

DNA Evidence and Crime-Solving

“LAW & ORDER” The Atlanta Journal-Constitution, June 30, 2005

A DeKalb County grand jury indicted Larry Walker, 32, Monday on charges of raping and murdering 21-year-old JoAnne Hankamer in 1989. Walker was linked to the murder this year through new DNA testing.

“Cop aide guilty of sex assault on prisoner” Chicago Tribune, June 30, 2005

A jury convicted Edgar Mullin, 36, of one count of aggravated criminal sexual assault on a prisoner but acquitted him on two other counts. DNA evidence found in the cell linked Mullin to the sexual assault.

“Money led man to kill 86-year-old, prosecutors say; Trial begins in stabbing of Newark woman” Columbus Dispatch (Ohio), June 30, 2005

Prosecutors claim that cabbie Roland Davis took advantage of 86-year-old Elizabeth Sheeler in July 2000, stabbing her and making off with cash from her Newark apartment. Prosecutors also told jurors that DNA matching Davis’s was found on a kitchen towel and bedsheet in Sheeler’s apartment.

“Man is sentenced in South Boston rape” The Boston Globe, June 29, 2005

Darrel Walker, 23, of Middleborough, was sentenced yesterday to eight to twelve years in state prison in the January 2001 rape of a 19-year-old woman. Walker was not connected to the rape until March 2002, when another woman was raped in Ronan Park in Dorchester. The 20-year-old victim identified Walker, and investigators said they connected DNA evidence from her rape to samples taken from the previous victim.

“DNA points to defendant in abduction, analyst says” Orlando Sentinel (Florida), June 29, 2005

A DNA analyst for the Florida Department of Law Enforcement told jurors Tuesday that she found the blood of an abducted girl on the boxer shorts belonging to Brent McKinder, the 19-year-old man charged with her kidnapping, sexual battery and attempted murder.

“Police are increasingly fighting crime with a swab” Star Tribune (Minneapolis, MN), June 29, 2005

DNA testing has been widely used for years to solve such major crimes as murder and rape, but now a small but growing number of law enforcement agencies, including the St. Paul Police Department, are using it for other felonies. They have been using it to apprehend criminals committing felony gun offenses and some other crimes such as burglaries. Police are having

success collecting DNA from sweat, blood, or shed skin cells on guns on which no usable fingerprints are found.

“Funds sought to rush DNA tests in killings of youths” Chicago Tribune, June 28, 2005

State lawmakers Monday called for legislation to set aside \$100,000 to pay for expedited testing of DNA evidence in cases involving the murder of children. The money would be available for murders with a victim under age 16, to make sure DNA is examined as quickly as possible. There were 39 such murders in the state in 2003, prosecutors said.

“Man is Arraigned in Knifing Death of Riverside Mother of 2” Los Angeles Times, June 25, 2005

Tony Lee Reynolds, a 23-year-old registered sex offender, was arraigned Friday for the brutal slaying of pregnant mother Estela Perez, who was attacked inside her Riverside home in March. Riverside Dist. Atty. Grover Trask said he would seek the death penalty because of the heinous nature of the crimes. DNA evidence linked Reynolds to the Perez slaying and another sexual assault on Bandini Avenue.

“Science contradicts defendant” Orlando Sentinel (Florida), June 25, 2005

Prosecutors picked apart the testimony of murder defendant Michael Mather in court on Friday. Mather, 45, told police he was defending himself on Oct. 1, 2003, when he fatally stabbed his cocaine dealer, Johnnie Frank Realford, 39, and the man's girlfriend, Juanee Hopwood, 32, in a hotel room. However, DNA evidence revealed a chain of events different from what Mather recounted. Mather claimed that he attacked Hopwood first, by the hotel room door, but her blood was found on the opposite side of the room. Blood at the door belonged, instead, to Realford.

“DNA clears Aurora man of murder; Analysis reveals knife wasn't used in killing” Chicago Tribune, June 24, 2005

George Albert Garcia, 28, has been cleared of charges for the murder of his brother-in-law, who was stabbed to death in Garcia's backyard. Police quickly focused on George Garcia when a knife with what appeared to be blood on it was found in his bedroom, but the DNA recovered from the knife in Garcia's bedroom turned out to be his own. Garcia explained that he suffers from "really bad dry skin" and often used the small steak knife to relieve the itching.

