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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 September 2, 2005 DNA Resource Report is listed below, along with a summary. These reports are prepared on behalf of Applied Biosystems.

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

- Alaska – DNA evidence links a suspect to serial attacks
- Illinois – a cold hit led to the arrest of a rapist (November 2004 crime)
- Louisiana – a cold hit identified a suspect in a 1999 murder (on database for Mississippi kidnapping)
- Michigan – a cold hit helped to convict a murderer (1969 crime, on database for felony prescription forgery)
- Pennsylvania – a cold hit to serial rapes brought relief to a victim who awaited trial for filing a false rape report
- Tennessee – trace DNA from a robbery/murder victim's pants pockets gave a full profile match to the suspect
- Wisconsin – DNA evidence links a deputy to a female inmate's allegations of rape
- Federal – DNA tests confirmed the remains of Emmett Till. The Postal Service may seek DNA tests in a 1979 bombing, if old evidence can be located.

POLICY AND FUNDING ISSUES: The federal "DNA Fingerprint Act of 2005" was introduced to allow states to upload DNA samples covered under statutory authority (such as arrestees). North Carolina local labs may now collect \$300 for certain lab analysis if a conviction is secured. Many local labs in Texas are expected to miss a deadline to become accredited, and Massachusetts opened a new crime laboratory. The armed forces DNA registry and medical examiner will relocate to Dover Air Force base in Delaware.

LEGAL ISSUES: An Illinois appellate court has upheld the state's DNA database statute.

OTHER FORENSIC DNA ISSUES: Post conviction DNA tests released a New Jersey inmate; Missouri compensated a man exonerated by DNA, and Florida issued an Executive Order to permit post conviction DNA tests. Post conviction DNA testing cases moved forward in Mississippi and North Carolina. A series of articles in North Carolina highlighted evidence handling problems at the state lab. Police in Missouri are under fire for rape investigation policies, including failure to submit rape kits for DNA tests. A military DNA examiner is under investigation for falsifying test results.

INTERNATIONAL NEWS: Argentina identified remains of a nun thought to be a victim of the "Dirty War". Paternity testing may resolve a child swapping case in Malaysia, brought criminal charges in a German incest case, and may resolve a missing child mystery in Australia. Thai authorities are collecting DNA samples from militants. In Australia, temporary storage of DNA evidence in a shipping container is under review, and another Australia state is anticipating 63% increase in DNA database hits this year. South Africa is retesting evidence used to convict a man of serial killings in 1995, and Canada is considering compensation for a man exonerated through post conviction DNA tests. DNA tests will be conducted on remains in a Bangladesh murder case.

- Australia – A "dipstick" DNA test will allow wildlife officers to more easily enforce catch limits
- Canada – Mass DNA tests are underway in a town where a dead infant was found on a railtrack
- England – DNA identified Britain's "most prolific" burglar (a boy accused of at least 1,400 break-ins). DNA from rubber gloves identified a robber
- Germany – DNA evidence helped to secure a guilty plea from a teenager who killed a child.
- Japan – DNA evidence helped to secure a guilty plea from a murderer
- Thailand – DNA tests on tongue tissue may identify an attempted rapist (victim bit off his tongue during attack)

NEWS ARTICLES

1. North Carolina HB 890 – Authorizes courts to assess a fee of \$300 for any conviction that used DNA tests, blood-alcohol tests or controlled substance tests performed by a local lab as part of the investigation leading to conviction. The fee is deposited to the local jurisdiction's general fund for law enforcement purposes.

