S. provides governmental affairs services to Applied Biosystems. As part of this representation, the firm generates weekly reports on state and federal legislation and news articles. Applied Biosystems has authorized Smith Alling Lane to make these reports publicly available through this website. The information presented in these reports does not necessarily reflect the viewpoints of Applied Biosystems or Smith Alling Lane, P.S.

The August 26, 2005 DNA Resource Report is listed below, along with a summary.

These reports are prepared by Tim Schellberg and Lisa Hurst of Smith Alling Lane (253) 627-1091, on behalf of Applied Biosystems.

LAW ENFORCEMENT: Investigations and prosecutions aided by DNA evidence include:

- California –DNA evidence links a man to a child 1991 child murder
- Florida – cold hit identifies a rapist (1990 crime – on database for battery); and identifies a robbery suspect (2003 crime – on database for burglary)
- Louisiana – cold hit links identifies a rapist (1990 crime)
- Maryland –DNA secured guilty pleas for serial rapists (1980s rapist identified through a cold hit; evidence from 2004 crimes confirms identity of another rapist)
- Minnesota – DNA exonerated a police officer accused of rape
- North Carolina – a cold hit with a Massachusetts offender identified a rapist (1981 crime for which another man served 21 years)
- Nevada – cold hit identifies a rapist (on database for burglary with probation sentence)
- Oklahoma – DNA testing will be used to resolve allegations of blood tampering in a university research project
- Oregon – DNA evidence helped secure a conviction of a man in 17 burglary cases

POLICY AND FUNDING ISSUES: A US Representative offered an amendment to require DNA testing of all convicted felons as a term of federal DNA grant eligibility. North Carolina is considering consolidation of its labs (criminal, animal and health) and possible permanent outsourcing policies. A Mid-Atlantic Cold Case Homicide Investigators Association has been newly formed.

OTHER FORENSIC DNA ISSUES: A post conviction DNA testing bill was introduced in Florida, and a Wisconsin legislative proposal would give first priority to all post conviction DNA cases at the state lab. Efforts at motions for post conviction DNA testing made headlines in Alaska and Wisconsin. A private lab failed to identify evidence from rape kits, and additional funds for the Houston crime lab probe may be forthcoming. A Texas county is considering action against a medical examiner's office after DNA testing proved an autopsy identified the wrong person.

INTERNATIONAL NEWS: Kenya has admitted it needs more training on DNA equipment; and will pay for paternity tests in a humanitarian case for a boy disavowed by his family and tribe. Hong Kong recently hosted the International Association of Forensic Sciences, and locals warned that the area would be short on forensic experts if a disaster struck. DNA testing of the doomed airplane in Greece is helping to piece together what happened before the crash.

- Australia – DNA testing from drunk driving arrest brought a cold hit on a 1990 rape. DNA testing of a horse has prompted an investigation.
- Canada – DNA identified a serial burglar; and has been used in a dognapping case.
- England – DNA from a piece of half-eaten fruit identified a burglar. Familial DNA searching identified a serial rapist (guilty plea).
- Japan – DNA from a pair of sandals led to a murder suspect

NEWS ARTICLES

1. Florida HB 71 – Eliminates the deadline for filing post conviction DNA testing appeals. Requires DNA samples obtained from post conviction DNA tests be entered into the DNA database. Establishes a Florida Commission on Innocence.
2. North Carolina SB 622 – Requires outsourcing to a private lab of backlogged rape kits. Requires an annual report on number of rape kits outsourced and number resulting in arrest or conviction, as well as report on number of cases analyzed by state and numbers remaining in backlog. Requires a study comparing cost of using a private lab for DNA analysis versus cost of testing at state lab.

Paternity

3. Michigan HB 5088 – Allows a motion of relief to be filed to vacate a child support order if genetic testing supports allegations that the named father is not the biological father.