“Santa Clara County: DNA leads to suspect in slaying; Inmate in Texas linked to sweat on cap left in car” The San Francisco Chronicle, June 24, 2005

The sweat left in a blue paisley cap led Santa Clara County investigators to the alleged killer of Palo Alto attorney Gretchen Burford, who was stabbed to death at an ATM in 1988.

Investigators believe she was abducted by a man armed with a 12-inch butcher knife who may have hid in her car. Early this year, advances in forensic science found a genetic match on the sweat from the cap in the FBI's DNA database. The investigation led to Tyrone Hamel, who was required to provide Texas authorities with a DNA sample because of his rape-robbery convictions there.

Controversies Concerning DNA Databanks and Laboratories

“WEEK IN REVIEW; June 19-25” The Washington Post, June 26, 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 did not involve the testing or retesting of DNA but sought to determine whether scientists who handled the evidence followed proper procedures. The completed reports of the review are not expected until the end of the summer.

“Va. DNA Review Will Continue Long-Distance” The Washington Post, June 25, 2005

Experts conducting a review of cases involving DNA evidence will continue to study the crime lab files from their respective homes across the country and share their observations with one another by e-mails, conference calls and individual phone conversations. The team randomly selected dozens of files from the state Division of Forensic Science, in some cases copying documents, photographs and talking with the lab's forensic scientists and their supervisors.

DNA Database Funding and Backlog

“SPECIAL REPORT: Romney fails to make the grade” The Boston Herald, June 29, 2005

Among the Romney administration's accomplishments is a system in which photos and addresses of Level 3 sex offenders considered the most dangerous are posted on the Internet, a system already in place in most states. But the state has failed to join a compact that would inform Massachusetts when dangerous felons and predators come here, has had difficulty in tracking sex offenders when they move or fail to register and has done little to address the severe backlog in DNA testing at the state police crime lab.

“Lawmakers stiff DNA database; A lack of funding delays a plan to start getting samples from all Florida felons.” Orlando Sentinel (Florida), June 24, 2005

Starting July 1, state law called for Florida authorities to start collecting DNA samples from every convicted felon, but implementation of the comprehensive DNA collection program was contingent upon funding which lawmakers did not provide. Florida Department of Law Enforcement (FDLE) officials anticipated the added felony convictions would triple the number of samples during the first year.

Expanding the DNA Databank

“Teacher pay bonus signed into law; Minimum increase totals \$530 a year” Times-Picayune (New Orleans), June 29, 2005

As of Tuesday, Gov. Kathleen Blanco had signed more than one-fourth of the bills lawmakers passed at session, including one giving police and prosecutors more leeway in getting search warrants for DNA samples.

“Abort-foe pair stalls DNA demand by feds” Daily News (New York), June 28, 2005

Dennis Malvasi and Loretta Marra, the Brooklyn couple convicted of harboring the killer of an abortion doctor, are seeking an injunction to stop the feds from obtaining DNA samples from them as required by the DNA Analysis Backlog Elimination Act of 2000. Dennis Malvasi and Loretta Marra not only argue that submitting blood samples would violate their Fourth Amendment right against illegal search and seizure, but they also suggest that "overzealous government agents" could use the DNA to frame them.

DNA-based Post Conviction Challenges

“Inmate wins stay of execution. Plano: Man killed pair; court says sentencing procedure was flawed” The Dallas Morning News, June 29, 2005

The Texas Court of Criminal Appeals has issued a stay of execution for Charles Dean Hood, who was convicted in 1990 for the murders of two Plano residents. The case was sent back to the trial court because the jury was not allowed to consider mitigating circumstances during sentencing. On Monday, the U.S. Supreme Court denied Mr. Hood’s request for DNA testing of blood found on several items after the deaths.

“Justices to Review Rules For Death Case Appeals” The New York Times, June 29, 2005

The Supreme Court on Tuesday accepted an appeal from a Paul Gregory House, a Tennessee death row inmate who contends that DNA evidence proves his innocence of the murder for which he was convicted and sentenced to death 20 years ago. The case will provide the court's first occasion, in the years since exonerations based on DNA have become widespread, to reconsider the standards for reopening death penalty cases to present claims of innocence. Those standards, developed by the court in a series of cases in the early 1990's, requires inmates seeking federal review to pass through a procedural "gateway" by establishing that the federal court's failure to hear the case would be a "fundamental miscarriage of justice." Such an exception to the usual procedural barriers should be "rare" and confined to an "extraordinary case," the court said.