

DNA Current News, July 1-7, 2005
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DNA Evidence and Crime-Solving

“Dad Relieved by Conviction; Man Guilty of Kidnapping, Raping Girls” Sun-Sentinel (Fort Lauderdale, FL), July 7, 2005

It took a jury of five women and one man about three hours to find Frederick Lamar Mitchell, 34, of Fort Pierce, guilty of two counts of sexual battery, two counts of aggravated kidnapping and three counts of burglary. Mitchell was accused by police of being the serial child rapist who terrorized the community in the fall of 2003 by abducting young girls from their homes and raping them. DNA evidence linked him to two of the victims.

“Murder trial jury weighs '75 DNA” The Toronto Star, July 7, 2005

Robert Bonisteel, 57, is charged with stabbing two women to death in 1975. Yesterday, B.C. Supreme Court Justice Al Stewart instructed the jury to carefully weigh the testimony of forensic experts because the samples were taken long before DNA technology was available. The defense lawyer argued that the sample could have been contaminated because the bag holding Bonisteel’s shoe had holes in it. The Crown alleges that a trace of blood from one of the victims was found on the shoe through DNA technology.

“SAPD officer is charged with rape” San Antonio Express-News, July 6, 2005

Dean Gutierrez, a 16-year veteran of the San Antonio Police Department, was charged Tuesday with aggravated sexual assault after DNA evidence linked him to the rape of a 22-year-old last month. Gutierrez was released from Bexar County Jail after posting a \$100,000 bond. The alleged assault victim is a self-described transsexual who lives as a woman but has not had sexual reassignment surgery. Bodily fluid from Gutierrez, allegedly found in his patrol car and on the victim’s clothing and body, ultimately linked the officer to the case.

“The World; Mexico Says Suspect Isn't Drug Kingpin; Fingerprint analysis and DNA testing clear a man authorities first believed to be Vicente Carrillo Fuentes, leader of the Juarez cartel.”

Mexican authorities said Monday that they thought they had arrested the leader of the Juarez drug cartel, but later said tests showed it was a case of mistaken identity. It was also the second high-profile error in the last two weeks. Ruben Aguilar, spokesman for President Vicente Fox, said prosecutors conducted fingerprint analysis and DNA tests to determine the identity of the man, who gave his name as Joaquin Romero Aparicio and who local media said had undergone extensive plastic surgery. As it turned out, he had given his true name.

“Ex-con charged in 1990 slayings; DNA from girl's rape that day is linked to man, authorities say” Chicago Tribune, July 3, 2005

Nearly 15 years after police investigating the rape of a 12-year-old girl found the bodies of a man and a woman in a burning Lawrence Avenue apartment, DNA evidence has linked David Earl Banks, 41, to the crimes. Banks is charged with arson and the slayings of Lawrence Soucy, 79, and Irene Hedgpeth, 55, in September 1990. The statute of limitations has run out in the rape of the 12-year-old girl.

“DNA retest gains arrest in 1990 case; Capital murder charges are filed after HPD officers take advantage of new technology” The Houston Chronicle, July 02, 2005

A man first suspected in the death of a teenager 15 years ago was arrested this week after retesting of DNA evidence linked him to the girl's death. Roland Salazar, 38, was charged with capital murder in the July 19, 1990, sexual assault and suffocation of 18-year-old Norma Torres. He was arrested Wednesday and is being held without bail.

“DNA tags used to charge unknown jewelry store robber” Star Tribune (Minneapolis, MN), July 1, 2005

Officials charged an unknown man in hopes that his DNA fingerprint will lead to his capture and conviction for robbing a Bloomington jewelry store last year. Security videotapes didn't show his face, but the man cut himself while breaking windows. Blood stains on glass shards were analyzed to reveal his DNA profile. The suspect was charged in order to keep the case alive because state law says charges can't be filed more than three years after a crime is committed, except for murder and rape.

