

Appendixes

Reported Uses of DNA Testing in Criminal Investigations and Proceedings

This appendix lists reported uses of DNA testing in criminal investigations and proceedings. It originates from material collected from a number of sources:

- private laboratories (Cellmark Diagnostics, Forensic Science Associates, and Lifecodes Corp.) that have provided DNA analysis of evidence for criminal investigations;
- the Federal Bureau of Investigation (FBI);
- State Attorney Generals' offices;
- Office of Technology Assessment (OTA) advisory panel members and reviewers; and
- news reports and wire services.

Where possible, the following information is provided for each entry in this appendix:

- name of case/investigation;
- date of case/investigation (e.g., date the information was provided to OTA or date of trial, hearing, or report);
- location of case/investigation (county or city);
- information about the case/investigation; and
- the laboratory involved in conducting the testing and/or providing expert testimony.

This appendix catalogues over 200 reported uses of DNA testing in criminal investigations and proceedings reported to OTA as of January 1, 1990. DNA evidence has been admitted by courts in 38 States and by the U.S. military. Judicial recognition of the admissibility of DNA evidence was pending in two additional States, and in one State had been used to obtain a plea without a hearing as to the evidence's admissibility. Uses of DNA testing in criminal investigations and proceedings were reported in 45 States and the District of Columbia. No State court has found that DNA testing per se fails to meet established tests for admissibility, although in several cases the admissibility of DNA evidence has been limited or barred. This appendix reports the use of DNA testing:

- in cases where such evidence was admitted by a court or used to obtain a plea prior to an admissibility hearing (185 cases);
- in cases where the admissibility of DNA evidence is pending (26 cases);
- as a tool in an ongoing criminal investigation (13 cases);
- to exculpate a defendant (12 reported instances);
- in cases where the DNA test results were inconclusive (7 reported instances);
- in two cases where such evidence was given only limited admissibility by a court (*Pennell in Delaware* and *Castro in New York*);
- in two cases where such evidence was ruled to be inadmissible (*Martinez in California* and *Schwartz in Minnesota*);
- in one case where such evidence was withdrawn by the prosecution prior to its introduction (*McLeod in Maine*); and
- as it involves two cases (*Woodall in West Virginia* and *Hinton in Connecticut*) where defendants sought to use such evidence to re-open prior convictions.

The number of reported uses in this appendix is conservative. The vast majority of criminal investigations, suspect/defendant exculpations, and plea bargains are not widely reported. For example, in 37 percent of the more than 500 rape and homicide investigations completed by the FBI through January 1990, the primary suspect was excluded. In addition, this appendix generally covers only those cases reported by the primary private laboratories and the FBI. Although impossible to precisely determine, OTA estimates that, to date, DNA tests have been used by law enforcement in over 2,000 investigations. All trends indicate that the number of cases will continue to increase dramatically in the near term.

Alabama

State of Alabama v. Moore

April 1989

Prattville

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Alabama v. Perry

December 1988

Scottsboro

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Alabama v. Pettway

November 1989

Mobile

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Alabama v. Snowden

November 1989

Bay Minette

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Alabama v. Wallace

December 1989

Birmingham

DNA evidence admitted. Defendant accused of rape. Trial ended in a hung jury. (Lifecodes)

State of Alabama v. Yelder

March 1989

Montgomery County

DNA evidence admitted. Jury convicts Timothy Yelder of seven felony counts of rape, burglary, and sodomy associated with three rapes that occurred in 1988.

Alaska

Admissibility of DNA evidence pending in criminal trial in Kodiak.

Arizona

State of Arizona v. Bible

May 1989

Coconino county

In February 1989, a Superior Court judge ruled to allow the introduction of DNA evidence in the murder trial of Richard Bible. Bible was charged with murder, kidnapping, and child molestation in the June 1988 disappearance and death of a 9-year-old girl, (Cellmark)

State of Arizona v. Dazen

August 1989

Apache County

DNA test matches suspect to semen stain. Suspect pleaded guilty to rape. (Lifecodes)

State of Arizona v. Kiles

December 1989

Yuma County

Judge orders the FBI to release all laboratory notes and proficiency tests for the defense to examine, or the prosecution would be barred from using DNA evidence in the case.

State of Arizona v. Martin

August 1989

Mesa City

Results of DNA test lead to arrest of suspect in the 1988 sexual assault and murder of a 13-year-old girl.

State of Arizona v. Stutler

August 1989

Yavapai County

Upon learning of results of DNA analysis on semen/vaginal fluid mixture, defendant pleaded guilty to attempted murder, burglary, sexual assault, kidnapping, and arson. Sentenced to a total of 74 years in prison. (Cellmark)

Associated Press report, Oct. 29, 1989

Scottsdale

Detectives in this celebrity-conscious city hope that DNA blood testing will help them crack the 11-year-old murder of former 'Hogan's Heroes' star Bob Crane. Blood samples from a suspect's car have been sent to Cellmark Diagnostics. Blood samples taken from the car in 1978 confirmed that the blood was Type B, which matches Crane's and is found in 10 percent of the population. Now, with DNA testing, it is hoped that a more positive physical identification can be made.

