

## WASHINGTON STATE PREVENTABLE CRIME

In January 2005, two Washington State Legislators introduced bills to allow law enforcement to collect a DNA sample upon arrest for felony crimes at the same time as fingerprints. Such legislation has been proposed throughout the country – and enacted by a growing number of states, and the federal government – for the purpose of assisting law enforcement in correctly identifying criminals who come into custody for a legal arrest in a serious crime. Unfortunately, the Washington State Legislature did not to pass this public safety measure.

The following case study is an example of additional crimes that could have been prevented had the arrestee DNA database bill been enacted in 2005.

### TIMELINE OF EVENTS:

#### 2005

January 17                      HB 1135 (Rep. Mark Miloscia) and SB 5165 (Sen. Adam Kline) introduced in the Washington State Legislature.  
February                      HB 1135 and SB 5165 considered in committee hearings.

**July 24                      Effective date for HB 1135 / SB 5165, if passed.**

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July 31                      Anthony Casper Dias arrested for reckless driving and **felony hit-and-run**, after hitting a state patrol cruiser and fleeing the scene.

*DNA sample collected from Dias if 2005 Legislature passed HB 1135 or SB 5165*

August 16                      Dias posted bond and released from custody, pending trial.

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**August 31                      IDENTIFIABLE CRIME**  
Woman (age 19) raped in her bedroom (Fircrest)

*I thought I was going to die," she testified. "I thought of my family and friends and all the things I wouldn't be able to do and worked so hard for."*

*DNA collected for the July 31 felony arrest would have identified Dias as the suspected rapist in this August 31 crime. He would have been arrested and removed from the streets.*

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*Because the 2005 Legislature passed neither HB 1135 nor SB 5165, law enforcement was unaware of the rapist's identity. As a result of his release, the following 19 Washington residents were victimized .*

**October 9                      FIRST PREVENTABLE INCIDENT: Three victims**  
Woman (age 24) raped while two roommates in the residence were tied up (North Tacoma)

**October 28                      SECOND PREVENTABLE INCIDENT: Five victims**  
Two women raped while three men in the residence were tied up (Federal Way)

**October 31                      THRID PREVENTABLE INCIDENT: Three victims**

Woman forced to undress and call her sister to come over while two men were tied up. The male victims escaped and the suspect fled the scene. (Tacoma)

**October 31**

**FOURTH PREVENTABLE INCIDENT: Eight victims**

Two sisters raped (age 20 and 24) while six people in the residence were tied up with duct tape (including a 2 year old and 11 year old) (Des Moines)

*"I want to ask him, when he's alone, to close his eyes and imagine a man hurting his child while his hands were tied up, as mine were," she said. "Imagine the pain, the fury, the impotence."*

*"They are never going to be the same," said a family friend. "People think that because he didn't kill them, they can go on with their lives."*

**November 7**

**FIFTH PREVENTABLE INCIDENT: Three victims**

Two sisters raped (age 13 and 15) while mother in the residence was tied up with a dog leash and duct tape (Federal Way).

*"I have fought all my life to protect my children," said the mother of the last victims. "Unfortunately, I could not [protect them] from a man who came one night into my house and pointed to each of my children's heads with a gun ...During those four or five hours, he killed something in each of us," she sobbed.*

Dias falls asleep and victims run for help.

November 8

Dias shot twice while fleeing police. Arrested and provided with medical care.

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**2006**

January

Dias attempted to hang himself in prison after reading news reports that DNA connects him to the crimes.

**2008**

May

Convicted on 20 felony counts – including 7 counts of first degree rape. Sentenced to 227 years in Pierce County.

September

Enters a plea on 15 felony counts – including 3 counts of first degree rape and two counts of indecent liberties. Sentenced 36 years to life in Seattle.