

DNA Current Events, Week of September 26-October 2, 2005

Prepared by Rebecca Mitcheson

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DNA Evidence and Crime-Solving

“Sex Offender Arrested In 1995 Rape Case,” *Tampa Tribune* (Florida) October 2, 2005.

Ten years after rape of a woman, a convicted sex offender has been charged in the crime. 40-year-old Wayne Jacobs was arrested after DNA from the case was submitted to the state’s DNA database, and was found to be a match to Jacob’s DNA.

“Week in Review; Sept. 25-Oct. 1,” *The Washington Post* October 2, 2005.

Police believe they have found the killer of three people who were shot to death in Northern Virginia nearly 17 years ago. In 2000 Virginia’s DNA database showed that all of the murders were connected to the same murderer, and then last month California entered 39-year-old Alfredo R. Prieto’s DNA, into the national DNA database which linked him to the murders. Alfredo R. Prieto was already a convicted murderer in California.

“Man found guilty of murder in 1991 Joliet carjacking,” *Chicago Tribune* September 30, 2005

14 years after the murder of Cyndi Lukas, Larry D. Hall, 37, has been convicted of her murder. The case was reopened in 2002 when police used new DNA testing technology to link Hall to the crime.

“Law & Order St. Louis,” *St. Louis Post-Dispatch* (Missouri) September 30, 2005.

James T. Fujimoto, 24, was arrested and charged with the rape of a woman from 2002, after DNA testing tied him to the crime.

“CRIME & JUSTICE,” *The Washington Post* September 30, 2005.

Oswaldo Martinez has been ruled incompetent to stand trial for the murder of a 16-year-old girl, as he is deaf, mute and illiterate. Martinez was linked to the murder through DNA evidence found at the crime scene.

“Man charged in woman's '85 slaying Arlington: Detectives link DNA evidence to suspect in other death,” *The Dallas Morning News* September 28, 2005.

Curtis Don Brown, 49, a man already in prison for murder, has been charged with the 1985 murder and rape of an Arlington woman. Arlington police met with Fort Worth police to compare information on cold cases in March, at which time Fort Worth police shared information on Brown who had been recently linked to another murder in 1986 of another woman. DNA from the 1985 case was matched through the national DNA database to Brown.

Controversies Concerning DNA Databanks and Laboratories

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“Man arrested in rapes from 1994, '98; DNA links him to cases, but most evidence from one was destroyed,” *Milwaukee Journal Sentinel* (Wisconsin) September 30, 2005.

Sandy Farior, 28 is accused of sexually assaulting a university student in 1994 and a teenager in 1998; however, the DNA evidence that originally linked him to the crimes has since been mistakenly destroyed by Milwaukee police. Farior was convicted of armed robbery in Illinois in 1994 and forced to provide a DNA sample to be stored in the national DNA database, but for unknown reasons the sample did not get uploaded until 2004, and police were finally able to link Farior to the crimes.

“Lab gets new chief for DNA section; Analyst hopes to reopen HPD's troubled facility in a few months,” *The Houston Chronicle* September 29, 2005.

A former DNA analyst for Texas, Vanessa Nelson has been appointed to lead the reopening of the Houston police crime lab's DNA division, after it was shut down three years ago after an audit revealed contaminated evidence and untrained staff.

DNA-based Post Conviction Challenges

“Senate bill would limit Death Row appeals; Attorney and judicial groups urge its defeat,” *Chicago Tribune* September 29, 2005.

The Streamline Procedures Act is set to be sent to the Senate for a vote on Thursday, the bill critics say would severely restrict the ability of prison inmates to appeal in federal court. This all comes as death row and DNA exonerations are becoming more frequent.

“Convict's plea for help is answered; A congressman and a Minneapolis law firm question the murder conviction of a Bloomington native,” *Star Tribune* (Minneapolis, MN) September 29, 2005.

Kent LeBere has been in prison for seven years after being convicted of second-degree murder in 1998. Rep. Jim Ramstad, is questioning, along with many others, whether the right man is prison. DNA tests produced nothing incriminating and LeBere was found guilty without any witnesses or physical evidence.

“Murder suspect waives jury in retrial,” *Newsday* (New York) September 27, 2005.

John Kogut is on retrial for the 1984 rape and murder of Theresa Fusco, for which he was convicted and served 17 years. Kogut was released in 2003 after newly discovered DNA evidence failed to link him to the crime. Kogut has waived his right to a jury and has decided to let the Acting Supreme Court Justice Victor Ort decide the case.

DNA Evidence and Sentencing

“Man receives up to 50 years for 2003 rape,” *Omaha World-Herald* (Nebraska) September 28, 2005.

James I. Griffin, a homeless man, was sentenced to 50 years in prison for rape. Griffin was linked to the assault through DNA evidence 15 months after it took place, when he was caught burglarizing the same religious center where the attack took place.