Arkansas

DNA evidence was admitted in a Little Rock rape case following a pretrial hearing in November 1989. Trial pending. (FBI)

California

State of California v. Axell

August 1989

Ventura County Superior Court

Court rules Cellmark's DNA test results admissible.

Defendant is convicted of first-degree murder in September 1989. (Cellmark, FBI)

State of California v. Barney

December 1989

Alameda County

DNA evidence admitted. Defendant waived jury trial and was convicted in December 1989 of kidnapping, robbery, and attempted rape. (Cellmark)

State of California v. Black

March 1989

Santa Ana

Defendant enters guilty plea to sexual molestation of two step-daughters after being told of prosecution plans to seek DNA analysis of fetal remains from an abortion performed on the 17-year-old victim.

State of California v. Cathcart

November 1989

Santa Ana

DNA evidence admitted. Trial pending. (Lifecodes)

State of California v. Chavez

June 1988

San Mateo County

Prosecutors dismiss rape charges against defendant, in custody for 7 months, after polymerase chain reaction analysis (PCR) excludes the defendant. (Forensic Science Associates)

State of California v. Davis

December 1989

Ventura County

DNA evidence admitted. Defendant convicted in fall 1989 of first-degree murder, sodomy, and sexual assault. (Cellmark)

State of California v. Harris

June 1989

Santa Ana

Hearing. Orange County prosecutors seek to introduce DNA evidence in rape trial. Admissibility pending.

State of California v. Littleton

December 1989

San Diego

Hearing held in December 1989 to admit DNA evidence in rape case. Decision pending. (Cellmark)

State of California v. Luna

November 1989

Ventura County

DNA evidence admitted. Defendant convicted of rape in November 1989. (FBI)

State of California v. Marlow

November 1989

Hollister

DNA evidence offered at pretrial hearing. Defendant is charged with double murder and multiple rapes. Admissibility ruling and trial pending. (Cellmark)

State of California v. Martinez

1988

Los Angeles

Introduction of DNA evidence successfully opposed by the District Attorney's office. (Forensic Science Associates)

State of California v. Mend

Riverside County

PCR case. (Forensic Science Associates)

State of California v. Wilds

December 1989

Los Angeles County

DNA evidence ruled admissible in rape-robbery case.

Prosecutors said they waited a year before settling on what they considered the best case to use DNA evidence in. Jury selection began in January 1990.

Associated Press report, Jan. 26, 1989

DNA analysis used to identify skull of a 3-year-old who disappeared in 1984 during a desert camping trip at Joshua Tree National Monument.

Colorado

State of Colorado v. Fishback

November 1989

Denver

DNA evidence admitted. Defendant convicted of rape. (Cellmark)

State of Colorado v. Gallagher

November 1988

El Paso County

DNA evidence admitted. After a 4-day, nonjury trial, the defendant was convicted of sexual assault. (Cellmark)

State of Colorado v. Groves

September 1989

Castle Rock

Suspected serial killer charged with 3 murders; a suspect in 14 murders.

State of Colorado v. Lindsey

February 1989

El Paso County

DNA evidence admitted, but not considered by jury in sexual assault and burglary case. DNA evidence was linked to first of two attacks on the victim; however, charges related to first incident were dismissed. Defendant convicted and sentenced to life in prison. (Cellmark)

State of Colorado v. Richardson

June 1989

Jefferson County

Defendant found not guilty of murder, but guilty of accessory to murder. DNA evidence not found on defendant, but was found on companion also charged with murder (see *State of Colorado v. Rivera*).

State of Colorado v. Rivera

December 1989

Jefferson County

Defendant was tried for murder in December 1989. DNA testing admitted. Defendant convicted. (Lifecodes)

State of Colorado v. Robinson

Lifecodes testifies at evidentiary hearing. Defendant exculpated of murder charge. (Lifecodes)

State of Colorado v. Sandoval

March 1989

Jefferson County

DNA test admitted as evidence in case of sexual assault, kidnapping, and robbery. (Cellmark)

State of Colorado v. Wortham

February 1989

Pitkin County

Jury convicted defendant of rape and burglary. Prosecution relied on DNA test of semen sample. Defendant convicted.

Associated Press report, Aug. 31, 1989

A headless, handless torso found in December 1988 was found to be that of a missing woman. Cellmark's DNA test confirmed that the body was related to the father and sister of the missing woman. Arapahoe County Sheriff said this is the first case in Colorado, and possibly the Nation, in which DNA was used to identify an unknown body.

Connecticut

State of Connecticut v. Green

November 1989

Hartford

DNA testing admitted. Defendant pleaded guilty to first-degree assault, and was sentenced in November 1989 to a 20-year prison term.

State of Connecticut v. Hinton

October 1989

New London

Arguments were heard in October 1989 on a State prison inmate's request for DNA tests to prove his claim that he was wrongfully convicted of rape in 1982. Judge said he would issue a decision on the request in early 1990.

State of Connecticut v. Sivri

October 1989

Trumbull

Pre-trial hearing re: DNA testing.

