

DNA Current Events Week of 8/18—8/24

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### **DNA Evidence and Crime-Solving**

“NATION BRIEFS,” *Newsday* (New York) August 18, 2005.

Joel Bill Caulk, a convicted rapist, has been charged with a 1981 rape, a rape for which another man was wrongly imprisoned for 21 years. Leo Waters was released from prison after serving time for the same crime; Waters was released after DNA evidence proved he was not the perpetrator.

“DNA clue in 1999 killing surfaces; 'Potential suspect' found in Mississippi,” *Times-Picayune* (New Orleans) August 24, 2005.

Police believe they have found their suspect in the 1999 murder of a Louisiana State University professor, James David Sexton. DNA evidence uploaded into the National DNA database late last year was matched recently to a convicted kidnapper.

“DNA Match Nabs Robbery Suspect; He's Charged With Murder Attempt,” *Sun-Sentinel* (Fort Lauderdale, FL) August 19, 2005.

Police have charged Hughton Alexander Heath for the robbery and attempted murder of a Tires Plus store manager in 2003. Heath was arrested after DNA from blood found in the store's cash register was uploaded into the National DNA database. Heath was convicted in 2004 for another robbery and was forced to provide a DNA sample which led to a match from the 2003 crime.

“DNA ties man to old crime,” *The Courier Mail* (Queensland, Australia) August 24, 2005.

Robert Charles Nunn, 34, has pleaded guilty to an attempted robbery six years ago. Police were led to Nunn after DNA evidence was taken from the crime scene and matched Nunn's DNA.

“Man arrested in roommate's stabbing; Victim had a knife embedded in his skull. Suspect was jailed in May rape case,” *Times-Picayune* (New Orleans) August 20, 2005.

A 44-year-old man Kenneth Smith was charged in the murder of his roommate in 2004, after DNA testing of a pair of his pants linked him to the crime.

“DNA used to charge felon in 1990 rape,” *Orlando Sentinel* (Florida) August 19, 2005.

Orlando police have arrested a felon and charged him with a 15-year-old rape. Detectives used DNA from the rape in 1990 to compare with the National DNA Database and made a match with Eddie Adams, a convicted felon who was forced to provide a DNA sample in 1997 when he was convicted of battery in an unrelated case.

“Md. Man Pleads Guilty to Rape; Defendant Says He Committed Other Attacks, Burglaries,” *The Washington Post* August 24, 2005.

39-year-old Jorge Rivera-Aleman admitted raping a 13-year-old girl and a series of other attacks in the Silver Spring area over the past 2 years. Rivera-Alman matched the description of the attacker and later DNA evidence confirmed he was the attacker.

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

“Scientist: Early errors aided case; Mistakes preserved DNA in girl's slaying,” *The San Diego Union-Tribune* August 24, 2005.

In the 1991 murder of 9-year-old Laura Arroyo, mistakes by detectives led to the preservation of some DNA evidence that might otherwise have been destroyed. Manuel Bracamontes, 41, was linked to the murder when the preserved DNA evidence was tested in 2003.

“Crime lab botched DNA tests, state says; Suspects could have been wrongly freed,” *Chicago Tribune* August 19, 2005.

Illinois State Police will no longer be sending DNA and other forensic materials to be analyzed at the Virginia DNA laboratory. State officials have discovered that the lab has made mistakes in almost a quarter of their results.

“Company aiding crime lab probe loses Illinois job; Harris County is reviewing deal after errors cost the Virginia firm a \$ 7 million project,” *The Houston Chronicle* August 24, 2005.

Harris County prosecutors have withdrawn their \$ 7.7 million contract with Virginia-based forensic lab, Bode Technology Group because of errors in the lab's work. The company was hired to look at more than 400 cases where DNA evidence was originally processed by the troubled Houston Police Department's crime lab.

“Illinois State Police Cancels Forensic Lab's Contract, Citing Errors,” *The New York Times* August 20, 2005.

The Bode Technology Group has lost its contract with the Illinois State Police after failing to identify semen on evidence in 22% of cases that were re-analyzed for quality assurance. The State Police plan to reanalyze all the cases that Bode claimed tested negative for semen, and are seeking permission to sue the company.

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

“Bill calls for justice system reform; After DNA cleared man of crime, some want new technology used regularly,” *Milwaukee Journal Sentinel* (Wisconsin) August 18, 2005.

Wisconsin state law makers have revealed a package of legislation to address the mounting concerns over wrongful imprisonments and the need for post conviction DNA testing. The proposed legislation would change the way suspects are questioned and prosecuted.

“DA may help fund probe into crime lab; Rosenthal says inquiry should wrap up; others say he playing down problems,” *The Houston Chronicle* August 18, 2005.

The office of Harris County District Attorney may help to solve the financial difficulties that have been holding up the investigation into the problems at the Houston Police Department crime lab. Harris County District Attorney Chuck Rosenthal said he would not comment on how much money the DA’s office would be offering, but said that they were investigating different means of subsidizing the investigation.

### **DNA-based Post Conviction Challenges**

“REGIONAL BRIEFING,” *Milwaukee Journal Sentinel* (Wisconsin) August 20, 2005.

The Wisconsin Innocence Project has filed a motion requesting a new trial for 38-year-old Beth LaBette, who is serving a life sentence for the murders of two sisters in 1991. The Innocence Project cited new DNA testing of evidence in LaBette’s case.

### **DNA Evidence and Sentencing**

“Law Giving Inmates Right to Ask For DNA Testing Is Set To Expire,” *Tampa Tribune* (Florida) August 21, 2005.

The law that allows Florida prisoners the right to request DNA testing of evidence that could prove their innocence is set to expire on October 1. State attorneys have stated that they will continue to allow prisoners to seek DNA testing of evidence after the law ends, provided prosecutors are presented with legitimate DNA testing requests. Senate Majority Leader Alex Villalobos, has said that he will propose removing the October 1, deadline.

“Rape suspect back from US,” *Sunday Mail* (South Australia) August 21, 2005.

A south Australian man has been extradited for a series of rapes in Adelaide, and is also a suspect in several sexual attacks in Hollywood. US Chief Inspector John Clark said that if convicted in Australia, the man will be forced to provide DNA evidence to the US police for comparison with unsolved rapes in the US.

“Killer's sentence is overturned; He was convicted of murdering musician - Prosecutors say they will ask for new jury,” *The Seattle Times* August 24, 2005.

The state Court of Appeals yesterday overturned the exceptionally long prison sentence of Jesus Mezquia who was convicted, based on DNA evidence, of the 1993 murder of musician Mia Zapata. Mezquia’s conviction was overturned based on the U.S. Supreme Court ruling known as the Blakely decision. Mezquia was arrested and convicted of the crime after cold case investigators uploaded DNA from the case into the National DNA database and got a “hit” linking Mezquia, who had provided authorities with a DNA sample from a previous crime.