

DNA News
Week of March 5 – March 11, 2006
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DNA Evidence and Crime-Solving

“DNA helps nab burglars too; Links bloodstains to suspect.” *Daily News* (New York) March 10, 2006.

After 70-year-old Leonnie Cumming’s Bronx home was broken into, police gathered bloodstains left behind and, using New York’s Biotracks DNA testing program, searched for a match. The DNA matched 29-year-old Byron Barriteau, whose DNA had been stored after he was convicted of a previous time. This marked the first burglary that was solved with DNA evidence in the Bronx. Barriteau was charged with breaking and entering and stealing six-thousand dollars from Cumming’s home.

“DNA profile matches accused, expert testifies at Posluns murder trial” *The Toronto Sun* March 10, 2006.

Lisa Posluns was sexually assaulted and murdered in November of 2002. DNA found on Posluns jeans matched that of janitor Nelson DeJesus, who is currently on trial for the 2002 attack on Poslun.

“DNA leads to Leesburg man's arrest in 2004 case” *Orlando Sentinel* (Florida) March 10, 2006

Registered sex offender Frederick Harris, 39, was recently charged with the stabbing death of Debra Rawls in Marion County, Florida. Harris was not a suspect until his DNA was a match to blood found on the victim’s bra. Police had no leads until DNA tests matched with Harris, who has a history both of sexual assault and burglary.

“DNA links sex offender to 9-year-old Tampa rape” *St. Petersburg Times* (Florida) March 10, 2006

Kenneth Dehart, 34, is a convicted sex offender whose DNA was matched to evidence collected in a 1997 rape. Dehart was arrested and charged in Minnesota and taken back to Florida when the FBI's Combined DNA Index System discovered Dehart to be a match.

Controversies Concerning DNA Databanks and Laboratories

DNA Database Funding and Backlog

“State budget may allow DNA work in Vancouver lab” *The Oregonian* (Portland, Oregon) March 8, 2006

The Washington State Crime Laboratory in Vancouver received \$2.94 million in funding which will allow the lab to become the fifth full-service crime lab in the state. The lab opened last summer with a vacant second floor that will become both offices and DNA labs. With this addition, the WSCL will be able to handle various tests including firearms ballistics, drugs, trace evidence, and DNA testing.

DNA-based Post Conviction Challenges

“State-paid DNA tests for inmates OK’d” *Plain Dealer* (Cleveland) March 8, 2006

The Ohio Senate passed a bill that will reinstate a law allowing inmates to seek state-paid DNA tests to prove their guilt or innocence. However, this law relies on DNA as the only factor in determining guilt or innocence.

“DNA in ’88 killing doesn’t match convict’s” *Pittsburgh Post-Gazette* (Pennsylvania) March 7, 2006

Drew Whitley has served nearly 18 years of a life sentence for the 1988 murder of restaurant manager Noreen Malloy at the McDonald's near Kennywood Park. Six hairs found in a stocking mask believed worn by the killer contain DNA that do not match Whitley’s. The courts have yet to decide whether to free Whitley, make him serve the remainder of her sentence, or order a new trial.

“City to pay \$3.2 million in wrongful conviction suit” *The Boston Globe* March 10, 2006

The city of Boston has agreed to pay \$3.2 million to settle a wrongful conviction suit filed by Neil Miller, who served 10 years in prison for raping a 19-year-old Emerson College student before DNA tests proved that another man committed the crime. It is believed to be the largest settlement Boston has paid in a wrongful conviction case. Miller, 39, had been convicted of breaking into the woman's apartment Aug. 24, 1989, and raping her after the woman identified him in a police lineup.

DNA Evidence and Sentencing

“Assailant Gets 30 Years In Death of Woman, 84” *The Washington Post* March 9, 2006

Frank Walker was found guilty of the burglary and murder of 84-year-old Grace Wims. Walker, who pleaded guilty in December to second-degree murder, was sentenced to 30 years in prison, five years more than sentencing guidelines recommend.

DNA Science and Technology

“DNA program begins operating; mitochondrial analysis will lease difficult identifications in crimes” *Hartford Courant* (Connecticut) March 7, 2006

Connecticut Department of Public Safety forensic laboratory recently opened one of four mitochondrial DNA testing facilities in the United States. Regular DNA testing relies on the nucleus within each cell. But as evidence decays, so does the nucleus, making testing impossible. There are, however, thousands of mitochondria within each cell, allowing scientists to test them in samples of hair, teeth, old bones and decayed remains. This will dramatically decrease the backlog of mitochondrial DNA casework in the United States.