State of Connecticut v. Williams

June 1989

Stamford

PCR test conducted fails to show a link between defendant and woman stabbed to death in a shopping center parking lot. (Forensic Science Associates)

Delaware

State of Delaware v. Pennell

December 1989

Wilmington

DNA evidence admitted, but population statistical data not admitted. Defendant convicted of two counts of first-degree murder. Hung jury on third count.

District of Columbia

Green v. District of Columbia

Convicted in June 1989, Green pursued DNA testing, which revealed that he was not the individual whose semen had stained the victim's clothing. Rape, kidnapping, and sodomy charges were dropped in early 1990.

Florida

State of Florida v. Andrews

October 1988

Orange County

DNA evidence admitted. Andrews convicted in November 1987 of raping and slashing a woman. The use of such evidence upheld by 5th District Court of Appeals in October 1988.

State of Florida v. Beene

February 1989

Okaloosa County

DNA evidence admitted. Defendant convicted of multiple counts of sexual assault. (Cellmark)

State of Florida v. Bentzel

January 1989

Jacksonville

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. Bishop

December 1988

Bay County

DNA test admitted in case charging armed burglary and assault with a firearm. Judge found defendant guilty on both counts. (Cellmark)

State of Florida v. Burroughs

November 1989

Miami

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. Forrest

January 1989

West Palm Beach

Defendant, the suspect in the so-called Congress Avenue rapes, was convicted of rape by a jury after DNA evidence showed defendant had fathered the victim's aborted fetus. (Lifecodes)

State of Florida v. Helton

September 1989

Escambia County

DNA evidence admitted. Defendant convicted of six counts of rape, one count of attempted rape, attempted first-degree murder with a weapon, and petty theft. (Cellmark)

State of Florida v. Herndon

December 1989

Miami

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. Hill

January 1988

Broward County

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. James

November 1988

Ft. Lauderdale

DNA tests conducted. No result from testing. Lifecodes provided testing and was called to testify at trial. (Lifecodes)

State of Florida v. Jenkins

June 1988

Orange County

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. Jones

March 1988

Putnam County

DNA evidence admitted. Defendant convicted of murder, robbery, and sexual battery. This was the first capital case using DNA evidence. Case submitted for review to Florida's appellate court. (Cellmark)

State of Florida v. Jones and Griffin

September 1989

Leon County

DNA evidence admitted in murder case. Both defendants convicted. (Cellmark)

State of Florida v. Martinez

April 1988

Deland

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. McGriff

November 1988

Quincy

DNA evidence admitted in murder-rape case. Defendant convicted of murder; hung jury on rape charge. (Lifecodes)

State of Florida v. Moore

September 1989

Broward County

DNA evidence admitted. Defendant charged with rape and armed kidnapping; convicted of assault. (Cellmark)

State of Florida v. O'Connor

May 1989

Miami

DNA testimony offered at pretrial hearing of murder case. Defendant pleaded guilty prior to trial. (LifeCodes)

State of Florida v. Palmer

September 1988

Ft. Lauderdale

DNA tests conducted. No result from testing. Lifecodes provided testing and was called to testify at trial. (Lifecodes)

State of Florida v. Partain

September 1988

Ocala

DNA tests conducted. No result from testing. Lifecodes provided testing and was called to testify at trial. (Lifecodes)

State of Florida v. Power

June 1989

Sanford

DNA evidence used to prosecute defendant in three rapes. Sentenced to 125 years in prison. (Lifecodes, Forensic Science Associates)

State of Florida v. Reid

April 1989

Clearwater

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Florida v. Robinson, Coleman, and Frazier

June 1989

Escambia County

DNA evidence admitted in trial of three men charged with drug-related murders of four people and the attempted murder of fifth. DNA evidence linked one of the defendants to the rape. Defendants were found guilty of rape and murder. (Cellmark)

State of Florida v. Rogers

May 1989

St. Petersburg

DNA evidence admitted in sexual battery case. Defendant convicted. (Lifecodes)

State of Florida v. Russell and Johnson

January 1989

Flagler County

DNA evidence admitted. Defendants convicted of sexual battery and child abuse and sentenced to life imprisonment. (Cellmark)

State of Florida v. Savage

November 1989

Titusville

DNA evidence admitted after expert testimony at pretrial hearing. Defendant convicted of murder. (Lifecodes)

State of Florida v. Weed

July 1989

Pinellas County

DNA evidence admitted. Defendant convicted of kidnapping and rape. (Cellmark)

State of Florida v. Wike

June 1989

Milton

Defendant found guilty of murdering 6-year-old girl and slashing the throat of and raping her 8-year-old sister.