NEWS ARTICLES

1. "Argentine judge orders autopsy of murdered nun's remains." Agence France Presse, August 30, 2005.
In Argentina, DNA testing has confirmed the remains of a French nun murdered nearly 30 years ago during the country's "Dirty War". A judge subsequently ordered an autopsy to prove whether she was thrown to her death from an aircraft, a common method used by the Argentine dictatorship against dissidents during its 1976-1983 rule. The woman and another French nun had been active in a movement of mothers of people who disappeared during the military regime of 1976-1983. The two nuns were arrested in December 1977 and never seen again. As many as 30,000 people were killed by government agents during the period, according to some estimates.
2. "Malaysian couple says baby boy swapped for girl at hospital." Agence France Presse, August 30, 2005.
In Malaysia, a couple has claimed their newborn baby boy was swapped for a girl at a hospital which recently made headlines after a baby was kidnapped there. The father said a nurse showed him a baby boy after his wife gave birth, but hours later was told by a nurse that a mistake had been made and the child was a girl. The couple has alleged the child was swapped and are awaiting DNA tests.
3. "Fifteen alleged militant sympathizers surrender in Thailand's south." Agence France Presse, August 30, 2005.
In Thailand, fifteen alleged Muslim militant sympathizers turned themselves in to the army, in the biggest surrender since an emergency decree was imposed on Thailand's south. The group, who are on an official list of alleged sympathizers released after the decree was enacted, will spend one week in a "re-education" camp and give DNA samples to police before being released.
4. "Police arrest 16-year-old in brutal killing of 7-year-old in Berlin." Associated Press Worldstream, August 30, 2005.
In Germany, police have arrested a 16-year-old boy in the killing of his 7-year-old neighbor in suburban Berlin, a slaying that the suspect said was motivated by "personal frustration." DNA samples taken from the body and crime scene were matched to those of the 16-year-old, who lived close to the victim. The teenager confessed to the killing after he was taken into police custody. The teenager had a record as a prosecutors said.
5. "Man sentenced in 1969 slaying of University of Michigan student." The Associated Press State & Local Wire, August 30, 2005.
In Michigan, a man has been convicted for a 1969 murder after a cold hit on the DNA database led detectives to him. His DNA sample was included on the DNA database due to a 2002 conviction for forging narcotics prescriptions. However, defense attorneys contend that the sample was contaminated and plan to appeal the conviction. The DNA evidence in the 1969 case was also found to contain the DNA of another man who was being investigated for an unrelated murder. However, at the time of the 1969 crime, the other man was only 4 years old.
6. "Cash card theft suspect admits killing owner." The Daily Yomiuri, August 30, 2005.
In Japan, a man who is under indictment for theft has admitted killing the elderly holder of a bank account from which he withdrew 1 million yen, police said. Investigators said they found several bloodstains around the entrance to the victim's home that matched the victim's DNA. Other stains were identified as the suspect's DNA, they said.
7. "Man Loses Fight For \$ 3 Compensation Claim." New Zealand Press Association, August 30, 2005.
In New Zealand, a man wanting \$3 million for what he claimed was a wrong legal aid decision leading to him being jailed for 17 months has lost his fight for compensation. In February 1996, the man was sentenced to nine years' jail on charges of wounding with intent to cause grievous bodily harm and aggravated robbery after a service station attendant was robbed and stabbed. A sweaty, bloodstained T-shirt was found at the flat the man shared with two others. His lawyer tried to get legal aid for the T-shirt to be scientifically tested in Australia, but funding was refused as such tests were able to be done in New Zealand. Eventually, DNA testing showed the man's DNA was not on the T-shirt, and along with other evidence the man was given a retrial and was not convicted the second time. However, as for compensation, the Supreme Court said that the absence of his DNA in the sweat on the T-

shirt did not exclude him as having worn it. Also, the denial of funding for the Australian testing was not shown to be causative of any actual disadvantage to the applicant which affected the fairness of his trial.

