



DNA



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The DNA Legislative & Media Report for the month of November is attached, and for your convenience a summary is below.

This report is developed by Tim Schellberg and Lisa Hurst on behalf of Applied Biosystems.

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

- California – forensic DNA matches confirmed police are searching for a serial rapist (attacks dating to 1991); a cold hit identified a murderer (1984 case, offender on database for robbery). DNA evidenced also identified a murderer (1972 case); and helped to identify an arsonist. DNA collected from a coffee cup confirmed a murderer's identity.
- Colorado – DNA identified a rapist.
- Florida – a cold hit to a California offender identified a rapist (1996 crime).
- Illinois – DN tests confirmed paternity in a criminal sex assault case.
- Iowa – DNA led to an arrest in a sex assault case.
- Montana – DNA from a cigarette butt identified a suspect in an aggravated burglary.
- New York – a cold hit identified a rapist in a John Doe indictment case (on database for drug conviction).
- North Carolina – a cold hit identified a man who raped to women (match with South Carolina offender).
- Pennsylvania – DNA evidence identified a murderer (1982).
- South Carolina -- a cold hit identified a serial rapist.
- Tennessee – a cold hit identified a serial rapist (1997 crimes)
- Texas – DNA tests confirmed paternity in a criminal incest and child abuse case.
- Washington – DNA evidence links a suspect to a quadruple homicide.

**POLICY AND FUNDING ISSUES:**

A Louisiana Parish is moving forward with plans for a new laboratory. Local labs in Tennessee and Kansas are hoping for state help in raising funds for lab operations. A local lab in South Carolina is boasting a 45 percent match rate for DNA cases.

**INTERNATIONAL NEWS:** In Colombia, DNA testing confirms that two newborns were switched at birth 30 years ago. In Mexico, DNA tests confirmed the remains of two men gunned down in the 1970's as suspected rebels.

- Australia – a cold hit identified a rapist
- Canada – DNA on latex gloves identifies a murderer (suspect's DNA on inside of gloves, victim's on outside).
- England – DNA identified a burglar who mistook counterfeit money for real currency. DNA from a cigarette butt identified assault suspects; and DNA on a bullet that was mailed as a threat identified the threatener. DNA has identified a murder suspect in a case in which another was wrongly convicted.
- Malaysia – DNA evidence is central in a murder case.

## *NEWS ARTICLES*

1. "Man accused of breaking into wrong apartment." Associated Press, November 1, 2006.  
In Montana, police say that DNA from a cigarette butt led them to a man accused of breaking into the wrong apartment to collect a drug debt and holding four people at gunpoint. Detectives sent the cigarette butt to a private lab in Utah. The state crime lab then matched the profile against the state database. The man was on file from a previous felony conviction, and at his recent court appearance indicated he is a truck driver with two children.
2. "Man who sexually assaulted girl." Associated Press, November 1, 2006.  
In Florida, a cold hit on the DNA database helped to secure a life sentence with no parole for a man who abducted a girl from her driveway in 1996 and raped her. The attacker was identified in 2003 when a St. Johns County Sheriff's lieutenant submitted DNA evidence from the attack to a nationwide database. The man had a prior conviction in California for kidnapping and sexual battery of young girls in 1984 and received a 21 year sentence. He was paroled in 1995 and moved to Ohio, but took a vacation in Florida in 1996. When he returned to Ohio he was charged with stalking three young girls and returned to California for violating his parole.
3. "Richland sheriff's DNA lab wins." Columbia State, November 2, 2006.  
In South Carolina, a cold hit on the DNA database helped to identify a serial rapist. The casework was processed by the state's new local laboratory located in Richland County. The lab, which opened in November 2004, was recently recognized with a national certification. The lab is processing about 500 cases per year, with 80% of these cases being for property crimes. So far, the Richland County lab has a "hit" or match rate of about 45 percent.
4. "Burglar's fake cash blunder." Mirror, November 2, 2006.  
In England, a cat burglar broke into a theatre and stole thousands of counterfeit pounds because he mistook it for real currency. The burglar only got away with 30 pounds in real money. When the owner returned and found her props missing they discovered blood that was traced to the culprit using the national database. The perpetrator cut himself while robbing the theatre, and will now face charges despite how unprofitable the endeavor was.
5. "Man on trial for 1972 murder." Associated Press, November 2, 2006.  
In California, DNA evidence has linked an 80-year-old man to a 1972 murder. Authorities also believe he was responsible for the deaths of three other women who were murdered in the early 1970's. The man became a suspect shortly after the crimes due to a conversation he had with a relative, but there was not enough evidence to link him to the crime. In 2002, another relative came forward with information about another conversation, and the subsequent DNA testing linked him to the crime. However, defense attorneys say they will argue that the DNA evidence only shows that the man cannot be excluded as a suspect, not that he is the actual perpetrator.
6. "Marion man charged with burglary." Associated Press, November 2, 2006.  
In Iowa, a man has been arrested on charges he broke into an apartment and sexually assaulted a woman after DNA linked him to the crime. The 28-year-old is accused of breaking into a Cedar Rapids apartment, and the victim has also identified him. If convicted, he could face up to 35 years in prison.
7. "Bloodstains match accused's DNA." Malay Mail, November 2, 2006.  
In Malaysia, a chemist told the Shah Alam High Court that the DNA samples collected from evidence at a murder scene matched the DNA of the second suspect. The forensic division of the Chemistry department said the accused man's DNA was found on nylon string and wire at the scene of the crime. The accused's DNA also matched the bloodstains and hair samples taken from several other items, including a bed sheet, a piece of yellow cloth, another bed sheet and two masking tapes.

