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The September 28, 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:

- Arizona – DNA evidence linked serial rapes to a suspect (confessed to 12 attacks).
- California – DNA from cigarette butts helped to identify a killer's ethnicity; a cold hit to a death row inmate solved three Virginia murders, and a cold hit solved a 1977 murder.
- Florida – a cold hit identified a rapist in a crime for which another man was initially suspected.
- Georgia – 20 cold hits were made in September, identifying suspects in 1 murder, 11 rapes, 5 burglaries, 1 theft and 1 entering an auto. 4 of the rapes were linked to drug offenders, and 3 other rapes were linked to California offenders. A forensic match was made to five other still unsolved rapes.
- Illinois – a cold hit led to the arrest of a rapist (November 2004 crime)
- Virginia – a cold hit to an arrestee solved a rape in New York
- Federal – an arsonist's identity was confirmed from DNA found on a can of spray paint.

POLICY AND FUNDING ISSUES: In Congress, provisions to further expand the federal laws governing DNA databases have passed the Senate. Almost \$100 million in grants for DNA have been awarded by the National Institute of Justice. Delayed DNA testing in Illinois may have resulted in a boy's murder that could have been prevented. Alabama is concerned that its DNA program may lose ground if federal funding becomes limited.

LEGAL ISSUES: The Illinois Supreme Court has heard arguments challenging prior rulings upholding the state's DNA database statute. An Ohio jury discounted DNA evidence in a rape trial, but convicted the man of kidnapping.

OTHER FORENSIC DNA ISSUES: West Virginia is beginning an Innocence Project. Motions for post conviction DNA testing moved forward in Ohio and Washington, and was a motion was withdrawn in Maine in favor of pursuing legislation. Wrongful conviction suits for compensation were filed by inmates exonerated through DNA in Arizona and Louisiana. The International Commission on Missing Persons has offered assistance to the US in hurricane recovery efforts.

INTERNATIONAL NEWS: In India, a group of women are on hunger-strike to demand DNA testing in an unidentified remains case. Pakistan was urged to consider the value of DNA evidence in reviewing laws that require several witnesses for crime such as sexual assault. Sweden may consider eliminating its statute of limitations for murder, in part due to the advent of DNA. Post conviction DNA tests freed a Canadian man. Columbia is collecting reference samples from families attempting to identify victims of paramilitary groups.

- Canada – Voluntary eliminations samples collected in a murder case resulted in a familial match.
- England – a familial match identified a man who attacked three women. Britain reports it has used familial searches in 93 cases, resulting in 6 convictions, 6 ongoing court cases, and 69 ongoing investigations. A rapist was identified after arrest for stealing a car.

NEWS ARTICLES

1. Georgia Cold Hits, September 2005. E-mail correspondence, October 2005.
State Database Hits

Crime Date	Case Type	Offender Crime
1995	Murder	Rape
1998	Rape	Poss. of cocaine
2002	Burglary	Poss. of marijuana
1999	Rape	S/D cocaine
1996	Rape	Robbery
2004	Burglary	Burglary
2003	Rape	Child molestation
2002	Rape	Poss. of cocaine
2005	Entering auto	Robbery
2003	Rape	Poss. Narc. Opiates
2003	Burglary	Burglary
1995	Rape	Kidnapping
1999	Burglary	Kidnapping
2002	Rape	Aggravated assault
2003	Burglary	Theft by shoplifting
2004	Theft	Theft by taking

National Database Hits

Case Type	State	Offender Crime
Rape	California	(CA) Burglary
Rape	California	(CA) Vehicle theft
Rape	California	(GA) Kidnapping

Forensic Hit

Case Type	Case Dates	Suspect?
Rape	2003*	no

*This case linked to 5 others (from Fulton County) that have been previously linked. All cases are from 2002-2003. Suspect is unknown on all 6 cases.