Georgia

State of Georgia v. Caldwell

October 1989

Marietta

Pretrial hearings in May and October 1989 to determine admissibility of DNA tests. Case pending. (Lifecodes)

State of Georgia v. Grier

December 1989

Bibb County

DNA evidence admitted. Defendant convicted of raping a 91-year-old woman. Sentenced to life in prison. (FBI)

State of Georgia v. Redding

September 1988

Decatur

DNA evidence admitted after pretrial hearing in rape case. Defendant pleaded guilty. (Lifecodes)

State of Georgia v. Smith

November 1988

Gainesville

DNA evidence admitted after pretrial hearing. Defendant pleaded guilty to rape. (Lifecodes)

State of Georgia v. Whitner

March 1989

Conyers

DNA evidence admitted in rape case. Defendant convicted. (Life-codes)

Hawaii

State of Hawaii v. Lohr

March 1989

Honolulu

Defense proposes, prosecution and court agree, to DNA testing of defendant in sexual assault case. Case pending. (FBI)

State of Hawaii v. Manning

April 1989

Wailuku

DNA evidence is admitted. Defendant found guilty of three cases of assault and burglary. (FBI)

Idaho

State of Idaho v. Horsley

May 1988

Sandpoint

DNA evidence admitted in rape case. Defendant convicted. (LifeCodes)

Illinois

State of Illinois v. Daniels

December 1989

Cook County

DNA evidence admitted. Defendant convicted in October 1989 of rape and murder. Sentenced to life term in prison in December 1989.

Case of Gary Dotson

August 1989

Cook County

Cook County judge vacates 1979 rape conviction after DNA test exculpates defendant. Dotson had been convicted in a 1977 rape, for which he spent 6 years in jail. Alleged victim recanted story in 1985, and Governor James Thompson granted clemency, but rape conviction remained on his record. Dotson had requested that the case be reopened for new trial after PCR tests excluded him. (Forensic Science Associates)

State of Illinois v. Dugan

May 1989

Du Page County

Pre-trial hearing set for 1983 case of abduction, rape, and murder. Tests link defendant to 1983 kidnapping, rape, and murder of girl. Pending.

State of Illinois v. Lipscomb

October 1989

Champaign

Lifecodes provides testing and expert witness for pretrial hearing in rape case. Admissibility pending. (Lifecodes)

Indiana

State of Indiana v. Hopkins

April 1989

Fort Wayne

Cellmark's DNA test results admitted in case charging rape, sodomy, and murder. Defendant convicted and sentenced to 60 years in prison. Lifecodes expert also testified. (Cellmark, Lifecodes)

State of Indiana v. Jones

August 1989

Marion County

DNA evidence admitted. Defendant convicted of rape and robbery. (Cellmark)

State of Indiana v. Lockhart

August 1989
Crown Point
DNA evidence admitted. Defendant found guilty of rape and murder. Jury recommended death penalty. Defendant sentenced to death. (Cellmark)

Iowa

State of Iowa v. Brown

August 1989
Polk county
DNA evidence admitted. Defendant convicted of first-degree murder. (Cellmark, Lifecodes)

State of Iowa v. Vargason

February 1989
Johnson County
DNA evidence admitted. Defendant convicted of third-degree sexual abuse.

Kansas

State of Kansas v. Pioletti

May 1988
Wichita
DNA evidence admitted. Defendant convicted of murder.

State of Kansas v. Searles

PCR case. (Forensic Science Associates)

State of Kansas v. Smith

February 1989
Marion County
Defendant convicted of first-degree murder and rape in which DNA typing was used as evidence. Trial of defendant, who is Black, was moved to Junction City from Marion County because all Black residents of that county were relatives or acquaintances of the defendant. Sentenced to life in prison. (Lifecodes)

State of Kansas v. Thomas

October 1989
Johnson County
DNA evidence admitted. Defendant convicted of first-degree murder. (FBI)

State of Kansas v. Wilson

December 1989
Saline County
FBI report on DNA admitted. Judge rules that defendant is to stand trial on charges of rape and aggravated burglary. (FBI)

Louisiana

State of Louisiana v. Quatrevingt

January 1990
New Orleans
DNA evidence admitted in murder-rape case. Defendant convicted. (Lifecodes)

Maine

State of Maine v. McLeod

December 1989
Portland
The prosecution, in a sexual molestation case, withdrew DNA evidence during a preliminary hearing on the reliability of the data. (Lifecodes)

Maryland

State of Maryland v. Abbott

September 1988
Anne Arundel County
DNA evidence admitted. Defendant pleaded guilty to assault and battery charges after tests linked him to the 1987 rape of a relative.

State of Maryland v. Bailey

November 1988
Baltimore
Rape and armed robbery charges against defendant dropped after DNA tests proved he could not have been the man who raped and robbed a guest at a Baltimore City hotel in July 1988.

State of Maryland v. Benton

March 1989
Montgomery County
DNA evidence admitted. Defendant convicted of rape and other charges; sentenced to life term in prison. (Cellmark)

State of Maryland v. Cobey

July 1989
Montgomery County
Defendant found guilty of rape after DNA evidence ruled to meet the Frye standard. Defendant sentenced to life, plus 10 years. The case was submitted for appellate review, and the Court of Special Appeals affirmed the use of DNA evidence in July 1989. This was Cobey's third trial. The first ended in a mistrial, and his conviction in the second trial (where evidence based on chromosome variant analysis was introduced) was overturned on appeal. Appeals Court subsequently upheld the admissibility of the DNA evidence.

State of Maryland v. Edwards

May 1989
Montgomery County
Trial pending on July 1989 sex offense.

