

Forensic DNA News
Week of May 21 – May 27, 2006
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DNA Evidence and Crime-Solving

“Heat back on girl's kidnapper; Death penalty to be pursued as skull is that of Emily Rimel” *The Columbus Dispatch* (Ohio) May 27, 2006

Prosecutors expect to charge Lindsey Bruce with aggravated-murder charges after a skull found in Big Walnut Creek in Ohio was identified as Emily Rimel, who Bruce was convicted of kidnapping. DNA taken from Bruce's penis matched that of Rimel. DNA was also used to prove that the skull belonged to the 5-year-old victim who disappeared in 2004.

“Waking up to a case of sleepwalker rape” *The Courier Mail* (Australia) May 26, 2006

While staying overnight at a friend's house, Darryl Kenneth Lotz allegedly raped his friend's girlfriend. He denies the charges, claiming that he was sleepwalking at the time and unaware of what he was doing. DNA evidence was found belonging to Lotz, and he did not deny that he must have slept with the woman, though he claims he has no recollection of the incident.

“Man charged in old rape case; Cold Case Unit links DNA to paralyzing 1994 assault” *Rocky Mountain News* (Denver, CO) May 26, 2006

Benjamin Anderson, 31, was charged with a rape that occurred 12 years ago. The attack left the victim, then 48, paralyzed from the neck down. Anderson is currently serving a prison sentence for a 1994 rape. As a convicted sexual offender, his DNA was collected and put through the DNA database, which was matched to the assault.

“DNA leads to arrest in '02 slaying” *The Boston Globe* May 24, 2006

Carlos Seino, 46, was convicted of assault and battery with a machete in 2004. Subsequently, Seino was required to submit a DNA sample to the Massachusetts State Police's DNA database. Seino's DNA matched a blood sample found at the scene of an assault and robbery that occurred four years ago.

“Gentleman robber nabbed through DNA on postage stamp” *The Daily Yomiuri*(Tokyo) May 22, 2006

Lee Jin Se, 29, was arrested and charged with robbery after police used the saliva on a stamp Se used to return a bank card that he had stolen and used to take 980,000 yen from the victim's bank account. Se had used a special key to open the woman's door. He then proceeded to tie her up and steal her cash and bank card. The woman begged Se to return the bank card because it was so troublesome to have a new one made.

Controversies Concerning DNA Databanks and Laboratories

“Crime lab lambasted over DNA database; Policies defended as needed both to solve and prevent crimes” *Buffalo News* (New York) May 21, 2006

The Erie County crime lab has been criticized for violating the privacy and civil rights of potentially hundreds of victims and innocent people. The Erie County crime lab is the only one in New York to collect and file DNA samples from male victims of violent crimes as well as their attackers. The lab also retains records of individuals who were arrested and later cleared of crimes.

Expanding the DNA Databank

“MSPs give police go-ahead to keep DNA for five years” *The Scotsman* May 26, 2006

The Scottish Parliament passed a law allowing police to maintain DNA from suspects charged with violent sex crimes for up to five years, whether or not the person is eventually convicted. Previously, if the person is not convicted, the DNA samples must be immediately destroyed. Hugh Henry, the deputy justice minister, believes that this is a fair compromise between those who want to limit police power and those who believe DNA should be retained from all Scottish citizens.

DNA-based Post Conviction Challenges

“Exonerated, man wants record erased Dallas: DNA cleared him after he served 22 years” *The Dallas Morning News* May 27, 2006 Saturday

After 22 years in prison for sexual assault, Billy Wayne Miller was released after DNA tests concluded that he was innocent of the charges. Miller has requested that his conviction be erased from Dallas court records. He is entitled to over \$250,000 in restitution for his wrongful imprisonment.

“Case Dropped Against New Jersey Man After 18 Years” *The New York Times* May 27, 2006

The case against Larry Peterson was recently dropped after he was cleared by DNA testing of the rape and murder of which he was charged. He spent 18 years in prison awaiting a retrial. Even after DNA testing showed that Peterson was not able to link Peterson to the crime, prosecutors refused to drop the case because witnesses claimed that he had confessed to the crime. However, those witnesses later recanted their account and the case was dropped.

“2-minute hearing ends long quest; Exonerated man says 'free at last'” *Times-Picayune* (New Orleans) May 27, 2006

Willie Jackson, 45, was wrongfully convicted in 1988 of attempted aggravated rape and first-degree robbery. After serving 16-years of his 40-year sentence, Jackson was officially exonerated. The charges were dismissed after the District Attorney’s Office confirmed that DNA evidence pointed to Jackson’s younger brother, who is currently serving a life sentence for an unrelated rape.

DNA Evidence and Sentencing

“First-time offender gets life sentence; Jurors give man maximum term for sexual assault of 13-year-old girl” *The Houston Chronicle* May 27, 2006.

Douglas Alberto Sanchez, 26, was sentenced to life in prison after DNA evidence linked him to the sexual assault of a 13-year-old girl. He had visited the house to install cable television during the day, and returned at night, lured the girl into the backyard, and assaulted her. This was his first offense, but the jury took only one hour to decide on the maximum sentence.

“Burglar stole three uniforms for his 'emotional relief'” *South China Morning Post* May 24, 2006

Chow Chi-lun, 30, was sentenced to 20 months in prison after he admitted having burgled the Food and Environmental Hygiene Department. Chi-lun admitted to having a fetish for uniforms, which is why he broke into the department. A blood sample found on a broken glass door matched Chi-lun’s DNA.