2. “Scientists fear DNA program will slow if funding stops.” The Birmingham News, October 2, 2005.
In Alabama, the Department of Forensic Sciences has made considerable progress in addressing its backlog of DNA cases awaiting analysis. Police have previously complained that DNA analysis would take years to complete, but the lab has recently been meeting its goals of 30 to 60 days. The current statewide backlog is estimated to be below 1500 cases now, but the Department is concerned that if federal funds for DNA analysis become limited then the state will be short of funds for DNA. The Department Director is request a \$2 fine on court cases, currently used to fund the DNA program, be raised to \$10.
3. “Phoenix OKs \$3M Award in wrong conviction.” Associated Press, September 28, 2005.
The city of Phoenix, Arizona has agreed to pay \$3 million to settle a lawsuit filed by a man who was wrongfully convicted of murder twice. The man spent ten years behind bars, including two years on death row. He was convicted in 1992, based largely on expert testimony that his teeth matched bite marks found on the victim. In 2002, DNA testing proved that he was not the real killer. Besides the mental anguish, the man says that his arm was broken, he was stabbed, and he contracted Hepatitis C while in Arizona prison.
4. “DNA samples yield suspect in murder.” Communications Corp., September 28, 2005.
In Canada, a voluntary DNA sample collected in a 2002 murder investigation have led to the arrest of a suspect. Two of the voluntarily given DNA samples were identified as being similar, but not an exact match, to the killer’s DNA – indicating the men were relatives to the killer. The man eventually arrested was the son of one of these two

men. A subsequent DNA sample collected from the son was an exact match. The man is currently standing trial in Edmonton.

5. "Women On Hunger-Strike." The Statesman, India, September 28, 2005.
In India, a group of women have begun a public hunger-strike at a bus stop in order to demand DNA testing on skeletal remains thought to belong to a missing boy. Local officials have now agreed to the DNA tests and have collected reference samples from the missing boy's parents. The hunger-strike is expected to continue until the administration agrees to share the forensic reports, including DNA results. If the skull is of the missing child, then the group also demands a commitment to arresting all the accused. Three women have already been admitted to a hospital.
6. "DNA leads to suspect in 1988 killings." The Washington Post, September 28, 2005.
In Virginia, seventeen years after three people were abducted and shot to death, investigators received a cold hit on the case to a California death row inmate. The cases were linked together through DNA in 2000, but not suspect was immediately identified. The man has been in jail since 1990 for raping and killing a young girl. Surviving family members of the Virginia victims indicated they had given up hope of the case ever being solved.
7. "Phoenix police talk keys to nabbing rapist." Associated Press, September 27, 2005.
In Arizona, a serial rapist has been arrested in Phoenix. Several of the rapes were linked together through DNA and other forensic evidence. A detective on a stakeout for the rapist became suspicious of a man and arrested him after suspicious movements were made. He has confessed to 12 attacks.
8. "Cinderella story at city's crime lab." Charlotte Observer, September 27, 2005.
In North Carolina, the Charlotte-Mecklenburg Police Department has received a federal grant for \$92,539. The money will help shrink the backlog of DNA samples in homicide and rape cases and pay for an analyst to test DNA from the scenes of robberies and burglaries.
9. "Animal activist pleads guilty to arson." Seattle Post-Intelligencer, September 27, 2005.
In Washington, an animal rights activist who set fire to a Seattle McDonalds, in the name of "our furry brothers", pled guilty to charges of arson. The FBI's joint terrorism task force linked him to the arson after finding fingerprints and DNA samples on a can of spray paint. They arrested him in Philadelphia in March. Under the plea agreement, the activist will serve eight to ten years in Federal prison.
10. "West Virginia U. joins DNA project." University Wire, September 27, 2005.
In West Virginia, the clinical law program the West Virginia University College of Law is beginning an Innocence Project to review cases where a DNA test could alter the outcome. The Director of the New York Innocence Project, Barry Scheck, spoke at the West Virginia inauguration saying the he believed crime labs should be independent third forces, free from police or prosecutor purview. Thus far, the Innocence project boasts 165 cases overturned, or found to have been wrongly convicted.
11. "KU holds seminar on Hudood Ordinance." Pakistan Newswire, September 26, 2005.
In Pakistan, Kurachi University held a seminar on the "Hudood Ordinance." The Hudood Ordinance covers "crimes against property, kidnapping, fornication and forced adultery, and false accusation of adultery." These crimes require the production of four witnesses, who should all be Muslim – an impossible feat for many rape cases. Since the majority of Hudood Ordinance crimes are committed against women, the visiting lecturer said that techniques like DNA should be allowed in cases to protect future victims.
12. "State man pins hopes on DNA." Seattle Post-Intelligencer, September 26, 2005.
In Washington, an man in prison for murder alleges that falsely admitted to guilt in the crime after collapsing from exhaustion from hours of questioning. A University of Washington Innocence Project is assisting with an appeal for post conviction DNA testing which they believe will exonerate him of involvement in the crime. New testing, not available in the 1995 trial, has found that DNA found in the mask used during the attacks does not match his profile..
13. "Napa police hope DNA will lead to murderer." Vallejo Times-Herald, September 25, 2005.
In California, cigarette butts found at the scene of an unsolved crime have been found to match DNA from blood shed by the killer. Additional DNA testing has revealed the killer's ethnicity and gender – a Caucasian male. Police hope to narrow-in on a suspect in the double homicide case with this additional information.