NEWS ARTICLES

1. “Md. Man Pleads Guilty to Rape.” The Washington Post, August 24, 2004.
In Maryland, a man admitted to raping a 13-year-old girl and acknowledged responsibility for a series of crimes in Silver Spring and Wheaton over nearly two years. Investigators identified the man when he matched the description of a suspect in several burglary incidents. Later a DNA test matched him to attacks on five victims, including the 13-year-old.
2. “Prosecutors collect DNA of men targeted in U.S. federal terror probe.” Associated Press Worldstream, August 23, 2005.
U.S. prosecutors collected DNA samples from two robbery suspects who are also targeted by a federal terrorism investigation, despite defense concerns that the evidence might be improperly shared with other law enforcement agencies. A judge agreed to the request at a pretrial hearing involving a string of gas station robberies in southern California. County prosecutors said they only planned to use the DNA in the robbery case, but defense attorneys worried that it would be provided to federal counterterrorism officials investigating the two men in a possible terrorist plot. Counterterrorism officials began investigating the men after police who searched one of their apartments said they found a target list containing the names of three National Guard facilities, the Israeli Consulate and several synagogues in the Los Angeles area.
3. “Fruit Snack Snares A Burglar.” Daily Post (Liverpool), August 23, 2005.
In England, a man who took a bite out of a pear during a burglary was caught after his DNA was found on the fruit. The man was given a 12 month suspended sentence after admitting burglary. DNA analysis of the remains proved the suspect had been in the house.
4. “State's Sex Offender Law Reviewed.” Hartford Courant, August 23, 2005.
In Connecticut, legislators unveiled a package of reforms designed to give the state greater control over convicted sex offenders. The 10 proposals would tighten reporting requirements, provide for satellite tracking of an offender's movement and allow for long-term civil commitments in the most violent cases. One of the measures will require that sex offenders have DNA samples taken for the database immediately upon registry, rather than waiting until release from incarceration.
5. “Rape Suspect Identified By DNA 15 Years After Attack.” The Northern Echo, August 23, 2005.
In England, a man is facing trial for a rape he allegedly committed 16 years ago. The case was reopened last year for new DNA tests, and the samples were matched to the suspect. The man denies the crime, but forensic experts say the chances of the rapist being someone other than the defendant were one in 351 million.
6. “Justice chief hails the role of forensics.” South China Morning Post, August 23, 2005.
In Hong Kong, the secretary for justice said that in addition to helping track down criminals, forensic science also plays a more important role in proving the innocence of wrongly convicted people. The secretary told the opening ceremony of the 17th meeting of the International Association of Forensic Sciences that DNA profiling was crucial in the pursuit of truth and justice. She said it had been 11 years since DNA profiling was first allowed to be submitted as evidence in the Court of Appeal of Hong Kong. A total of 1,200 international forensic scientists

attended the conference, being held in Hong Kong. Topics included computer forensics, digital evidence, mass-disaster victim identification and forensic science on the mainland.