8. "Cigarette DNA snares attackers." Newcastle Evening Chronicle, November 4, 2006.  
In England, robbers who punched and kicked a doctor on the Millennium Bridge were trapped after dropping a cigarette at the scene. While waiting to assault an innocent pedestrian, the two attackers shared a cigarette. The saliva from the cigarette was matched to the men's genetic profile from the attack last December. Both men eventually confessed.
9. "Police make arrest in Kiszko miscarriage." Independent, November 6, 2006.  
In England, a new suspect has been arrested for the 1975 murder of an 11-year-old girl, with the help of DNA. The case includes the story of a man who was wrongly convicted and served 16 years in prison for her murder. New DNA testing techniques eventually enabled police to obtain a DNA profile from semen left at the scene of the crime. The DNA profile helped police rule out several known sex offenders who had also been suspected before narrowing in on the current suspect.
10. "Boots burglar tracked by DNA in his blood." Plymouth Evening Herald, November 6, 2006.  
In England, a burglar broke into a Boots store in the middle of the night and was tracked down by the DNA he left behind. This is the man's seventh time in front of the court, and they traced his profile because he was currently serving a suspended sentence for another break-in.
11. 14. "DNA ties rapes to inmate in S.C. jail." Daily News, November 7, 2006.  
In North Carolina, DNA evidence a cold hit on the DNA database led police to a South Carolina man now accused of raping two women. The man was stationed locally as a Marine when the women were attacked. The case was completely cold when South Carolina police arrested the man for another crime and his DNA was added to the national database. Investigators do not believe they would have ever made progress without the DNA, and did not even believe the cases to be connected prior to the DNA match.
12. "DNA confirms babies were switched at Colombian hospital." EFE Ingles, November 7, 2006.  
In Colombia, DNA tests confirmed that two newborns were switched nearly three decades ago at a hospital in the city of Cartagena. The 29-year-old men were switched hours after being born in October 1977. One mother was suspicious after she requested a circumcision, but the boy she brought home was uncircumcised. Nearly 30 years later a family friend recommended a DNA test to confirm the man's paternity. The families sued the hospital and won for \$1 million.
13. "Man convicted in '82 Mount Pocono murder." Philadelphia Inquirer, November 8, 2006.  
In Pennsylvania, a man was convicted of strangling a Mount Pocono motel owner in 1982, a crime that went unsolved for decades until investigators nabbed the suspect through DNA testing. The 44-year-old man was convicted of first-degree murder in the death of the 60-year-old woman. Her husband found her body on September 14, 1982 in a motel room. The convicted man declared that he planned to appeal.
14. "Judge orders jury sequestered." Associated Press, November 8, 2006.  
In Tennessee, a man is facing trial in a series of 1997 rapes near the University of Tennessee campus. The 47-year-old man was connected five years after the crimes in 2002 when a cold hit on the state DNA database linked him to the crime. Police said he stalked his victims for years before finally assaulting them. He was on the state's DNA database due to a prior attempted sexual assault conviction. The man had previously challenged the state's DNA database law as being unconstitutional, but lost the appeals.
15. "DNA linked man in burglary." EE, November 8, 2006.  
In England, one of a gang accused of plotting to break into dozens of business left a balaclava containing his DNA in an abandoned car with other allegedly suspicious items. Investigators claims

