

DNA Current News, June 17-23, 2005
Compiled by Julie Park

DNA Evidence and Crime-Solving

“Burgers tell the tale” The Advertiser (Australia), June 23, 2005

Two men were traced to the robbery of a Virginia McDonald’s last year through DNA evidence they left behind. Police obtained the DNA evidence from partially eaten burgers that the men ate while waiting for the restaurant to empty. They were charged with armed robbery, abduction and using a firearm in a felony.

“Defense Eyes DNA in Truro Slay Case” The Boston Globe, June 23, 2005

Although Christopher McCowen’s DNA has linked him to the rape and murder of writer Christa Worthington, his attorney has suggested the possibility of raising a consensual sex defense in the case. Defense attorney Robert George says that even if McCowen’s DNA is a match, it does not necessarily mean that he engaged in any wrongdoing. Wendy Murphy, a nationally known advocate for rape victims, called it "absolutely predictable" that Worthington's sex life would become an issue. "I guess this is the down side of DNA evidence: . . . It really does force the election of this kind of defense strategy."

“Suspect Gets 25 Years in 2003 Rape” The Boston Globe, June 23, 2005

A Dorchester man was sentenced yesterday to 25 years in jail for kidnapping and raping a woman in an alley the same day he was released after serving a sentence for an assault and battery with a dangerous weapon conviction. Curtis Wilcox, 23, kidnapped, raped, and stabbed his 47-year-old victim in May 2003. Prosecutors used a DNA match and photo lineup to convict him.

“DNA links inmate to rape of Pearland teacher in '03” The Houston Chronicle, June 23, 2005

A Texas prison inmate who was scheduled to be paroled in August is in jail after a genetic database linked him with the 2003 rape of a Pearland middle school teacher. Larry Eugene Santee’s genetic information was put into a database after he was sentenced to prison for cocaine possession. After the DNA match, Santee confessed to police that he raped the teacher in a classroom.

“Man jailed after DNA linked to 1999 crime” St. Petersburg Times (Florida), June 23, 2005

A 24-year-old St. Petersburg man was arrested Tuesday after authorities said DNA evidence linked him to a 1999 rape. Jermaine M. Cummings and another man, still sought by police, entered a home wearing ski masks and woke up a 26-year-old woman and a 31-year-old man.

The suspects took turns raping the woman. DNA evidence collected at the scene was entered into a database and St. Petersburg detectives were recently told a match was made with Cummings.

“DNA Evidence Helps Convict Man in 1997 Rape” The Boston Globe, June 22, 2005

Michael Powe, 39, was found guilty by a Suffolk County Superior Court jury of two counts of aggravated rape and single counts of kidnapping, threats, assault and battery, and robbery in an attack on a 23-year-old student. Powe smoked four cigarettes while he raped the student, leaving the butts in the apartment. DNA collected from those cigarettes, along with fingerprints found in the apartment and a positive identification by the victim, led to Powe's arrest.

“DNA Evidence Leads to Robbery Charge” Buffalo News (New York), June 22, 2005

A Niagara Falls, Ont., man was charged Tuesday in connection with a February robbery in St. Catharines after police used DNA evidence taken from a hat left at the scene. George Milewicz, 28, was already in custody when authorities were told that his DNA matched that found in a hat left at an Elma Street home during a robbery in February.

“Deering lockup assault trial gets under way” Chicago Tribune, June 22, 2005

A Cook County jury began hearing evidence Tuesday against Edgar Mullin, 36, a civilian Chicago police aide who allegedly sexually assaulted a 25-year-old man in a police district lockup in 2002. DNA evidence recovered from the lockup implicates Mullin in the sexual assault in the Deering District lockup in September 2002.