7. "Extension For Foreign Forensic Experts To Remain In Thailand At Tsunami Identification Center." Thai Press Reports, August 23, 2005.
In Thailand, an extension period of 180 days has been granted to foreign experts working with the Operation Center for Identification and Referral of the Royal Thai Police, to enable them to complete forensic examinations and DNA testing on tsunami victims. The Cabinet approved the proposal put up by the Royal Thai Police for the extension from 26 July 2005 to 25 January 2006.
8. "Police arrest peeping tom at U. Virginia." University Wire, August 23, 2005.
In Virginia, Charlottesville police arrested a man in connection with a string of peeping tom reports. The man has a criminal history and is currently on probation. He has already been included in the state's DNA database, but has been eliminated as a suspect in the ongoing investigation surrounding the Charlottesville serial rapist.
9. "Some Convicts Freed by DNA Not Compensated." Associated Press Online, August 22, 2005.
Of nearly 160 people freed from prison by DNA tests since 1989, 17 have been financially compensated by the states that convicted them. The federal government also has a compensation law. Only in a few cases have the amounts been made public: Ohio paid \$250,000 to a man wrongly imprisoned 11 years for rape and Massachusetts paid \$500,000 each to three men, whose time behind bars ranged from 14 to 19 years, for mistakenly convicting them of rape. Compensation laws often have requirements that make it difficult for a person who has been exonerated to collect any money – such as the requirement of a pardon – but prosecutors also worry that a compensation law that is too open will lead to abuse.
10. "Refund sought for body ID error." Austin American-Statesman, August 22, 2005."
In Texas, Burnet County may file an official complaint against the Travis County medical examiner's office for misidentifying the charred remains of an 81-year-old woman as a 23-year-old man. A Burnet County judge has already asked Travis County to refund the \$1,800 cost of the autopsy. Burnet County commissioners were scheduled to discuss the situation further, and was considering filing a complaint with the Texas State Board of Medical Examiners. But DNA evidence that came back months later showed that the body was not the suspected victim's. The mistake was uncovered as part of an investigation into a husband and wife who attempted to fake the husband's death.
11. "Greek PM targets agency over crash." The Australian, August 22, 2005.
Greek investigators took a step closer to piecing together the final moments of a Cypriot airliner which crashed into a hillside northeast of Athens, killing all 121 people on board. Working with DNA samples sent from Cyprus, police criminologists matched blood found in the cockpit wreckage to a flight steward. Local media have speculated that the steward, a trained pilot, tried to save the Boeing 737 after both its pilots were apparently incapacitated. According to local media, experts in Paris decoded the aircraft's black box and heard the words "mayday, mayday, mayday" from the steward, while he was trying to land the airliner at Athens airport.
12. "Man arrested for allegedly stabbing woman to death in 2002." Japan Economic Newswire, August 22, 2005.
In Japan, a male university student was arrested on suspicion of stabbing a 19-year-old female university student to death on a street in June 2002. DNA produced from a pair of sandals left behind at the crime scene matched that of another person and investigations about this person eventually led the police to suspect the student. The police said the man, whose identity is being withheld because he was a minor at the time of the crime, has admitted to the allegations, saying he did it because he was in a foul mood. The police believe the student did not know the victim.
13. "Judge sentences serial burglar to 60 years in prison." The Oregonian, August 22, 2005.
In Oregon, a Washington County judge essentially gave a life sentence to a man convicted of 17 burglaries. In one of the crimes the man tied up and sexually assaulted a woman at gunpoint. A jury found Johnson guilty on 44 counts, including burglary, theft, sexual abuse, armed robbery, kidnapping, unlawful use of a weapon and identity theft in a string of crimes between July 3 and Sept. 16, 2004. Investigators identified the man as a suspect through surveillance cameras and other evidence, and subsequent DNA tests linked him to several of the burglaries.
14. "Disaster would catch forensic teams out." South China Morning Post, August 22, 2005.
In Hong Kong, local experts have warned that the area would not have enough forensic scientists to carry out investigations and mass victim identification in a major catastrophe. There were no more than 200 forensic scientists, mainly from the government laboratory, police and universities, to serve the city of 6.8 million. The

president of the International Association of Forensic Sciences, said this number was considered enough as long as Hong Kong remained a safe city