14. "Man Guilty Of Kidnapping, Not Rape." Columbus Dispatch, September 24, 2005.
In Ohio, a man was spared a life sentence when jurors discounted DNA evidence, which prosecutors argued proved he raped a 5 year old girl, and acquitted him of that charge. He was, however, convicted of kidnapping her and faces up to 10 years. The child went missing from her bed in December 2004, and still has not been found. But her DNA was reportedly found on the suspect's genitals, and another inmate claims the man confessed the murder to him. However, the DNA sample that was found was small and a reference sample had to be collected from the child's mother and father.
15. "New trial unlikely, so Dechaine pulls out." Portland Press Herald (Maine), September 24, 2005.
In Maine, a convicted murderer abruptly halted his bid for a new trial and decided to take his fight to the Legislature. At what was supposed to be the start of a five-day hearing, the man's lawyers withdrew his motion for a new trial based on DNA evidence, saying the never-before-used DNA law and a strict evidentiary ruling set a standard that could not be met. The man is the first person to seek a new trial under a four-year-old state law that requires a defendant to prove that he is exonerated by DNA evidence that could only belong to the real perpetrator of the crime. In most states, a defendant only has to prove that a jury faced with the new evidence probably would not find him guilty. In Maine, he said, the defendant also has to solve the case.
16. "Sex assault suspect arrested." Sarasota Herald-Tribune, September 24, 2005.
In Florida, DNA testing exonerated a man arrested for a sexual assault on an elderly woman, and a search of the DNA database connected another suspect to the case. The wrongly arrested man was initially identified primarily through an eye witness identification. The true attacker was tracked to New York and placed under arrest.
17. "Prosecutors to review DNA." Akron Beacon Journal, September 23, 2005.
In Ohio, prosecutors will review new post conviction DNA tests for a 1998 murder case that suggest a convicted child rapist, and not a man already convicted of the crime, may be the killer. Attorneys for the inmate believe the DNA findings fully exonerating, but prosecutors say the tests are incomplete and far from conclusive. The DNA testing used by the defense team involves the relatively new Y-STR method, which can only exclude male contributors, not definitively include them. While standard DNA matches deal with certainties in the millions, Y-STR can only speak to probabilities in the thousands. The primary evidence against the man was his niece's testimony that he was the intruder. The girl has since recanted.
18. "Sweden may lift statute of limitation on murder cases." Associated Press Worldstream, September 23, 2005.
The Swedish government wants to abolish the statute limiting the period courts have to hear murder cases, to take advantage of technological advances that can help solve old crimes. The Justice Minister told Swedish Radio he will soon present a proposal to parliament to lift the current 25-year statute of limitation from all unsolved murders still being investigated. "You should no longer be able to get away with a murder, even if a very long time has passed," he said. "With the new technology, you can use DNA, for instance, to solve a murder that was committed a very long time ago."
19. "Quebec Court of Appeal clears man of sexual assaults from the '90s." The Canadian Press, September 23, 2005.
In Canada, the Quebec Court of Appeal ruled that a mentally disabled man is not guilty of the sexual assaults that landed him in prison for five years. The court cleared him of all charges and erased his criminal record after DNA tests proved his innocence. The court was following the lead of police investigators and the Crown, who had reached the same conclusion. The man was convicted in 1997 but the DNA tests that cleared him were not completed until August.
20. "Bail denied in abuse case." Chicago Tribune, September 23, 2005.
In Illinois, an ex-convict charged with sexually abusing three teenage boys, including a 14-year-old who was found dead last month, might have been off the streets more than a year ago had DNA evidence been tested earlier. DNA evidence recovered from the dead teen was a match for the suspect. So far the man has not been charged with murder, but the investigation is continuing. DNA evidence was also a match in the March 2004 sexual assault of a 16-year-old youth. The teen reported the assault immediately, and DNA evidence was collected, but the evidence was not quickly tested because of a backlog of cases and there was no known suspect. The suspect submitted a DNA sample to the database in 2003 after a stolen vehicle conviction.
21. "Sex Attacker Snared By Family DNA." Press Association, September 25, 2005.
In England, a serial sex attacker caught by his family DNA was snared because his brother - a disgraced former policeman - was jailed a year earlier for his part in a drugs ring. The man attacked three women in three separate counties as he toured England in his white van. He had never been in trouble with police and detectives had no