8. "Chicagoan charged in November rape." Chicago Tribune, August 30, 2005.
In Illinois, a DNA match has led Chicago Police to an arrest in a nearly 10-month-old rape case. The man was identified through a cold hit on the DNA database. He has been convicted of three prior felonies.
9. "Two more weeks in container for DNA." The Courier Mail (Queensland, Australia), August 30, 2005.
In Australia, it is believed the DNA evidence has been stored in a temporary refrigerated storage facility at the lab's carpark for up to 10 weeks. The evidence was moved to these shipping containers after a freezer broke down, and was part of the Queensland Health Scientific Services disaster management plan. A Queensland Health official said that a review of the practice is underway but that it would take about two weeks to complete. It was not known how long it would take to replace the \$200,000 freezer, which is on order.
10. "Justice delayed; Improved state crime lab long overdue." Telegram & Gazette, August 30, 2005.
Massachusetts editorial: The unveiling of a modern state police crime lab in Sudbury is welcome news, indeed. For far too many years, justice in Massachusetts has been hampered by cramped, outdated facilities in which to test evidence... Thankfully, more laboratory upgrades are likely in the pipeline. The governor has filed a \$125 million bond bill for the next phase of improvements. The Legislature should speedily advance the plan. While they're at it, lawmakers should push for the timely reopening of the Worcester medical examiner's office. Its closing during a 2004 fiscal crisis was particularly difficult for the families of those needing autopsies. Meanwhile, the new lab in Sudbury marks significant progress in this critical area.
11. "Tainted Evidence?." Winston-Salem Journal, August 29, 2005.
In North Carolina, defense attorneys claim that DNA evidence linking their client to a 1992 murder might have been contaminated due to poor evidence storage policy. The DNA evidence against the man, who admits to being at the crime scene, but claims he did not participate in the murder, was blood found on overalls which were stored in a box containing the rest of the evidence. Therefore, the defense claims it may be possible that the DNA evidence was transferred. However, a fiber analyst concluded that the blood evidence had soaked into the garment at the time of the crime. The man was convicted of the crime in 1993, and the DNA testing has occurred as part of his appeals process. The state's Commission on Actual Innocence has made the storage and preservation of evidence its next area for reform.
12. "Lab Work Suppressed." Winston-Salem Journal, August 29, 2005.
In North Carolina, a series of problems with the state's handling of DNA evidence in a murder case led a Superior Court judge to suppress all of the lab work. Reports from the crime lab show that DNA from blood on the suspect's truck door handle matched his wife's DNA. The judge said that the lack of cooperation from the crime lab and a series of apparent errors left him with no choice. He found that, in spite of previous court orders and repeated requests from attorneys, the state had refused to turn over the raw data from the DNA testing in the case. In addition: the blood sample, which a judge had ordered the lab to preserve for further testing, had either evaporated or was spilled; the report on the lab's genetic profile for the suspect identified him as a female, and no one from the lab came to court to explain the error; a lab report confirmed that semen had been found on the victim, but the DNA in the sample matched the victim and there is no semen left for further testing. The lab has said that it never knew about the previous court orders, and that no one from the lab had been subpoenaed to testify.
13. "South Africa; 'Miscarriage of Justice' Gives Lawyer Grey Hair." Africa News, August 28, 2005.
In South Africa, evidence in the case which convicted a man of being the serial killer nicknamed the Station Strangler, is being retested at the request of the inmate (and upon a court order). Strands of hair were found on many Strangler victims, but little blood or semen. The state has failed to produce forensic evidence placing the man at the scene of any of the 22 killings. A witness who claimed to have seen the man with a murdered boy a confession was supposedly made at a time when confessions under duress were the norm. Garnering more media attention for the case, the defendant's attorney has not cut his hair in 10 years (since he lost the case) and refuses to do it until his client is free.
14. "Thai man faces DNA test after alleged rape victim bit off tongue." Agence France Presse, August 28, 2005.
Thai police will conduct DNA tests to confirm a woman's claims that she bit off the tongue of a teenager who allegedly tried to rape her. When police inspected the scene they found the chunk of tongue and police found the 17-year-old suspect in hospital where he was being treated for his injuries. He claimed a gang of thieves had robbed him and cut off his tongue. Last year there was a similar case when a teenage girl walked into a police

station carrying a plastic bag containing a piece of tongue belonging to a man who tried to rape her. The man confessed to the crime and was charged with crimes including molesting an under-aged girl.