15. "Case tests Alaska's post-conviction DNA policies." Anchorage Daily News, August 21, 2005.
In Alaska, a man convicted in a 1993 rape case has always maintained his innocence and has been requesting DNA tests that he believes will exonerate him. However, the state has refused and insists that even if the DNA came back as someone else's, the results still would not prove the man innocent. He was identified by the victim and also by a co-defendant. Two separate civil suits -- one in federal court and one in state court -- are now working their way through the system, demanding that the state hand over the evidence for testing. The federal suit, filed by the Innocence Project, went before three judges of the 9th U.S. Circuit Court of Appeals last month. The lawsuit against the state is already paving the way for other Alaskans seeking post-conviction DNA testing. In a recent decision in the case, the Alaska Court of Appeals gave the Superior Court guidelines for determining when post-conviction DNA testing should be allowed -- a precedent that attorneys can point to in the future.
16. "Judge compels Ecleo's kid to submit his DNA samples." Manila Bulletin, August 21, 2005.
In the Philippines, a Regional Trial Court Judge issued an order compelling a son of parricide suspect and cult leader Ruben Ecleo Jr. to submit DNA samples to court to help identify the body of a woman found at a ravine, believed to be that of Ecleos wife. However, the judge set two conditions before Ecleos son is subjected to the DNA test. First, the National Bureau of Investigation, University of the Philippines forensic experts, and the PNP Crime Laboratory should submit a categorical declaration telling the court that they could identify the body of the woman. Another condition is that the court must be assured that the DNA testing will not cause negative emotional or psychological effect on Ecleos son.
17. "Friend Offered Herself To Rapist To Save My Life." The News of the World, August 21, 2005.
In England, DNA tests lead a police to a man who raped two teen-agers earlier this year. He had been jailed previously for six years for robbery and possessing firearms in December 2000. One of the girls offered herself in place of her friend who was about to be assaulted by the man. However, her sacrifice was for naught because the man eventually raped both girls. The man reportedly expressed relief upon being caught that he would no longer have the chance to rape other women.
18. "Rape suspect back from US." Sunday Mail (South Australia), August 21, 2005.
A South Australian man extradited from Los Angeles over a string of Adelaide rapes. During one of the Australia rapes, the attacker was interrupted and fled, leaving behind glasses, handcuffs and a balaclava. DNA taken from the glasses matched two other unsolved rapes - one in 2000 and the second in 2002. Police tracked the prescription for the glasses to a western suburbs man but while preparing to question him found he had left the country. Chief Inspector John Clark, from the US Marshals Fugitive Task Force, said if convicted, the Adelaide man's DNA would be tested against DNA from unsolved rapes in the US.
19. "OU opens full-blown probe of blood-tampering allegations in study." The Associated Press State & Local Wire, August 20, 2005.
The University of Oklahoma has decided to open a full-blown investigation into allegations of blood-tampering in a federally funded study in the Tar Creek Superfund area. The vice president for research at the OU Health Sciences Center, said a three-person team will investigate claims that blood technicians substituted their own blood for the blood of Tar Creek children. OU has said DNA testing would be required to clear up the matter, but could not say when the new investigation might conclude or if the blood technicians had agreed to DNA testing.
20. "Mayor says city has the cash for crime lab probe." The Houston Chronicle, August 20, 2005.
In Texas, the investigation into problems at the Houston crime lab, stalled because of rising costs, could resume under a plan the Mayor will present to the City Council next week. The mayor's spokesman said that the city has the \$ 1.6 million a special investigator says he needs. Some on the council's public safety committee expressed concern Monday about the revised \$ 3.8 million estimate for the investigation by Michael Bromwich, a former U.S. Department of Justice official. Some asked for a detailed spending breakdown. Others said the problems at the lab - where shoddy work and poor training prompted the release of two imprisoned men and sparked doubts about thousands of cases - were too serious not to fund the probe.
21. "Regional Briefing." Milwaukee Journal Sentinel, August 20, 2005.
The Wisconsin Innocence Project filed a court motion asking for a new trial for Beth LaBatte, a 38-year-old woman who is serving a life sentence for the murders of two sisters on Nov. 16, 1991. The University of Wisconsin Law School project, which has used DNA evidence to free two wrongly convicted men from prison, cited DNA

evidence in this case. The motion filed in Kewaunee County Circuit Court cites testing done in May, which found none of LaBatte's DNA on evidence collected from the scene. A jury found LaBatte guilty after she allegedly confessed to the murder of both women, who were stabbed and beaten to death in their home.