that this group was involved in dozens of late night raids. The man denied involvement and pled not guilty, so DNA evidence will be crucial to the prosecution's case.

16. "Crime lab in Cleveland." Associated Press, November 13, 2006.  
In Tennessee, the only regional crime lab in the southeast is getting too expensive for one county to operate and now the sheriff may ask the state to help with supplementary funding. Bradley County created the crime lab after the Tennessee Bureau of Investigation shut down its Chattanooga lab in 2003. The Governor is allegedly aware of the problem and wants to help shorten the backlog at existing forensic science facilities. The state is also building a new crime lab in Knoxville and more forensic scientists were hired to handle the backlog at the existing facilities.
17. "DNA connects suspect to wildfires." Associated Press, November 14, 2006.  
In California, a matchstick and cigarette ignition device found at the flashpoint of the deadly Esperanza Fire is similar to those recovered from the June arson blazes that are linked by DNA to a local suspect. The crime lab's discovery may lead to justice in one of the more deadly events this last summer. Several firefighters were killed while trying to extinguish the blaze.
18. "Mexican investigators identify 2 men killed in 1970s." Associated Press, November 15, 2006.  
In Mexico, prosecutors say they have identified the remains of two men gunned down more than three decades ago in a government campaign against suspect rebels. DNA samples from two surviving sisters allowed officials to identify the corpses in a situation that would have been impossible without modern forensics. The men were presumed to have been members of the Cabanas' Party, a guerrilla group that fought several skirmishes with authorities in the 1970s.
19. "Police searching for serial rapist." Sacramento Bee, November 14, 2006.  
In California, Sacramento police are teaming with agencies from five other cities in a hunt for a serial rapist who has eluded capture for 15 years. According to police, the rapist is linked to the sexual attacks with his DNA, which was matched with forensic evidence collected from the attacks of nine women since 1991.
20. "Guilty of threat to Lottery rapist." Newcastle Journal, November 14, 2006.  
In England, a market trader was convicted of threatening to kill a man by sending a letter to his home with bullets in the envelopes. The man told the sexual predator to leave the area or face death. The culprit's DNA was found on one of the bullets, however, he claimed he was setup.
21. "Edmonton murder trial." Canadian Press, November 15, 2006.  
In Canada, a man accused of killing his pregnant wife was caught by police surveillance with two bags of bloody evidence. The bags contained cleaning supplies and latex gloves stained with the victim's blood. Inside the fingertips of the gloves, analysts found the husband's DNA.
22. "Rapist convicted 26-year on." PA News, November 15, 2006.  
In England, a convicted murderer was jailed for 10 years as punishment for raping a medical student in 1980. He was caught 26 years after the crime when Avon and Somerset police reopened the investigation and used modern DNA technology to identify the culprit. The man was on the national database due to a 1993 murder conviction. Mandatory DNA sampling allowed investigators to bring closure to the earlier case.
23. "DNA called proof man impregnated daughter." Corpus Christi Caller, November 15, 2006.  
In Texas, DNA confirms a 43-year-old man accused of sexually assaulting his daughter since she was 9 is the father of her 6-year-old son. Forensic analysis confirmed the paternity, and now the man stands accused of sexually assaulting and impregnating his daughter at the age of 14. Although it is not unusual for a grandfather to share some genetics traits with his grandchildren, the man matches the boy in every identifying category.