15. "Many Texas crime labs can't meet new law's goal." The Associated Press, August 28, 2005.
In Texas, only about one-third of the state's unaccredited crime labs are expected to meet a deadline for achieving the standards required for accreditation. Labs that fail to meet the deadline will be banned from introducing evidence at criminal trials. Based on state records from the Department of Public Safety, more than 28 labs remain unaccredited in all areas. Eighteen labs, 13 operated by the Texas Department of Public Safety, already were accredited. Those labs now will have to analyze the evidence from departments that aren't accredited while trying to deal with a DPS backlog of 1,100 DNA cases.
16. "81 rape case reviewed." The Clarion Ledger (Jackson, Mississippi), August 28, 2005.
In Mississippi, a County Circuit judge has ordered city, county and state officials to search for biological samples taken from a rape kit in a 24-year-old rape case for which a man was sentenced to life in prison in 1982 when he was 16. The Circuit Judge ordered the Jackson Police Department and its crime lab, the Hinds County Circuit Clerk's office, the district attorney's office, the sheriff's department, the state Crime Lab and the University of Mississippi Medical Center to search for all biological evidence from the woman's April 12, 1981, rape kit. The search is to include any bench notes, test results and any investigative documents.
17. "Highly secretive murder case finally set for trial." Monterey County Herald, August 28, 2005.
In a California murder case, a DNA sample collected from a suspect is a match to evidence found on the victim. However, the man, who was the victim's brother-in-law, now admits to having sex with the woman but claims he did not kill her. Since the defense argues that the DNA is not related to the murder, defense attorneys say that the nearly 50 voluntary elimination samples collected led police to exclude potential suspects who could be the real killer.
18. "DNA Testing Leaves Man Free on Bail After 17 Years." The New York Times, August 28, 2005.
A New Jersey man whose conviction on rape and murder charges was overturned as a result of DNA testing was released on bail after spending 17 years and 11 months behind bars, but he still faces a retrial in the 1987 murder case. DNA tests, ordered by an appeals court, invalidated the physical evidence tying the man to the crime. The results showed the genetic profile of an "unknown male" as the source of semen and fingernail scrapings found on the victim's body. Tests on hairs found at the scene that a state forensic expert had identified as a "microscopic match" to the man's were determined to belong to the victim. But prosecutors are convinced they convicted the right man. Their case is based primarily on statements from three men who rode to work with him the day the woman's body was found and who said the man told them that he had killed a woman the night before.
19. "DNA match could free convict." The News & Observer (Raleigh, NC), August 28, 2005.
In North Carolina, tests on DNA recently extracted from a bloody washcloth found at a 1990 murder scene show that it came from a man, but not from the man convicted of the crime. Prosecutors have agreed to have that profile run through a national DNA database of convicted felons, and the convicted man hopes it might lead authorities to the true killer. The inmate pleaded no contest to the original charges, but is now hoping the DNA evidence will free him.
20. "Use Lindy's DNA to prove my claim." Northern Territory News, August 28, 2005.
In Australia, a woman claiming to be an infant who went missing 25 years ago, wants DNA from the missing child's mother in a bid to verify she is the missing baby. The woman, who is 25, says she has scars from dingo teeth and is hoping the case is re-opened "so I can get a DNA test". She says she was found by an Aboriginal man, passed to an Aboriginal woman, then handed on to a local white woman. She said DNA tests would prove her claims. The mother spent more than three years in jail over the murder of her nine-week-old daughter, before she was pardoned and her conviction quashed. The father was convicted as an accessory after the fact and received a suspended sentence, which was also later quashed.
21. "Britain's Baddest Burglar." The People, August 28, 2005.
In England, a teenager was deemed Britain's most prolific burglar after stealing nearly £500,000 in 1,414 break-ins. And police believe the 17-year-old could have been behind 3,000 raids during his six-year spree and attempted 10,000 more. The young man, who has been sentenced to eight years behind bars, was just 11 when he committed his first offense. Police got their breakthrough after finding his DNA at one address. When officers caught him he confessed to an incredible burglary spree. Burglary figures in many areas fell dramatically after his arrest.