22. "Mistakes By State DNA Firm Alleged." Richmond Times Dispatch, August 20, 2005.
The Illinois State Police broke a \$7 million contract with a Virginia DNA testing firm yesterday, alleging it committed serious errors. The state police says Bode reported it found no sperm in 1,200 of the biological samples Illinois sent to the company. However, when the state police looked at a sample of 51 of those 1,200 cases, it found sperm present in 11 of them, it said. Illinois authorities did not allege the lab incorrectly identified someone as a suspect in a crime. Instead, they said, the lab failed to recognize the existence of semen that could then have been subjected to DNA testing. Now, the Illinois authorities say, they must retest all 1,200 samples.
23. "Sex Attacker Trapped By DNA Is Jailed." South Wales Echo, August 20, 2005.
In Australia, officers collected a swab of saliva from a man when he tested positive for drink-driving following a car accident in January. After entering the sample into the DNA database, the man was linked to one attempted rape of an elderly woman and two indecent assaults of other women. The elderly rape occurred in 1990 and the victim has since died, but the man was convicted of the crime nonetheless.
24. "DNA confirms van Heemst's horse a ring-in." The West Australian (Perth), August 20, 2005.
In Australia, a horseracing chief breeding dreams were destroyed when DNA tests proved the sire he hoped would be a stud superstar, was an impostor. The man had paid a "significant six-figure sum" to bring Dubai Excellence, a half-brother to another well-known horse, to Australia for the stud season. But an initial DNA test showed he had actually been delivered a mystery stallion. An Australian Stud Book keeper confirmed that the horse was not Dubai Excellence, sparking an urgent worldwide search. He said the finding had averted a breeding crisis where up to 60 foals could have failed DNA parentage tests next year.
25. "Kenya; Free DNA Test for Baby Rejected By Clan." Africa News, August 19, 2005.
In Kenya, a free DNA test will be done on a three-year-old AIDS patient, whose has been disavowed by his alleged father. Baby Baraka has been living in seclusion with his widowed aunt after an entire clan rejected and declared him a taboo child because his father was yet to be identified. The Government said yesterday it would not charge the Sh35,000 required for the DNA test to determine if a farmer who has disowned the boy is the biological father. The mother died of AIDS-related sickness when the boy was only a year old. The clan elders claim that the Maragoli culture prohibits them from caring for a baby sired by an "outsider."
26. "Lafayette man booked in 1990 rape." The Associated Press State & Local Wire, August 19, 2005.
In Louisiana, a man is facing charges of aggravated rape after DNA evidence allegedly linked him to a 1990 attack, but the case could be transferred to juvenile court because he was 15 at that time. DNA evidence retrieved from the crime scene had produced no leads until last year. But the evidence matched a sample the man provided when he registered as a sex offender last year for a different crime. This is the fourth hit in the past two months in which DNA evidence has pointed to a suspect in a cold case.
27. "1st regional cold case group formed." The Capital (Annapolis, MD), August 19, 2005.
Investigators in Maryland and nearby states have formed what they say is the first regional group to help solve cold cases. Based in Annapolis, the Mid-Atlantic Cold Case Homicide Investigators Association is an outgrowth of the cold-case homicide conference held at the Naval Academy. The new association will focus on advances in forensics, training and case strategy, along with specifics of cases, checking for similarities and offering each other fresh ideas for reopening stale investigations. The organization will focus on New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina and the District of Columbia, but will accept members from anywhere in the country. So far, about 20 people have joined and another 70 have applied.
28. "DNA used to charge felon in 1990 rape." Orlando Sentinel, August 19, 2005.
In Florida, a 15-year-old rape case was closed when a sex-crimes detective used a DNA specimen collected in 1990 to arrest a felon. The man lived near the victim and was questioned and released by police on the morning of the crime in 1990. The victim could not identify her attacker because the rapist intentionally broke her eyeglasses and covered her head with a pillowcase. DNA collection was in its infancy in 1990, and the man refused to submit a blood sample for testing, records show. But when Adams was sentenced in 1997 for an unrelated case of aggravated battery, he was forced to provide a DNA specimen for a the database. That specimen was waiting when the detective reopened the case in February and submitted semen and saliva found 15 years ago in the woman's apartment.