“Now that dad's freed, Fox probe restarts; New investigation in slaying of girl” Chicago Tribune, June 22, 2005

Prosecutors who dropped their case against Kevin Fox last week in the murder of his 3-year-old daughter are heading an intensive reinvestigation of the year-old slaying. Sheriff Paul Kaupas has ordered a review of the initial investigation that led to the charges against Fox, 28, of Wilmington. Fox was released after DNA testing of evidence taken from Riley's rape kit excluded him.

“Homicide Suspect Wins Appeal Over DNA Evidence” Pittsburgh Post-Gazette (Pennsylvania), June 22, 2005

The state Supreme Court ruled yesterday that a Washington County man has the right to prevent prosecutors from seeing evidence he gathered for his defense in a homicide trial for the 1977 strangulation death of a 14-year-old girl. Her jeans, found wrapped around her neck, were stained with semen. Prosecutors ordered DNA tests that indicated the semen stains were left by Kennedy. The suspect, through his attorneys, sought his own DNA tests.

“Dugan link to Nicarico case studied; Grand jury considers inmate who confessed” Chicago Tribune, June 21, 2005

In a stepped up effort to secure an indictment of Brian Dugan in the 1983 Naperville murder of 10-year-old Jeanine Nicarico, DuPage prosecutors will be presenting evidence to the grand jury in weeks ahead, State's Atty. Joseph Birkett said Monday. The strongest reported evidence against Dugan is DNA samples that link him to the crime. Dugan, 49, of Aurora, is currently serving two life sentences for the murders of a Geneva woman and a Somonauk child.

“Waukesha County Briefing” Milwaukee Journal Sentinel (Wisconsin), June 21, 2005

Kelly J. Weston, 26, was charged in Waukesha County Circuit Court with a gas station in July and stealing an automated teller machine after breaking glass by the front door to enter the business. A criminal complaint says the stolen ATM was later found in the basement of a home under construction in Muskego. Weston was linked to the crime after a DNA analysis determined that it was his blood on the ATM, the complaint says.

“DNA matched, murder trial told” The Toronto Star, June 21, 2005

Police found khaki pants and a black T-shirt stained with blood that matched that of a slain U of T student in the home of her estranged husband, a jury has heard. Forensic scientists also identified DNA under the fingernails of the dead victim, Kui Shang, which matched her accused husband, Bo Li's. Such DNA could only be transferred to her nails by intimate contact such as scratching.

“NW rapes: Youth charged; Early suspect demands apology for wrongful arrest” Sunday Tasmanian (Australia), June 19, 2005

A 16-year-old Devonport youth has been charged with raping two elderly women in Archer St. The man who was originally arrested, gardener Peter Wisniewski, was cleared by a DNA test and is planning to sue for compensation for lost business.

“DNA proves Queensland girl is not missing Tegan” Daily Telegraph (Sydney, Australia), June 18, 2005

The hunt for Tegan Lane will continue after DNA tests yesterday proved a Queensland girl was not the missing nine-year-old. Missing Tegan's mother Keli Lane, 30, says she gave up the infant to a man named Andrew Norris after giving birth at Auburn Hospital on September 12, 1996. But DNA tests on hair samples taken from Teagan Chapman have revealed she is not the missing Sydney girl.

“Trouble on the Range ; Rustlers on Prowl; Higher prices, 'absentee ranchers' lead to a rise in cattle thefts” The Houston Chronicle, June 18, 2005

With cattle prices up as much as 50 percent and a larger number of "absentee ranchers" unavailable to guard their herds, thousands of stolen cattle are winding up at local livestock markets fetching prices as high as \$ 1,300 each. Without branding, it can be exceedingly difficult to track stolen livestock. The cattle raisers association keeps brands, thefts from ranches and other information in a large database the group maintains. They also contract with a DNA lab in Oklahoma to use DNA testing to confirm bloodlines on suspected stolen livestock.