22. "Abused By The System." St. Louis Post-Dispatch, August 28, 2005.
St. Louis, Missouri article reports that, "police made choices as to which women to consider as [rape] victims. . . many women's reports of sex crimes were relegated to informal memos. St. Louis police should have counted them but didn't. Usually a paper record, these went into a filing cabinet for a year, two at the most, and eventually to a shredder." Among other allegations, are reports that police sometimes collected but did not request analysis of physical evidence that could have identified rapists by their DNA. The newspaper requested results from six "rape kits" for women who reported being abducted by strangers. Police wrote memos instead of official reports, largely because the women did not contact them for follow-up interviews after officers left their business cards. Only one kit was examined for DNA evidence. In every case, the department had planned to destroy the only supporting paperwork, rendering the corresponding evidence virtually useless.
23. "DNA test all babies." Sunday Times (Perth), August 28, 2005.
In Australia, an Opposition Leader who in 2001 suggested that all newborns should have DNA collected for the forensic DNA database, continues to stand by his statement. Recently he said: "I think that it will be about 10 or 15 years before the crime rates become so unbearable for the community that they are prepared to embrace the notion of saliva DNA samples taken at birth. But it is worth considering that it could result in a crime rate of almost zero." Civil libertarians condemn the idea as "nonsensical".
24. "German courts jail man who fathered four children with his sister." Sunday Telegraph, August 28, 2005.
In Germany, paternity DNA testing has confirmed that a brother and sister have had another child together – their fourth. The man may be sentenced to up to four years in prison, and the mother is now facing criminal charges as well. The two older children both are mentally impaired, and two younger are still too young to be diagnosed.
25. "DNA Mislabeled In Murder Case." Winston-Salem Journal, August 28, 2005.
In North Carolina, a 2002 murder case may be in jeopardy after problems were revealed with DNA tests that identified a daughter of the victim as the killer. The test tubes holding the DNA samples had been mislabeled. The evidence actually showed that the blood evidence belonged to the victim. When it learned of its mistake on the DNA test, the State Bureau of Investigation removed the lab technician on the case from her duties. The state lab is reviewing the files for all 50 DNA cases that analyst worked on since 2002, but does not intend to redo the analyses unless it is requested by the prosecuting or defense attorney. The prosecution for this case intends to carry on with their charges against the daughter, despite the DNA error.
26. "Lab worker under suspicion for possible falsification of DNA test results." The Associated Press, August 27, 2005.
A forensic examiner at the Army Criminal Investigation Laboratory has been accused of falsifying test results – allegations which could impact hundreds of cases dating back a decade or more. The examiner on June 2 admitted making a false entry on a control sample used during one DNA examination, the Army Criminal Investigation Command, or CID, disclosed. The lab, at Fort Gillem, Georgia., is now reviewing 479 or more cases the accused examiner has worked on since he began in 1995. The examiner now under investigation was temporarily suspended from DNA case work in January 2004 when contamination was detected in his testing process, officials said. After "remedial action and retraining" he was returned to work in September 2004.
27. "DNA dipstick to hook illegal fishers." The Courier Mail (Queensland, Australia), August 27, 2005.
In Australia, on-the-spot tests using DNA will give Queensland Fisheries patrol officers a new tool to enforce fish catch limits. The "dipstick" test developed by Fisheries Department researchers allows officers to get a reasonable idea of the species from which a fish fillet was taken. A Boating and Fisheries Patrol spokesman said the test allowed officers to collect preliminary evidence for prosecution. "A major advantage . . . will be that it can be used for both random testing . . . (and) where an officer has suspicions," he said.
28. "Mass DNA testing raises questions of rights, ethics." Hamilton Spectator, August 27, 2005.
In Canada, local police have undertaken a mass DNA screening in the effort to identify the mother of an infant who was left on a train track. The mother is believed to be local to the area. So far, investigators have knocked on more than 200 doors in the area around the rail line but not everyone has been required to give a sample. Investigators are using a pre-determined criteria to determine who to take a sample from, but are unable to say what that criteria is or how many samples have been tested.
29. "Judge examines DNA issues." Orlando Sentinel, August 27, 2005.
In Florida, a man accused of murder has told judges that police violated his rights when they forcibly collected a DNA sample from him upon his arrest. The state prosecutors said the man agreed to mouth swabs and fingernail

scrapings during his interrogation. The court's ruling on the DNA will have little effect because prosecutors can seek a new sample with a court order, which the judge and attorneys agreed is always granted in slaying cases. The man is among two who have been charged with the baseball bat beating deaths of six friends over a video game.