29. "Relative's DNA Led Police To Sex Attacker." Press Association, August 19, 2005.
In England, a man who attacked three women in three counties was finally caught by the DNA of a relative. The man admitted attacking the women - in attacks as far back as seven years ago - when he appeared in court. His last attack was five years ago but as he had no previous convictions his DNA was not registered on the police national database. The prosecutor noted that it was only the similar DNA of a relative which was linked to the three attacks which led to the man being arrested. She said the defendant had no previous convictions "so in effect details in the national database did not match up." Instead, attempts were made to match the evidence to similar strains of DNA on the database. "There were certain people who were suspects, DNA was looked into further and somebody from a similar family had a similar DNA. The DNA from Mr Davies is identical to the DNA found on these three women."
30. "St. Paul rape case against cop dropped." St. Paul Pioneer Press, August 19, 2005.
In Minnesota, prosecutors said they have insufficient evidence to file charges against a Minneapolis police officer accused of raping a St. Paul woman, leading those on both sides of the case -- the woman and the officer -- to say no matter the outcome their lives have been irrevocably damaged. None of the DNA evidence from the woman's home, where she said the rape occurred last February, matched the DNA profile of the suspect. The man was initially identified when the victim identified him from a photograph. The victim contends she was raped by a member of her gym who approached her after a workout, and the gym supplied its photo database of 1,400 members for review.
31. "1991 killing of girl, 9, described." The San Diego Union-Tribune, August 19, 2005.
In California, a jury has begun to consider the case of a man accused of killing a 9-year-old girl in 1991. A former neighbor of the victim's family, the man was a suspect in the case from the beginning, but it wasn't until new DNA evidence was uncovered in October 2003 that there was a link strong enough to arrest him. Testimony from a San Diego police criminalist and a DNA analyst with a private lab (Orchid Cellmark) found the odds of the evidence coming from someone other than the suspect to be 1-in-40 quadrillion or 2.7 trillion-to-1 (depending on the type of testing completed). The defense attorney in questioning the San Diego criminalist, suggested that the DNA material connecting the suspect to the slaying could have been deliberately or accidentally mixed up over the 12 years it was in police storage. The article reports that the defense attorney appeared to be suggesting that if the DNA evidence against the man was so conclusive, investigators should have had tests available in 1991 to find it.
32. "DNA Match Nabs Robbery Suspect." Sun-Sentinel (Fort Lauderdale, FL), August 19, 2005.
In Florida, a DNA match led police to the man they say tried to kill a Tires Plus sales manager during a 2003 robbery by stabbing him repeatedly. In 2004, the man was convicted of a burglary and submitted DNA for the state database. "If it had not been for [that], it probably would have been a hard catch for the police," said a police spokesman.
33. "Criminal law & procedure." Chicago Daily Law Bulletin, August 19, 2005.
Ruling from the Illinois Appellate Court, 5th District. In a case in which the defendant pleaded guilty in 1988 to several offenses, including criminal sexual assault of a 73-year-old woman, trial court correctly denied his recent post-conviction motion for DNA testing of evidence from his case because he admitted his guilt and the evidence in the case had been subjected to DNA testing in 1988. People v. Jack Lamming, No. 5-03-0754. Justice James K. Donovan wrote the court's opinion with Justices Thomas M. Welch and Terrence J. Hopkins concurring. Released July 19, 2005.
34. "DNA bank leads to rape arrest in Reno." The Associated Press State & Local Wire, August 18, 2005.
In Nevada, a DNA sample taken from a man after a burglary conviction last year has led to his arrest on rape charges. The man was arrested on suspicion of sexual assault, first-degree kidnapping and battery for the attack on a 53-year-old woman last year. The man was required to submit a DNA sample in April after his conviction for burglary, for which he received probation.
35. "Some state government leaders question lab consolidation study." The Associated Press State & Local Wire, August 18, 2005.
In North Carolina, state legislators have proposed possibly consolidating the state crime, health and agriculture labs and to look for duplicative services and recommend work that can be done more efficiently by private firms. The study is due to the General Assembly in May.
36. "Gov, Pols Aim To Keep Innocent Out Of Prison." The Capital Times (Madison, WI), August 18, 2005.

In Wisconsin, the Governor and a bipartisan group of lawmakers have endorsed a far-reaching package of reforms intended to make it harder to send innocent people to prison. The proposed reforms would require law enforcement officials to record interviews with all felony suspects, improve police line-ups and other eyewitness identification procedures, streamline DNA tests in cases where a wrongful conviction is involved, and extend the statute of limitations for many cases involving DNA evidence. Specifically, one of the provisions of the bill would require the state Crime Lab to give priority to DNA tests in cases where the results could free someone already behind bars.