State of Maryland v. Hargrove

January 1989
Montgomery County
Rape case. DNA evidence admitted following pretrial hearing. Defense stipulated to the DNA testing results. The trial resulted in a hung jury. Defendant was scheduled to be retried. (Cellmark)

State of Maryland v. Jenkins

October 1987

Charles County

Rape case. Charles County Circuit Court judge orders DNA testing to be performed. DNA sample too degraded, however, to successfully perform the testing. (Cellmark)

State of Maryland v. Lee

May 1989

Montgomery County

DNA evidence admitted. Defendant convicted of rape. (Cellmark)

State of Maryland v. Rager

September 1989

Anne Arundel County

DNA evidence admitted. Defendant (who “dreamed” he raped his neighbor) convicted of rape and sentenced to 12 years in prison.

State of Maryland v. Stavrakas

August 1989

Prince George’s County

DNA evidence admitted. Defendant convicted of rape. (FBI)

State of Maryland v. Tasker

September 1988

Anne Arundel County

Defendant pleads guilty to second-degree rape and draws 5-year prison sentence in case where DNA evidence was introduced.

State of Maryland v. Tu

November 1989

Montgomery County

DNA evidence admitted. Defendant convicted of murdering his common law wife; no body was recovered. (Cellmark)

State of Maryland v. Wilkenson

November 1989

Baltimore County

Defendant arrested for kidnapping. DNA tests indicate identification of the stolen 16-pound baby.

State of Maryland v. Williams

May 1989

Montgomery County

DNA evidence admitted. Defendant pleads guilty to first-degree murder. (Cellmark)

State of Maryland v. Yorke

September 1988

Baltimore County

DNA evidence admitted in rape case.

Massachusetts

Commonwealth of Massachusetts v. Curnin

September 1989

Worcester

DNA evidence admitted. Defendant convicted of rape. (Cellmark)

Michigan

State of Michigan v. Adams et al.

October 1989

Oakland County

Expert testimony at pretrial hearing in rape and serial rape case. Judge rules that DNA is admissible. Trial pending. (Cellmark)

State of Michigan v. DuJardine

September 1989

Ottawa County

DNA evidence admitted following a Frye hearing. Defendant convicted; sentenced in September 1989 to life in prison. (Lifecodes)

State of Michigan v. Fagan

September 1988

Flint

DNA evidence admitted in rape case. Defendant convicted.

State of Michigan v. McMillan

September 1989

Ingham county

Rape-murder case in which DNA identification from hair follicles is awaiting acceptance by the court.

State of Michigan v. Perkins

April 1989

Oakland County

DNA evidence admitted. Defendant awaiting trial on rape and murder charges. (Cellmark)

State of Michigan v. Szeman

October 1989

Oakland County

DNA evidence admitted in October 1989 following pretrial hearing. Defendant faces 49 charges in connection with 10 sexual assaults.

Minnesota

State of Minnesota v. Nielson

September 1989

Ramsey County

DNA evidence admitted. Defendant convicted of first-degree murder and sentenced to life imprisonment. (Cellmark)

State of Minnesota v. Plaster

September 1989
Ramsey County
DNA evidence admitted in first-degree murder case.
Defendant convicted. (FBI)

State of Minnesota v. Schwartz

Minnesota Supreme Court ruled in November 1989 that DNA tests performed by Cellmark did not meet guidelines for scientific reliability and cannot be used against defendant, who was charged with first-degree murder.

Mississippi

State of Mississippi v. Jenkins

September 1989
DeSoto County
DNA evidence admitted. Defendant convicted of capital murder and sentenced to death by injection. (Cellmark)

State of Mississippi v. Mettetal

June 1989
Union County
DNA evidence admitted. Defendant convicted of murder. (Cellmark)

State of Mississippi v. Parker

October 1989
Neshoba County
DNA evidence admitted. Defendant convicted of capital murder and sexual assault. (Cellmark)

State of Mississippi v. Weaver

February 1989
Hinds County
DNA evidence admitted. Defendant convicted of rape and sentenced to life without parole. (Cellmark)

Missouri

State of Missouri v. Davis

August 1989
Boone County
DNA evidence admitted. Defendant was found guilty of murder. (Cellmark)

State of Missouri v. Thomas

March 1989
St. Louis
DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

Associated Press report, Nov. 11, 1989

Investigators in Columbia looking into the rape and murder of a 5-year-old girl seek to obtain samples from six suspects. Child's body was recovered in November 1989.

Montana

State of Montana v. Drummond

September 1989
Jefferson County
Sexual intercourse without consent allegedly committed by a State institution attendant against a developmentally disabled patient. The victim gave birth and DNA comparisons were done by Lifecodes. Defendant pleaded guilty to the offense. (Lifecodes)

New Hampshire

State of New Hampshire v. Barnaby

September 1989
Hillsborough County
DNA analysis admitted, according to State Attorney General's Office.

State of New Hampshire v. Chase

September 1989
Rockingham County
DNA analysis admitted, according to State Attorney General's Office.

State of New Hampshire v. Parker

September 1989
Merrimack County
DNA analysis underway, according to State Attorney General's Office.