DNA match on the national database to track their suspect. After the close link to his brother was established, the man's DNA sample was collected and found to be a perfect match to the crime scene samples. He admitted the attacks when faced with the overwhelming evidence. "Familial searching" has been used in just 93 cases in Britain. 69 of those cases are ongoing and six have resulted in convictions; including three murders, a rape, one sexual assault and one indecent assault. Another six cases are still going through the courts.

22. "Bosnia-based agency offers to help identify Katrina victims through DNA analysis." Associated Press Worldstream, September 22, 2005.
The International Commission for Missing Persons, ICMP, offered assistance to both the U.S. Federal Emergency Management Agency, FEMA, and Louisiana State Authorities, a statement from the agency said. The ICMP has already provided Louisiana authorities and DNA experts with lessons learned from ICMP experiences in assisting Thailand with the identification of victims from the Tsunami and it is ready to send a team to the Katrina affected areas, the statement said.
23. "Rapist is jailed for 1998 sex assault." Bristol Evening Post, September 22, 2005.
In England, a man has been linked through the DNA database to a 1998 rape. The court heard that the recovering drug addict, who was 16 when he carried out the attack, was caught after a DNA sample taken when he was arrested for stealing a car. He pleaded guilty to two counts of rape and one of indecent assault against the 19-year-old victim. He was jailed for five years for rape and given a concurrent sentence of 18 months for indecent assault.
24. "Peace and justice in conflict in Colombia." Chicago Tribune, September 22, 2005.
In Columbia, surviving families have been providing the local prosecutor's office with DNA samples to help identify more than 70 bodies unearthed from secret graves in the San Onofre region. The victims were shot, beaten and hacked to death by Colombia's outlawed paramilitary fighters, who are suspected of hundreds of killings in this one region alone but are now being given lenient treatment by the government in exchange for disarming. "I want to know what they did to my son," said one mother, fighting back tears as she waited to provide DNA. "I hurt so much."
25. "Wrongly convicted inmate seeks money, but there are complications." The Associated Press State & Local Wire, September 21, 2005.
A former Louisiana prisoner who served time for a rape and burglary he did not commit has become the first to apply for money under a new state law aimed at compensating the wrongly convicted. He is asking a state district judge to award him \$150,000, the maximum cash award the law allows, for the 17 years he spent at the Louisiana State Penitentiary at Angola on rape and burglary convictions. The new law lets wrongfully convicted prisoners get \$15,000 per year for each year they spend behind bars, up to 10 years, if there is scientific proof of innocence. However, if an inmate was serving a simultaneous sentence for a conviction that was not overturned, the compensation could be reduced or denied. Last year he pleaded guilty to forcible rape in a case dating back to 1986 for which he received a time-served credit for the 6 year sentence.
26. "L.A. Cops Crack '77 Case Tied To Oneida." The Post Standard (Syracuse, NY), September 22, 2005.
In California, a cold hit on the DNA database has tied a former death row inmate in California to the 1977 murder of a teenager. He was previously convicted of killing a 12 year old in 1979 (for which he is being retried) and has been charged in the death of 4 Los Angeles area women. Detectives suspect he also killed two women in New York City.