30. "Rape victim vindicated as serial suspect arrested." Pittsburgh Tribune Review, August 27, 2005.
In Pennsylvania, local police didn't believe a gas station worker who claimed a man held a gun to her head and forced her to perform a sex act in July 2004. In fact, police charged her with making a false report, theft and receiving stolen property (over \$600 had been stolen from the cash register). She spent six days in jail, while she was four months' pregnant, and was scheduled to stand trial in September. But local prosecutors elected to drop the charges because of the recent arrest of an alleged serial rapist who confessed to sexually assaulting her. DNA evidence connecting the man to two other sexual assaults in the county and one each in three other counties. He is also a suspect in other attacks in two additional counties. The victim is considering whether to file a lawsuit.
31. "Missouri pays man imprisoned for rape he didn't commit." St. Louis Post-Dispatch, August 27, 2005.
The most recent man in Missouri to be exonerated by DNA evidence became the first and only one to be paid out of a state fund for the wrongfully imprisoned. Anthony D. Woods spent more than 18 years in prison for forcible rape, armed criminal action and felonious restraint. He was on conditional release when he was exonerated in April. He was awarded \$328,500 this month. Three other men who were exonerated by DNA testing before Woods are not eligible for compensation under the law that expanded DNA testing to convicted felons, sex offenders and sexually violent predators already in the custody of the Department of Corrections.
32. "DNA in victim's pocket helps convict suspect." The Tennessean, August 27, 2005.
In Tennessee, trace DNA evidence found in a murder victim's pants pockets was presented in court. The victim's pocket lining was partially pulled out when the body was found, and DNA found in the pocket belonged to the defendant. It was the first time in the history of the 13th Judicial Circuit that DNA trace evidence taken from inside the pocket of a murder victim had been used to convict the killer, officials said. Investigators believed the man was robbed during the course of his murder and hoped the killer left his DNA on the victim's pockets. In fact, the analyst was surprised at the amount of the killer's DNA found on the pocket lining, and was able to match all 13 loci.
33. "DNA backlog leads to lag in catching criminals." Daily Advertiser (Lafayette, Louisiana), August 26, 2005.
In Louisiana, the Acadiana crime lab director said he has seen the lab's caseload grow by 20 percent this year, which now equates to a nine-month or more backlog on current cases alone. Meanwhile, "We still have the same number of people we had five years ago," he said.
34. "BRAC commission votes to close venerable Walter Reed Hospital." Delaware State News, August 26, 2005.
The federal Base Realignment and Closure commission voted to close Walter Reed Army Medical Center -- the crown jewel of U.S. military hospitals. The armed forces medical examiner, DNA registry and accident investigation teams would be relocated to the Dover Air Force Base.
35. "Deputy accused with assault." Duluth News-Tribune, August 26, 2005.
In Wisconsin, a Milwaukee County sheriff's deputy faces second-degree sexual assault charges on accusations he forced a female inmate to perform a sex act in the jail. The victim saved DNA evidence of the alleged crime and a state crime lab analysis connected the deputy to the DNA sample, according to the complaint.
36. "Bungling Bandit Caught By Glove." The Express, August 26, 2005.
In England, a burglar was identified by DNA found on rubber gloves used during a crime. The man and his accomplice escaped in a getaway car but witnesses saw them throw the latex gloves out of the window. The man admitted to the robbery and was jailed for over five years.
37. "Wrongfully convicted man to receive compensation." The Gazette (Montreal), August 26, 2005.
In Canada, the Quebec government took decisive action to correct the wrongful conviction of Simon Marshall, a man who was sent to prison for five years and faced a possible life term as a dangerous offender for crimes he did not commit. The Justice Minister announced he would name an independent arbitrator to decide what monetary compensation Marshall should receive and would ask the Quebec Court of Appeal to overturn his conviction. The Minister ordered the case reviewed by a Montreal crown prosecutor in August after Quebec City police released the results of DNA testing, proving that Marshall did not commit either the series of sexual assaults that sent him to prison in 1997, or the sexual assaults he admitted to committing in 2003 after being released from prison. Marshall, who suffers from intellectual deficiency and has schizophrenia, was arrested in 1997 while in a woman's

washroom where he spontaneously admitted he was the "Ste. Foy rapist."