New Jersey

State of New Jersey v. Beard

December 1989
Union County
Nearly 3 months after being charged with murder, the defendant was released after a judge ruled that authorities arrested the wrong man. The primary suspect in a 1975 Georgia murder disappeared after the crime. Mistakenly, his cousin (the defendant in this case) was arrested. DNA tests conducted by Lifecodes proved the jailed man was not the father of a man known to be the son of the suspect. (Lifecodes)

Associated Press report, Dec. 14, 1988

It seemed to be an open-and-shut case against a man charged with sexual assault. DNA testing by showed defendant's sample did not match semen taken from victim. (Lifecodes)

Associated Press report, Mar. 25, 1989

Unidentified female head discovered at a golf course in a Hopewell Township. DNA testing to be conducted once police get an idea of identity.

New Mexico

State of New Mexico v. Collins

October 1989

Santa Fe

A man once charged with killing his step-daughter was released from prison in October 1989 pending the outcome of DNA testing. Open murder charges against the defendant were dismissed in the interim.

New York

State of New York v. Arashi

November 1988

New York

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of New York v. Bailey

July 1988

Albany

Rape case. DNA evidence admitted after expert testimony at pretrial hearing. Defendant pleaded guilty. (Lifecodes)

State of New York v. Berries

November 1989

Defendant charged with rape. No result from DNA test. (Lifecodes)

State of New York v. Burton

March 1989

New City

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of New York v. Buxton

December 1988

Albany

Defendant charged with rape. No result from DNA test. (Lifecodes)

State of New York v. Castro

August 1989

Bronx

Life-codes' test found to meet Frye standard and is ruled admissible for exclusion purposes, inadmissible for inclusion purposes. Defendant pleaded guilty to murder. (Lifecodes)

State of New York v. Davis

May 1989

Queens

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of New York v. Drozic

November 1989

Erie County

Defendant indicted in rape case submits to DNA testing.

According to files released to media, defendant linked to series of rapes. Defendant pleaded guilty to three rapes in November 1989.

State of New York v. Golub

November 1989

Nassau County

Hearing held in October 1989, regarding admissibility of DNA evidence. Defendant charged with second-degree murder. (Lifecodes)

State of New York v. Gonzales

May 1989

Riverhead

DNA evidence admitted in murder case. Defendant pleaded guilty. (Lifecodes)

State of New York v. Hwang

October 1989

Mineola

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of New York v. Jones

October 1989

Albany County

A thrice-convicted felon pleaded guilty in October 1989 to rape after DNA tests implicated him.

State of New York v. Lawrence

November 1989

White Plains

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of New York v. Lolisco

December 1989

Suffolk county

Defendant arrested in December 1989 after DNA tests implicated him in the rape and homicide of a teenage girl.

State of New York v. Lopez

October 1988

Queens

Defendant convicted in 1988 of three rapes and one robbery after DNA evidence was admitted. (Lifecodes)

State of New York v. Predmore

December 1988

Binghamton

DNA evidence admitted. Defendant pleaded guilty to murder. (Cellmark)

State of New York v. Rhem

July 1989

Albany County

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of New York v. Scheff

January 1989
White Plains
Westchester County man accused of rape exonerated by DNA test. Charges dismissed. (Lifecodes)

State of New York v. Smith

October 1989
New York City
Man charged with raping and killing a doctor in her Bellevue Hospital office agrees to DNA testing aimed at determining whether he acted alone. DNA test implicated him; defendant convicted. (Lifecodes)

State of New York v. Walker

March 1989
Jamaica
Rape case. No result from DNA testing. (Lifecodes)

State of New York v. Wesley

August 1988
Albany
DNA evidence admitted in murder-rape case. Defendant convicted. (Lifecodes)

State of New York v. Williams

PCR case. (Forensic Science Associates)

State of New York v. Zambrana

October 1987
New City
DNA evidence admitted. Defendant convicted of murder.

Central Park Wilding Case

October 1989
New York City
Youths charged in the beating and rape of a female jogger during a “wilding” rampage ordered to give samples of hair, blood, and saliva for DNA testing. FBI tests proved inconclusive.

North Carolina

State of North Carolina v. Hamrick

September 1989
Forsythe County
Defendant was released, and rape and kidnapping charges were dismissed after DNA tests exculpated him.

State of North Carolina v. McCarty

December 1989
Duplin county
Rape-incest case. A DNA paternity test was admitted at trial. Defendant was convicted. (Cellmark)

State of North Carolina v. Mills

March 1989
Salisbury
DNA evidence admitted. Defendant convicted of murder. (Cellmark)

State of North Carolina v. Pennington

December 1989
Forsythe County
DNA evidence admitted. Defendant convicted of rape. In December 1989, the North Carolina Supreme Court agreed to hear an appeal regarding the admissibility of the DNA test results. (Cellmark)

State of North Carolina v. Satterfield

September 1989
Alamance County
DNA evidence admitted at trial. Defendant was convicted of rape and kidnapping. (Cellmark)

Ohio

State of Ohio v. Biddings

March 1989
Columbus
DNA tests resulted in 21 additional charges against the defendant in a series of attacks known as the “handcuff rapes.” Defendant now faces 123 charges in connection with sexual attacks on 35 women from October 1984 to August 1988.