“Man charged in 2nd sex assault; Jailed in 2003 attack, he is linked by DNA to crime in 2002” Chicago Tribune, June 17, 2005

DNA evidence linked a man awaiting trial on a 2003 sexual assault to an earlier sexual assault, prosecutors said Thursday. Perry Ward, 44, was charged with aggravated criminal sexual assault this week in the February 2002 Chicago rape of a woman in her 40s. He was already being held in lieu of \$200,000 bail in a June 2003 sexual assault of a woman in Harvey. DNA evidence also linked Ward to a third sexual assault in which he has not been charged.

“Woodstock man charged in Des Plaines sex assault” Chicago Tribune, June 17, 2005

A Woodstock man has been charged with two counts of aggravated criminal sexual assault after DNA evidence linked him to an attack more than four years ago in Des Plaines, police said Thursday. Albert J. Adamcyk, 44, is accused of sexually assaulting a 21-year-old woman while she was sleeping. He is being held in lieu of \$500,000 bail in Cook County Jail.

“Warrants issued for serial rape suspect” San Antonio Express-News, June 17, 2005

DNA testing confirmed Montre Lamont Kelley, 27, as the primary suspect in two aggravated sexual assaults. He is also suspected in a third rape, to which he has been linked by a photo lineup.

“Metropolitan Area Digest” St. Louis Post-Dispatch (Missouri), June 17, 2005

A Madison County jury found Ivan Wheeler, 33, of Alton, guilty on Thursday of aggravated criminal sexual assault. Wheeler was accused of raping a woman in 2001, but was not linked to the assault until last year, when semen from the crime scene was matched to his DNA in a national computer database.

“DNA makes mark on crime-solving; A new law allowed authorities to get a DNA sample from Currie Lindsey that led to murder and rape charges.” St. Louis Post-Dispatch (Missouri), June 17, 2005

A change in Missouri law as of Jan. 1 allows authorities to collect DNA samples from all felons for inclusion in CODIS. Under the new law, Currie Lindsay, 37, had a saliva swab taken from him three days before his parole was to end. CODIS matched his semen to DNA found at the scene of a 1997 rape and murder, and Lindsay has subsequently been charged with murder and rape in the killing of Arline Wiemann, 74.

“Rape Trial Told DNA Accused's; Suspect Claims He’s Not Attacker” The Toronto Sun, June 17, 2005

DNA belonging to a convicted rapist was found in the tampon of a Parkdale hooker who was brutally beaten and raped, nurse Michele MacIntosh testified yesterday. Both Crown attorney Erin Pancer and defence lawyer Maurice Mirosolin agreed the DNA sample was found to match the DNA profile of accused rapist Jeffrey Smith.

Controversies Concerning DNA Databanks and Laboratories

“Va. Panel Finishes DNA Review; Groups Request Temporary Stop To Executions” The Washington Post, June 23, 2005

A team of scientists has completed its study of 160 criminal cases in which DNA evidence was examined by the state's Division of Forensic Science. The review of the cases, ordered by Gov. Mark R. Warner (D), began last week and did not involve the testing or retesting of DNA. Experts looked at dozens of files and reviewed written conclusions to determine whether scientists who handled the evidence followed proper procedures. The five scientists who conducted the review now have to complete their written reports on the review of the cases, a process that could take until the end of the summer.

DNA Database Funding and Backlog

“Lab Getting Faster, But Work Piles Up” Tampa Tribune (Florida), June 20, 2005

Turnaround times for DNA analysis have improved at the Florida Department of Law Enforcement's laboratory in Tampa, but keeping pace with an ever-increasing workload remains a challenge. From July 2004 through May 31, the lab received 3,110 submissions from 18 counties. That was 335 more than it received during the same period in 2003 and 2004. But the average processing time fell from 165 to 131 days.

“A Case Study; Backlog on DNA Testing May Have Hurt Public; Prosecutors say rapist committed another crime during a delay of 1 1/2 years” The Houston Chronicle, June 17, 2005

Aldo Penaflor raped a 9-year-old girl in Houston's East End nearly four years ago but remained free for a year and a half because of delays in testing the evidence. During that time, prosecutors alleged he abducted and raped a woman, an 18-year-old who was walking home from school.