38. "DNA cleans up crime records." Herald Sun (Melbourne, Australia), August 26, 2005.
In Victoria, Australia, a total of 104 convicted offenders have been matched to crime scenes by their DNA since July 1. There are 10,758 convicted offender DNA samples on the Victoria Police database that can be compared with samples taken from crime scenes. Police say if the trend continues it would lead to an unprecedented crime crackdown through DNA results. "If this weekly trend continues there will be a total 901 matches reported this financial year," Sen-Sgt Callaway said. "This would represent a 63 per cent increase on matches on the previous year." Reasons for the projected increase include more scientists processing DNA evidence at the Police Forensic Services Centre. "Eighty-seven per cent of hits (on the database) come from people who have been found guilty of a crime and are permanently on the database," Sen-Sgt Callaway said. The other 13 per cent of matches come from suspects or accused people.
39. "Grant helps local law enforcement agencies with DNA processing," The Reporter (Fond du Lac, Wisconsin), August 26, 2005.
In Wisconsin, local law enforcement agencies have another resource in investigating crime thanks to a \$150,000 grant to increase the efficiency and effectiveness of DNA testing from Fox Valley Technical College. The grant will include increased "process mapping" of DNA, which allows crime lab technicians to test DNA samples more efficiently. The grant will also provide improved evidence gathering techniques to law enforcement officers at crime scenes. The demand for DNA evidence processing has increased 40 percent since January of 2003, and since 1996, it has increased 161 percent, according to a press release from Attorney General Peg Lautenschlager's office.
40. "Report: DNA confirms body is Emmett Till's." USA Today, August 26, 2005.
DNA testing has confirmed that the body buried in Emmett Till's grave is the 14-year-old who was slain in Mississippi a half-century ago, just as his mother and relatives have said. Till's body was exhumed from a suburban Chicago cemetery on June 1 as one of the last tasks in a federal investigation of his death. The probe was renewed last year after a New York filmmaker suggested there were other participants in the murder who have never been charged. The two men accused of the murder in 1955 were acquitted several weeks later. The jury foreman said one reason the two men went free was that the body was never officially identified. The sheriff testified during the trial that he couldn't positively identify Till. Over the years, a mythology grew that Till had left Mississippi and run away.
41. "Serial rape suspect arrested." Anchorage Daily News, August 25, 2005.
In Alaska, a man has been arrested and charged with raping or assaulting four women between March 2003 and May 2005. Police say DNA evidence links the man to three of the attacks and there may be more victims. Police spotted similarities between the four cases after the most recent attack on May 4. After the fourth attack, detectives gathered enough information from other police operations to focus on the suspect.
42. "Fulton prosecutors say grant will help close cold cases." The Associated Press State & Local Wire, August 25, 2005.
In Georgia, Fulton County prosecutors said a \$714,000 federal grant they received will help them solve cold homicide cases quicker. The money will be used to hire two scientists to work at the Georgia Bureau of Investigation lab solely on Fulton County cases. In addition to helping test DNA samples on active investigations, the new workers also will help compare samples from crime scenes to those taken from convicted felons. For years, a lack of money and other resources have caused significant backlogs in testing DNA samples at the state crime lab. The FBI says it presently can take up to 11 months to test evidence it receives from across the state.
43. "State beefs up its crime lab." Telegram & Gazette, August 25, 2005.
In Massachusetts, a new 12,000-square-foot lab will drastically reduce the backlog of DNA testing. The Governor said that when he took office in 2003, the state police crime lab had four DNA chemists and a budget of \$3.9 million. That budget has grown to \$12.6 million, which will pay for the new space and 33 new chemists, with 12 of those to be DNA specialists. The governor recently filed a bond bill that provides \$125 million for the final phase of improvements to the crime lab. When the final phase of expansion is complete in 2012, the crime lab will have an estimated 230,000 square feet of floor space, including almost 40,000 square feet for DNA-related analysis alone - or about 20 times the amount of lab space originally available to DNA chemists. There is currently a backlog of 1,000 DNA samples. Depending on the priority of a case, testing has taken nine months to 18 months. Some are not processed at all, due to the backlog. The new target for DNA testing will be 30 days.
44. "Jamaluddin's wife demands DNA test of skeleton." United News of Bangladesh, August 25, 2005.

In Bangladesh, samples of the retrieved remains of an abducted businessman who is also Vice-president of ruling BNP's Chittagong (north) district unit were today taken to a hospital for postmortem before burial. A portion of the remains will be kept for DNA testing to dispel any doubt of his family members about the identity. "A government-formed committee will decide where the test will be done under government initiative," one official said.