State of Ohio v. Blair

September 1989
Clark County
DNA evidence admitted. Defendant convicted of murder. (Cellmark)

State of Ohio v. Borgmann

June 1989
Hamilton County
DNA testing was performed for the defense in this case. Judge ruled test results admissible. Defendant was found guilty of rape. (Cellmark)

State of Ohio v. Burgette

May 1989
Toledo
Defendant pleads guilty to rape and kidnapping charges after DNA tests link him to the crimes.

State of Ohio v. Dascenzo

July 1988
Montgomery County
Cellmark testified at motion hearing and jury trial where DNA evidence was admitted in aggravated murder case. Defendant was found guilty. (Cellmark)

State of Ohio v. Gordon

January 1989
Franklin County
DNA evidence admitted. Defendant convicted of five counts of rape and kidnapping. (Cellmark)

State of Ohio v. Kinley

March 1989

Springfield

Defendant charged in two murders after DNA tests linked the man to the incident.

State of Ohio v. McWhite

September 1989

Lucas County

DNA evidence admitted. DNA from tissue scraped from victim's fingernails did not match the defendant. However, the defendant was convicted of two counts of 'aggravated murder. (Cellmark)

State of Ohio v. Pierce

July 1989

Delaware County

DNA evidence admitted. Defendant convicted of rape. (Cellmark)

State of Ohio v. Reese

October 1989

Cuyahoga County

DNA evidence admitted. Defendant convicted of rape, aggravated burglary, and theft; sentenced 40 to 100 years. (Cellmark)

State of Ohio v. Tague

June 1988

Montgomery County

Judge assigned from Perry County rules that DNA evidence will be admitted in Montgomery County trial where defendant is charged with aggravated murder and kidnapping.

State of Ohio v. Thomas

September 1989

Montgomery County

DNA evidence introduced in rape-murder case. Defendant found guilty of all charges and was sentenced to life in prison, plus 10 to 25 years. (Cellmark)

United States v. Yee, Veri, and Bonds

October 1989

U.S. District Court, Toledo

Three members of the Hell's Angels motorcycle gang were arrested on murder charges. Admissibility of DNA evidence pending. (FBI)

Associated Press report, Dec. 7, 1989

Pike County Sheriff's Department awaiting DNA test results from FBI so suspect can be arrested. According to local authorities, FBI reported a backlog of 60 cases, and that results in this case would not be issued for 3 months.

Oklahoma

State of Oklahoma v. Hunt

September 1987

Norman

First time Lifecodes testifies regarding DNA evidence in criminal case. Defendant acquitted of murder charges. (Lifecodes)

State of Oklahoma v. Reed

May 1988

Oklahoma City

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Oklahoma v. Taylor

January 1989

Oklahoma City

DNA evidence admitted. Defendant convicted of rape, burglary, oral sodomy, and robbery. (Lifecodes)

Associated Press report, Sept. 26, 1989

DNA tests implicated a suspect in four rapes. However, the suspect was slain by police following a robbery in April 1989. (FBI)

Oregon

State of Oregon v. Dorson

November 1989

Lincoln County

DNA evidence admitted in aggravated murder case. Defendant convicted in November 1989.

State of Oregon v. Futch

May 1989

Clatsop County

DNA test results offered for admission at 7-month pretrial hearing, which concluded in December 1989. (Lifecodes)

Pennsylvania

Commonwealth of Pennsylvania v. Conyers

August 1989

Dauphin County

DNA evidence admitted. Defendant convicted of murder and rape; sentenced to two consecutive life terms, plus 5 to 10 years. (Cellmark)

Commonwealth of Pennsylvania v. James

PCR case. (Forensic Science Associates)

Commonwealth of Pennsylvania v. McCullum

June 1989

Allegheny County

DNA evidence admitted in murder-rape case. Defendant convicted. (Cellmark)

Commonwealth of Pennsylvania v. Osellanie

July 1989

Lackawanna County

DNA test inconclusive in case against defendant, who was charged with murder. Authorities said DNA was not the primary evidence, and that the test results would have no adverse impact on the case. (Cellmark)

Commonwealth of Pennsylvania v. Pestinikas
First criminal DNA case in the United States (1986). PCR case. (Forensic Science Associates)

Commonwealth of Pennsylvania v. Smith
August 1989
Harrisburg
DNA evidence admitted in rape-burglary case. Defendant convicted. (Cellmark)

Commonwealth of Pennsylvania v. Thomas
September 1989
Cannonburg DNA evidence offered at pretrial hearing in rape case. Defendant pleaded guilty. (Lifecodes)

Commonwealth of Pennsylvania v. Trubia
December 1988
Lackawanna County
DNA evidence accepted in murder-rape case. Defendant convicted.

Commonwealth of Pennsylvania v. Whitman
October 1989
Lebanon County
Defendant pleads guilty to first-degree murder, but mentally ill to charges of rape and involuntary deviate sexual intercourse. DNA evidence would have been offered had the case gone to trial.

Commonwealth of Pennsylvania v. Woodson
March 1989
Allegheny County
Defense stipulates to DNA test results. Defendant found guilty of rape. (Cellmark)

Associated Press report, Feb. 23, 1989
Police in State College released new details of a Pennsylvania State University student's 1987 murder, including information that police have a DNA test of the killer. Police released information in hopes of generating new leads in the case.