This case underscores the backlog problem at the Houston police department and other law enforcement agencies across the country. In cases where police have DNA but no suspect, it can take up to a year from the time detectives identify DNA evidence, such as semen or fingernail scrapings, before it is analyzed, uploaded and cross-checked. At the Texas Department of Public Safety, where they have a backlog of about 6,000 DNA samples from prison inmates, it takes two to six months before potential DNA evidence is uploaded into the national database. Federal officials estimate a nationwide backlog of 524,700 cases.

Expanding the DNA Databank

“States pool criminals' DNA” The Courier Mail (Queensland, Australia), June 23, 2005

More than 130,000 DNA profiles of Queenslanders and West Australians have been pooled in a bid to catch criminals offending in both states. The samples of unique genetic coding from both states have been uploaded on to the National Criminal Investigation DNA Database (NCIDD), allowing both forces to search each other's files for possible suspects. CrimTrac -- an agency which oversees a number of national law enforcement databases -- compares the profiles and transmits the results back to each state.

“Victims' kin urge curbs on sex offenders” The Boston Herald, June 22, 2005

Rep. Peter J. Koutoujian (D-Waltham) is sponsoring a bill that would close loopholes in state law by requiring sex offenders to undergo classification of their risk before leaving prison, to register as sex offenders for life rather than shorter periods of time, and to provide other addresses besides a primary address. Koutoujian said he would support adding a requirement to force convicted sex offenders to submit a DNA sample to authorities.

“Police plea to keep more suspects' DNA” The Herald (Glasgow), June 21, 2005

Senior Scottish police officers have asked for new powers to store the DNA and fingerprints of people who have been arrested, but are innocent of any crime, prompting fears that the public's rights are under threat. Cathy Jamieson, the justice minister, will tomorrow announce a three-month consultation on the idea, which could be added to a upcoming Police Bill. The SNP, Tories and civil liberties groups warned the measure would be another step towards a Big Brother society which criminalized the innocent.

“Call to DNA test animal attackers” The New Zealand Herald, June 21, 2005

The Sensible Sentencing Trust plans to petition for a law requiring people convicted of violence against animals to give DNA samples. Overseas studies have shown a high correlation between cruelty to animals by youth and later offending against humans. Sensible Sentencing spokesman Garth McVicar says forcing offenders to give DNA samples would enable them to be tracked.

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“Call for DNA Rule Change” The Toronto Sun, June 17, 2005

Alberta's justice minister wants DNA samples from all convicted johns in an effort to solve 12 prostitute murders since 1988. Ron Stevens sent a letter to federal Justice Minister Irwin Cotler calling for changes to the DNA Identification Act and the Criminal Code.

DNA-based Post Conviction Challenges

The Boston Herald, June 19, 2005

“Renegade Rehnquist goes to bat for convicted rapist”

Boston attorney James Rehnquist, the only son of Supreme Court Chief Justice William Rehnquist, is now representing Benjamin LaGuer, a convicted Leominster rapist whose own defense-funded DNA tests wound up linking him to the crime. Rehnquist is convinced that LaGuer didn't get a fair trial and feels that LaGuer would make a good citizen.

“Killer Denied Further DNA Testing” The Toronto Sun, June 17, 2005

A man convicted on DNA evidence of raping and killing a 6-year-old girl will not be allowed to conduct further similar testing in hopes of getting early parole. Justice Eugene Ewaschuk rejected John Terceira's court application for further, more sophisticated DNA testing on a leotard Andrea Atkinson was wearing when she was raped and killed in 1990.

DNA Science and Technology

“DNA in the hands of robots” Daily Telegraph (Sydney, Australia), June 23, 2005

Automated systems will be installed at the forensic science centre in South Australia to speed up the processing of DNA material. Administrative Services Minister Michael Wright said the robots would be put in place over the next year and would help cut the time taken to process DNA samples from the current two weeks.