

Week of January 28-February 3, 2005

Prepared by Rebecca Mitcheson

**DNA Evidence and Crime-Solving**

“Police warn women of killings; Risky lifestyle tied to 5 slayings,” Chicago Tribune January 28, 2005.

Chicago police have issued a warning to women involved in prostitution and drugs to take special care as a result of a string of murders that have involved women such activities. In an apparently unrelated case, a 22-year-old man, Lorell Johnson has been arrested through DNA testing of three similar rapes. Police are awaiting DNA test results in the string of murders to determine whether they were committed by one person.

“Man guilty of killing 2 in 1978; Couple stabbed to death in home,” Chicago Tribune January 28, 2005.

Billy Lee Warren was convicted in the double murder of his boss and his boss’s wife even though there was no DNA evidence linking him to the crimes.

“Forgive Me, Nightmare Rapist Begg In Court,” Daily News (New York) January 28, 2005.

Leroy Peoples, 22, now a convicted rapist, was sentenced to 16 years in prison. Peoples was arrested in 2003 for a parole violation and was then forced to provide a DNA sample. The sample was matched through the DNA database to two unsolved daylight rapes, and he is suspected in two others.

“Former Balcones Heights cop guilty; He faces up to life in prison in connection with 6 sexual assaults,” San Antonio Express-News (Texas) January 28, 2005.

A former police officer has been convicted of raping one woman and sexually assaulting five others. Dwaun Jabbar Guidry was convicted after DNA evidence from the rape was found in his squad car.

“Crime & Justice,” The Washington Post January 28, 2005.

DNA recovered from the area where a man was exposing himself has been matched by Fairfax County Police to DNA evidence from two other attacks on women several years ago. Police are still seeking the perpetrator.

“DNA Returns Old Cases to Front Burner; Denver Police Take New Look At Crimes from Past 50 Years,” Rocky Mountain News (Denver, CO) February 3, 2005.

As part of the Denver DNA Cold Case Project, about 2 dozen sexual assault and

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homicide cases dating back to the 1950s have been revitalized with the aid of DNA analysis. Investigators have collected enough DNA thus far to submit 83 cases to the National DNA database, where they had 23 “hits.” The project was funded in part through \$893,976 in grants.

“Inmate convicted of 1979 murder; Woman slain on Capitol Hill - Greene faces additional life term,” The Seattle Times February 3, 2005.

William Bergen Greene, 49, was convicted for the 1979 slaying of Sylvia Durante. The conviction was made after Seattle cold-case detectives submitted samples from Durante’s body to the state crime lab which linked to Greene.

“Homeless man charged in slayings of 3 women; Victims sexually assaulted and strangled, police say,” January 30, 2005 Chicago Tribune.

Chicago Police believe that they have captured a serial killer who had been preying on women with “high risk” profiles. 32-year-old Vincent Hudson was charged with first degree murder and aggravated criminal assault of three women and another charge of first degree murder. Hudson was linked to the crimes through the DNA database which contained his DNA from a previous sexual assault charge.

“Man nabbed in '99 slaying; Five years after an elderly Coney Island woman was found dead in her bed with a pillow over her face, police said they arrested the second of two men believed to have raped and suffocated her,” Newsday (New York) January 30, 2005.

Police have arrested a second man in the rape and killing of 75-year-old Nesya Zhovtis in 1999. DNA tests led police to Samuel Vargas, 28, who is charged in the murder.

“DNA used to identify suspects in nine rapes; Police say database can solve old cases,” Times-Picayune (New Orleans) January 29, 2005.

New Orleans police recently ran DNA evidence from a 1994 rape of a 16-year-old girl through the CODIS indexing system. Investigators got a “hit” which led them to an inmate already serving time in a Tennessee prison for other rapes.

### **Controversies Concerning DNA Databanks and Laboratories**

“Ex-fed favored to probe lab; A citizens panel wants the former inspector to lead the review at HPD,” The Houston Chronicle February 3, 2005.