24. "Teen admits to raping patient." Chicago Tribune, November 16, 2006.  
In Illinois, a former nurse's aide for a Bloomingdale nursing home pleaded guilty to raping a profoundly brain-damaged resident who later gave birth to a daughter. The 19-year-old faces 6 to 30 years in prison at sentencing for assaulting the 23-year-old woman, who suffers from cerebral palsy and cannot walk or communicate. The nursing home required male staffers to submit DNA samples, and a match was established with the former aide.
25. "DNA breaks '98 kid rape." New York Post, November 16, 2006.  
In New York, a Manhattan man has been arrested on charges of raping a 12-year-old boy in the Bronx 8 years ago after a cold hit on the DNA database. The 27-year-old was identified when DNA he submitted while pleading guilty earlier this year to marijuana possession in New Jersey. A "John Doe" indictment had been filed on the case to ensure that prosecutors would be able to try the case in the event that a DNA match was eventually made.
26. "DNA leads to arrest of man." Associated Press, November 19, 2006.  
In Colorado, Greeley police say a DNA sample led to the arrest of a 50-year-old man who is accused of raping a 78-year-old woman. The registered sex offender assaulted the woman in her home early on the morning of September 27<sup>th</sup>. While she was being examined at a Greeley hospital, a DNA sample was taken and it was used to identify the culprit.
27. "80-year-old convicted of 1972 murder." Associated Press, November 21, 2006.  
In California, an 80-year-old former taxi driver was convicted of murder after police did DNA testing on saliva from his coffee cup and linked it to a woman found strangled to death almost 34 years ago. The man was initially questioned about the murder in 1975, but police did not have enough evidence to make an arrest. During a recent interview about an unrelated burglary, detectives collected a coffee cup that the man left behind and sent it to the lab for DNA testing.
28. 37. "Sheriff seeks funds for crime lab." Associated Press, November 22, 2006.  
In Kansas, the Johnson County Sheriff is asking the legislature for a \$26 million crime lab. Potential funding sources include a possible increase in the county's sales tax or a separate criminal justice tax. Either proposal would require approval from the Legislature. Legislation to increase the county sales tax died earlier this year, and along with it funding for the proposed lab, when the county and area cities could not agree on how to divide the revenue.
29. "Crime lab site purchase works." New Orleans Times, November 22, 2006.  
In Louisiana, St. Tammany Parish officials are moving to buy 40 acres north of Lacombe for the coroner's office to build a DNA lab and forensic science center. A local property tax increase is being used to pay the estimated \$4 million property bond. The coroner pledged to use the revenue to build a forensic science center capable of running DNA and toxicology tests. DNA evidence in most St. Tammany cases is sent to the State Police crime lab in Baton Rouge, but backlogs are affecting local prosecutions.
30. "News in Brief." Associated Press, November 23, 2006.  
In California, a parolee was arrested in a 20-year-old mutilation and slaying of a woman at an automobile shop after DNA linked him to the crime. The 57-year-old was arrested and is being held without bail for the April 6, 1984 murder. Authorities say the suspected killer's blood was found on the victim's body and a recent DNA test finally led to the culprit. The man's DNA was on file due to a previous conviction for bank robbery.
31. "Suspect's DNA found in victim's home." Seattle Post-Intelligencer, November 22, 2006.  
In Washington, DNA testing has led to more evidence against a man accused of stabbing two women and two children and setting their home ablaze. The suspect's DNA profile was found in various

places inside the house, including on the futon where two women were found stabbed to death, and on a pair of boxer shorts found inside the master bathroom. The King County prosecutor is supposed to decide early next year if he plans on seeking he death penalty.

32. "Judge praises DNA use." Herald Sun, November 24, 2006.

In Australia, a rapist has been jailed for 10 years after he threatened to drown and slash his victim. The judge said that this man's capture was a perfect example of why police need to collect criminal DNA samples in a database. The woman was struck from behind and pushed down an embankment, then raped as her attacker laughed. The man had several previous convictions, and his DNA was linked to the scene.

33. 42. "Statewide panel to study." Associated Press, November 27, 2006.

In Pennsylvania, a special committee will examine the cases of Pennsylvanians who were convicted of violent crimes, but later exonerated, in a study intended to find ways to prevent wrongful convictions. The State Senate is looking for a way to balance harsher punishments with measures to insure only the guilty are convicted. In 2002, they expanded post-conviction DNA testing opportunities for state inmates.