45. "Criminal law & procedure - genetic testing requirement." Chicago Daily Law Bulletin, August 25, 2005.
In Illinois, 4th District Appellate Court has ruled in favor of upholding the state's DNA database statute. The defendant argued that the compulsory extraction and perpetual storing of his DNA violates his right to be free from unreasonable searches and seizures under the Illinois and U.S. Constitutions. He also argued that the trial court lacked the authority to order him to pay the cost of the DNA collection in addition to the \$ 200 analysis fee. The rejected the argument and noted that all 50 states and the District of Columbia have enacted DNA statutes and all reported constitutional challenges to those statutes have been rejected. The defendant contended that even under the balancing test, the statute still violates the defendant's Fourth Amendment rights because the state lacks a compelling interest, he has a substantial privacy interest in bodily integrity and genetic information, and the extraction of his DNA is intrusive. The court responded that the state has a strong interest in deterring and prosecuting recidivist criminal acts. The state also has an interest in establishing the identity of felons, especially where the traditional means may be inadequate and inconclusive. *People v. Eugene Hunter*, No. 4-03-0957. Justice Sue E. Myerscough wrote the court's opinion with Justices Robert W. Cook and John W. Turner concurring. Released June 30, 2005. 007A
46. "Postal Service eyes 1979 bombing case." Birmingham News, August 24, 2005.
The U.S. Postal Service is looking anew at the May 1979 Bessemer City Hall mail bombing in Alabama that killed a police officer and seriously injured two people. Investigators hope to obtain DNA - using procedures not available 26 years ago - from stamps used to mail the bomb and from any other evidence. The new investigation may have hit a snag though. No one knows where the evidence is.
47. "Our Say:Editor's Notebook." The Maryland Gazette, August 24, 2005.
Maryland Editorial: "In real life, the processing of DNA evidence is not as quick or as easy as it is made to look on television. But it is still a scientific wonder, and a major advance in crime-fighting. This has just been shown again recently in the fast arrest of a vagrant for the rape of a Severna Park woman. The case also provided another bit of vindication for the county's decision to have its own accredited DNA laboratory for its police department, one of only three such labs in the state. Chemists at the lab provided the key evidence to justify an arrest in a matter of days; the suspect was arrested July 20 for a crime that took place on July 16. Back when the county had to rely on outside labs, a DNA match could take months. And who knew where the suspect would go, or what he would do, in the meantime? Police Chief P. Thomas Shanahan would like to add another chemist to the lab, who would focus on cold cases. We hope he can do so."
48. "Scientist: Early errors aided case." The San Diego Union-Tribune, August 24, 2005.
In California, a criminalist has indicated that mistakes detectives made in investigating the 1991 slaying of a 9-year-old proved fortunate because they inadvertently preserved DNA evidence that might otherwise have been destroyed. The DNA material had been overlooked during the initial investigation, but had it been found, DNA testing methods used at the time may have consumed the entire sample with no tangible results. As it happens, when the DNA evidence was discovered and tested in 2003 using new DNA testing methods, the evidence linked a suspect to the crime.
49. "Justice is in order; Governor sets standard for fairness on DNA testing." Sarasota Herald-Tribune, August 24, 2005.
Under an Florida State executive order that the Governor issued Aug. 5, law-enforcement agencies and other government authorities are required to preserve physical evidence until inmates have a chance to request DNA testing. Bush's order nullified an Oct. 1 deadline for prisoner appeals that the Florida Supreme Court set two years ago. The court had extended a two-year deadline that the Legislature established in 2001. The order pertains to convictions that occurred in the 1990s and earlier, when DNA testing either didn't exist or was not as technologically refined as it is now.
50. "Experts cast doubt on Kissel claims over bat." South China Morning Post, August 24, 2005.
In Hong Kong, forensic scientists have reported that a baseball bat a woman claims her husband used to beat her with on the day he died did not carry his DNA, nor had it been used to strike forcefully the ornament she claims to have used in self-defense. The DNA expert said he could only find an unidentified woman's DNA on the bat

handle. He also told jurors in the Court of First Instance he could find no bloodstains on the bat.

51. "DNA clue in 1999 killing surfaces." Times-Picayune (New Orleans), August 24, 2005.

In Louisiana, New Orleans police said they have a "potential suspect" in the stabbing death of a Louisiana State University professor and researcher found slain six years ago in his home. The case was stalled for years. Then, in the past month or two, a match was discovered between DNA from the murder scene and that of a Mississippi man serving time for kidnapping. The man's DNA was entered into the same database where the North Hagan Street scene evidence was processed years ago.

Genetic Research / Privacy

1. "Molecular genealogy foundation to include Singapore families in DNA database." Obesity, Fitness & Wellness Week, September 3, 2005.

The Sorenson Molecular Genealogy Foundation (SMGF) announced that it plans to collect information from volunteer Singapore families to help build the SMGF family history database. The foundation's database is a publicly available family history tool that combines genetic and genealogical information to create a comprehensive genetic record of families throughout the world. SMGF intends to collect genetic information from between 200 and 300 individuals in Singapore and invites Singaporeans who have at least 4 generations of genealogical information (back to their great-grandparents) to contribute DNA samples at the first Singapore Family History Exhibition.

Paternity

1. "Ancestry in a Drop of Blood; Tribes and would-be members are turning to DNA tests.." Los Angeles Times, August 30, 2005.

Numerous Native American tribes are embracing DNA tests as a means of determining Indian heritage to screen out pretenders seeking to cash in on the tribe's casino profits. Casino profits aren't the only reason people want to join tribes. Card-carrying members qualify for care from the federal Indian Health Service. Some tribes offer allowances for school clothing, vocational training, aid for the elderly and other services. But there are also a lot of questions that arise with the concept of requiring DNA tests for tribal membership – primarily it may raise questions of what it means to be "Indian." Some long-standing members may find that they are rejected after paternity tests. Additionally, the testing cannot distinguish between tribes.

CONGRESSIONAL RECORD

1. US Senate -- Senator Kyl's floor statement on the introduction of the "DNA Fingerprint Act of 2005." The bill makes it easier to include and keep the DNA profiles of criminal arrestees in the National DNA Index System. Presentation of information from a Chicago study documenting crimes that could have been prevented if DNA samples had been collected for prior felony convictions.