37. "DNA aids cops in solving old crimes." Windsor Star (Ontario), August 18, 2005.
In Canada, Windsor police have used DNA evidence to solve cold cases dating back three years and recently charged a 42-year-old area man with four burglaries. The DNA samples were collected in 2002 from two breaking and entering cases. Two additional samples were collected in June this year from similar cases. All four samples were sent to the Centre of Forensic Sciences in Toronto for testing and matched the suspect's DNA.
38. "Kenya; Prosecutors: We Want Own Police Officers." Africa News, August 17, 2005.
In Kenya, participants in a workshop suggested that placing the CID under the director of public prosecutions would ensure efficiency in the fight against crime. Two CID officers admitted that many cases were being lost due to lack of forensic knowledge. They said the recent controversy over DNA tests was because the new equipment at their laboratories was still being manned by staff not conversant with it.
39. "DNA Evidence Gets N.C. Man Charged in Rape." Associated Press Online, August 17, 2005.
In North Carolina, a cold hit on the DNA database has led to a convicted rapist being charged in a rape case that resulted in the wrongful imprisonment of another man who spent 21 years behind bars for the crime. Joel Bill Caulk, 58, who is imprisoned in Massachusetts on rape and robbery charges, was indicted in North Carolina on charges of rape, sexual offense and robbery with a dangerous weapon in connection with the March 31, 1981, attack. Leo Waters was cleared of the same crime by a DNA test conducted in 2003. Charges against him were dismissed more than a year ago after he had served 21 years in prison. Caulk's criminal record dates to 1970 when he was convicted in three sexual assaults in San Diego. Caulk was known in California as the "want-ad rapist," for the manner of choosing victims through newspaper ads listing household items for sale. In 1987, he was convicted in Maine for the 1981 shooting death of a real estate agent.
40. "Baltimore man pleads guilty to five rapes from the 1980s." The Baltimore Sun, August 17, 2005.
In Maryland, nearly 20 years after a series of sexual assaults led police on an unsuccessful search for a man they dubbed the "Sunglass Rapist," a 53-year-old Baltimore man pleaded guilty yesterday to raping five girls and young women and to kidnapping or trying to kidnap two others during a three-year period in the 1980s. The arrest late last year followed genetic testing that matched the man's DNA profile with evidence collected from a March 1987 sexual assault on an 18-year-old woman -- a case with parallels to the others. The man's DNA was included in the state DNA database due to a 1990 conviction for child sexual abuse.
41. "N.B couple hopes DNA test will lead to return of stolen puppy." Canadian Press, August 17, 2005.
In Canada, a New Brunswick couple is hoping a DNA test will lead to the return of their stolen dog. The couple has been battling since June for the return of their golden retriever puppy. Thanks to anonymous tips, they say they know where their dog is, but they're having trouble convincing authorities. To prove ownership, they paid to have DNA testing carried out at a laboratory in Ontario that proved it was the couple's puppy. The RCMP is examining the DNA evidence.

Genetic Research / Privacy

42. "People eager to spend \$100 to discover ancestral roots." The Star Phoenix (Saskatoon, Saskatchewan), August 24, 2005.
More than 60,000 people so far have paid \$99.95 US to find out in a National Geographic-sponsored project that allows them to use their own DNA to trace their ancient ancestry. The director of the Genographic Project expects that as many as 500,000 to one million people could purchase the DNA kits before the five-year project is finished. The results from the public will form part of a larger study that is an attempt to understand the human journey and map people's geographic distribution. Teams of research scientists are fanning out around the world to carry out ethnographic research on 100,000 indigenous people.

Paternity

43. “Paternity Suit Raises Doubts About DNA Tests.” The Washington Post, August 21, 2005.

In Maryland, a judge has ruled in favor of a man challenging the results of a paternity test. In issuing his ruling, the judge raised serious concerns over the private testing lab’s quality of work, conducted by LabCorp. DNA experts say this case underscores a growing problem in the burgeoning field of DNA testing: People make mistakes, and people collect the DNA samples and perform the analysis. So, they say, although DNA is as reliable as ever as a definitive science, the people reading and analyzing that science are imperfect. And the volume of DNA testing keeps rising.

CONGRESSIONAL RECORD

1. House of Representatives – Introduction of HR 3404. Authorizes further grants for elimination of DNA backlogs, “at the level necessary to completely eliminate the backlog and obtain a DNA sample from every person convicted of a qualifying offense.”
2. House of Representatives – Foreign Relations Authorization Act. Authorizes the Secretary of State to “provide training and assistance to identify unknown victims who were murdered in the Mexican city of Ciudad Juarez through forensic analysis, including DNA testing, conducted by independent, impartial experts who are sensitive to the special needs and concerns of the victims’ families, as well as efforts to make these services available to any families who have doubts about the results of prior forensic testing.”
3. House of Representatives – Amendment offered, then subsequently withdrawn, to the FY 2006 Justice Department Appropriations bill. Requires that to be eligible for federal DNA grants a state must require DNA from all convicted felons.