A citizen’s panel recommended that a former US Justice Department inspector Michael R. Bromwich, who has extensive experience investigating scandals, should head up the investigation into Houston’s forensic crime lab problems. Both the HPD and critics of the

lab believe that the selection of Bromwich would help restore public confidence in the lab.

“Rape Trial Ends With Deadlocked Jury Again Jurors Feared DNA Could Be From Twin,” The Boston Globe February 1, 2005.

A Suffolk Superior court jury decided for the second time this year that it could not convict a Dorchester man of a rape from 2001, because DNA evidence from the crime could have come from his identical twin brother.

“Plea for DNA in Hunt for Banker's Killer,” The Herald (Glasgow) February 1, 2005.

Police are carrying out a mass DNA testing in hope of identifying the killer of a bank executive who was shot to death on his doorstep. Police are asking 150 people who were near the scene of the murder to provide mouth swabs to help identify all the DNA profiles that have been found at the murder site, and determine which one is from the suspect.

#### **DNA Database Funding and Backlog**

“Burglar Caught By DNA Gets Prison Term,” Buffalo News (New York) January 29, 2005.

A grant by the Niagara County Sherriff’s Department forensic lab to pay for DNA testing in cold cases, has led to the capture of Michael Seador for burglary. Seador has been charged with a burglary committed back in 2003. Seador was tracked through his DNA left at the crime scene and matched in the National DNA databank where he had a previous burglary conviction.

#### **Expanding the DNA Databank**

“Training, DNA tests a priority,” Chicago Tribune February 3, 2005.

In President Bush’s State of the Union address, Bush declared that the US government would expand the use of DNA evidence in order to prevent wrongful convictions, and that he would ask Congress to devote money to a special training program to train defense lawyers in capital punishment cases.

“Done in by DNA; Killer gets eight years in jail after saliva on cigarette butts links him to woman's death,” The Straits Times (Singapore) February 1, 2005.

The first case in Singapore has been cracked through the new \$4.2 million DNA databases containing the DNA profiles of 53,000 prisoners and accused people. Zulkarnain Kemat was sentenced to eight years for the murder of a woman with a nail file. Kemat was linked to the crime thorough DNA left on a cigarette butt left at the crime scene.

**DNA-based Post Conviction Challenges**

“No retrial for man denied DNA test; Court rejects motion despite urging by judge and new evidence,” The Houston Chronicle February 3, 2005.

The Texas Court of Criminal Appeals refused a new trial for Gilbert Amezquite who is convicted of assault, even though he was denied access to DNA testing of the evidence during the trial. There is also new evidence that has been discovered that casts suspicion on another man. DNA scrapings from the fingernails of the victim were not tested before the trial and on the day of the trial, both the defense and the prosecution requested a delay so that the testing could be completed. The motion was denied. After the trial the DNA evidence was destroyed. As a result of these recent findings, however, the Judge has recommended a new trial.

“12 years behind bars, now justice at last; ‘I had a life,’ said Dan Young Jr., one of two men cleared of murder by DNA testing. ‘I should have never been here.’” Chicago Tribune February 1, 2005.

Murder and rape charges have been dropped as a result of DNA testing for two men who spent more than 12 years behind bars. Dan Young Jr. was immediately released from Pontiac Correctional Center, the other man Harold Hill is still serving time for an unrelated robbery.

**DNA Science and Technology**

“It Strands to Reason: DNA ASAP; State Bureau Adding Analysts, Equipment to Speed Casework,” Rocky Mountain News (Denver, CO) February 3, 2005.

Five new DNA analysts are completing their training to begin aiding the Colorado Bureau of Investigations with their new “robotics platform.” The new platform will provide DNA results faster by sampling hundreds of convicted felon’s genetic profiles at one time. The new robotics system is part of a \$2 million renovation of the state agency’s DNA facility.