27. "Snowe, Collins Announce More Than \$450,000 In Department Of Justice Grants." States News Service, September 21, 2005
Maine's Department of Public Safety has received \$91,188 for the Forensic Case DNA Backlog Reduction Program, and \$105,152 for the DNA Capacity Enhancement Program Formula Grant.
28. "Delegation Announces Grant Supporting DNA Analysis At NDSU Laboratory." States News Service, September 21, 2005.
North Dakota Congressmen announced \$986,643 grant to help develop a forensic DNA laboratory at North Dakota State University (NDSU) that will provide crime analysis for the state crime lab in Bismarck. The facility also will include a research effort to improve the methods currently used in analyzing forensic DNA, and a training facility for a Ph.D. program at the school. The Department of Justice grant was secured by the congressional delegation, which has directed nearly \$2 million to the project.
29. "Man charged in 2004 Woodford rape." Lexington Herald-Leader, September 20, 2005.

In Kentucky, a Tennessee man has been charged in connection with the June 2004 rape and robbery of a woman who was later abandoned in another County. The man has served time for rape in Alabama, and also was convicted in North Carolina and Florida on kidnapping and sexual battery charges. He was awaiting trial on a charge of armed robbery in Tennessee when he was connected to the Kentucky crime. A cold hit on the DNA database linked the man to the crime.

30. "Justices question bid to upend state's DNA database." Chicago Daily Law Bulletin, September 20, 2005. The Illinois Supreme Court heard arguments challenging the constitutionality of a state law to build a database of convicts' DNA. Defendant Raymond E. Garvin contends that the collection of a sample to extract his DNA violated the Fourth Amendment, but the justices voiced skepticism. Last year, the 2d District Appellate Court unanimously affirmed his conviction and upheld the DNA database statute. The case is *People v. Raymond E. Garvin*, No. 99031.
31. "Department Of Justice Announces \$98 Million In Grants For President Bush's DNA Initiative And Other Crime-Solving Forensic Services." States News Service, September 20, 2005. The US Department of Justice announced more than \$84 million in DNA grants nationwide as part of President Bush's DNA Initiative, Advancing Justice Through DNA Technology. Nationwide, NIJ has awarded \$18 million for DNA casework; \$30.3 million for DNA capacity building for crime lab improvement; \$4 million for DNA training; \$7.7 million for DNA research and development; \$1.5 million for DNA testing for missing persons; and \$20.6 million for convicted offender testing. NIJ will also provide \$13.6 million for Paul Coverdell Forensic Science Improvement Grants that can be applied to improving non-DNA forensic services. Earlier in September, the Department of Justice awarded \$1.5 million to the University of North Texas that will be used to help identify the missing and unidentified dead recovered as a result of Hurricane Katrina. It also awarded \$4.4 million in DNA Initiative and other forensic service funds to states affected by Hurricane Katrina: Louisiana, Mississippi and Alabama. As part of the President's DNA Initiative, the Department awarded \$2 million to five jurisdictions as part of a pilot program to help solve high-volume property crimes.

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