DNA Database Funding and Backlog

“Governor says DNA backlog cleared; Prosecutors, others have their doubts problem is solved” Chicago Tribune, July 6, 2005

Gov. Rod Blagojevich announced Tuesday that the long-standing backlog of DNA cases sent to the state crime lab has been eliminated, saying that, "The Illinois State Police has officially eliminated the DNA case backlog--DNA cases awaiting analysis in the laboratory more than 30 days." Under pressure from police and prosecutors weary of the long delays in forensic testing, Blagojevich allocated \$2.6 million in fiscal 2004 and 2005 to ease the backlog. Leaders in the Cook County state's attorney's office said some progress has been made, but that it is far too early to declare the problem solved.

“Forensic DNA analysis is underused, study finds” Orlando Sentinel (Florida), July 4, 2005

A new study finds that forensic DNA analysis is woefully underused by police investigators in the United States. The study by researchers at Washington State University estimated that 250,000 unsolved rapes and homicides in the United States since 1982 -- more than half of such crimes -- have yet to be subjected to DNA testing. The reasons for low usage include lack of money and trained personnel for performing the complicated tests. The researchers' survey also found that some law-enforcement agencies were reluctant to take and store DNA evidence.

“Romney axes elderly, kids budget funds” The Boston Herald, July 1, 2005

Gov. Mitt Romney signed a \$23.8 billion state budget into law yesterday, and vetoed \$110 million in spending on items he called wasteful, ineffective or unnecessary, adding that fiscal year 2005 will end with a “sizable surplus.” The budget includes \$6.4 million to boost forensic and DNA analysis at the State Medical Examiner's Office and state police crime lab.

“PROBE FINDS HPD LAB GOT SCANT BACKING; 1st report details a lack of funding and supervision” The Houston Chronicle

The Houston crime lab struggled with inadequate resources and support for at least 15 years, an independent investigator reported Thursday. The DNA division did not ensure the quality of its work with regular inspections, and analysts in the DNA and serology sections made numerous errors in routine exams to test their basic abilities. Evidence was stored without temperature controls and, at times, was exposed to leaking rainwater and rats that gnawed through boxes. The DNA division went without a key supervisor for six years, leading to situations where undertrained analysts performed sloppy work in poor conditions.

Expanding the DNA Databank

“DNA samples taken in home invasion investigation Dallas: Men comply with police; 10 area attacks may be linked” THE DALLAS MORNING NEWS, July 1, 2005

Dallas police have taken DNA samples from several men who they believe could be involved in a string of 10 recent attacks, including a Plano slaying, home invasions, carjackings and sexual assaults. Police officials would not elaborate on how many samples have been taken over the last few weeks, but a spokeswoman said all were from Dallas men. The genetic profiles will be compared with evidence gathered from the crime scenes.

DNA-based Post Conviction Challenges

“CITING DNA, INMATE SEEKS MURDER RETRIAL; SAYS SNEAKER EVIDENCE IS NOT BLOOD OF VICTIM” The Boston Globe, July 4, 2005

Eleven years after he was convicted of helping to execute two men, Frank DiBenedetto is seeking a new trial. During the trial the prosecutor argued that his size-11 1/2 Nike sneakers

bore the blood of one of the victims. But now DiBenedetto wants the conviction set aside because recently conducted laboratory tests show that DNA from the sneakers does not belong to either of the victims. Prosecutors, however, deny that the test results vindicate DiBenedetto.

“Miss. man hopes DNA sets him free; Protecting his brother landed him in jail” Times-Picayune (New Orleans), July 3, 2005

Today in court, attorney Martin Regan is expected to present DNA test results and witness testimony that support what a Mississippi family has known for almost 20 years: that Willie Jackson has been in jail since 1989 for an attempted rape and aggravated robbery that his brother, Milton Jackson, actually committed. Willie was convicted based on identification by the victim, even though seven witnesses substantiated his alibi. Regan was able to win an order for DNA testing using money from a fund created in 2002 for indigent defendants.