Rhode Island

In re: Juvenile
September 1989
Case involving rape of a nursing home resident. Lifecodes conducted test. Juvenile admitted sufficient facts to establish the charge against him; sentenced to 3 years at a juvenile facility. (Lifecodes)

State of Rhode Island v. Otero
September 1989
Testing by Lifecodes. Trial pending.

State of Rhode Island v. Scurry
September 1989
Testing by FBI. Trial pending.

South Carolina

State of South Carolina v. Daniels
July 1989
DNA tests reveal that defendant's blood did not match DNA patterns in semen samples taken from rape victims. Police were looking for a man wearing a stocking mask who was believed to be responsible for 12 rapes over a 2-year period. Defendant said his troubles began when he jokingly donned a Halloween mask one day and walked from his sister's house in Summerville to his home in Lincolville. Authorities were not convinced of first DNA tests. Second tests were negative and defendant was released.

State of South Carolina v. Evans
April 1989
Charleston County
DNA evidence admitted in rape-burglary case. Defendant convicted. (Lifecodes)

State of South Carolina v. Ford and Fraser
April 1989
DNA evidence admitted. Defendant convicted on charges of criminal sexual conduct, kidnapping, and conspiracy. (Lifecodes)

State of South Carolina v. Mitchell
August 1989
Columbia
DNA evidence admitted. Hung jury on rape charges. (Lifecodes)

State of South Carolina v. Sellers
December 1989
Orangeburg
DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

South Dakota

State of South Dakota v. Wimberly
December 1989
Meade County
Defendant found guilty of rape. (FBI)

Tennessee

FBI testimony in rape case in Blountville, Tennessee on Dec. 11, 1989, results in admission of DNA evidence. Trial pending.

Texas

State of Texas v. Balawajder
PCR case. (Forensic Science Associates)

State of Texas v. Bethune
January 1989
Harris County
Defendant convicted of raping a 74-year-old woman after introduction of DNA evidence. (Lifecodes)

State of Texas v. Clarke

PCR case. (Forensic Science Associates)

State of Texas v. Danzinger

PCR case. (Forensic Science Associates)

State of Texas v. Fuller

PCR case. (Forensic Science Associates)

State of Texas v. Kelly

November 1988

Tarrant County

Defendant convicted in the slaying of a 63-year-old woman following a trial in which DNA testing was admitted into evidence. (Lifecodes)

State of Texas v. Glover

October 1988

Dallas

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Texas v. Hicks

January 1989

Fairfield

DNA evidence admitted in murder-rape case. Defendant convicted. (Lifecodes)

State of Texas v. Leon

May 1989

Henderson County

DNA tests completed. The 15-year-old defendant—certified to stand trial as an adult for capital murder, aggravated sexual assault, and two armed robberies—pleads guilty.

State of Texas v. Lockhart

October 1988

San Antonio

DNA evidence linking defendant to a Florida murder victim was admitted at a Texas sentencing hearing on Oct. 17-18, 1988. The defendant, convicted of murdering a Beaumont policeman, received the death penalty. Defendant was accused of going on a nationwide killing spree, and was also charged with capital murder in slayings in Indiana and Florida.

State of Texas v. Lopez

PCR case. (Forensic Science Associates)

State of Texas v. Mandujano

May 1989

Bryan

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Texas v. McFarland

PCR case. (Forensic Science Associates)

State of Texas v. Perryman

June 1989

Piano

DNA evidence admitted in sexual assault case. Defendant convicted. (Lifecodes)

State of Team v. Schultze

September 1989

Palestine

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of Texas v. Trimboli

April 1988

Tarrant County

A DNA test that triple-murder defendant Ronald Trimboli had hoped would clear his name instead gave prosecutors additional evidence against him. The tests concluded that semen found on the bedspread where one of the three victims was raped matched a sample Trimboli had given for the test. Trimboli's two earlier trials for the three murders both ended in mistrials, first because of jury misconduct and later because a jury deadlocked, 6 to 6. In February 1989, defense lawyers, who had earlier demanded the tests, announced plans to seek exclusion of the tests at trial. Presiding judge granted a defense motion requiring prosecutors to furnish detailed data related to the tests, and to send the defense team to Lifecodes, where the tests were done, at State expense. The third trial began on Mar. 27, 1989, and the defendant was found guilty of three murders in April 1989. (Lifecodes, Forensic Science Associates)

State of Terns v. Vickers

July 1989

Beaumont

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

State of Texas v. Williams

August 1988

Bryan

DNA evidence admitted in rape case. Defendant convicted. (Lifecodes)

Associated Press report, Feb. 22, 1989

DNA testing was reported in two investigations. In one, a police officer in Houston, arrested and charged with kidnapping and rape, provided a blood sample that was to be used in DNA matching. The other, an immigration case, involves a woman who was indicted by Federal authorities on kidnapping charges for taking a child from Mexico and bringing him to the United States, according to the FBI. Blood tests were taken to determine the relationship between the woman and the child.

Utah

State of Utah v. Bickmore

April 1989

Ogden

DNA evidence admitted. Mistrial declared on other grounds.

Associated Press report, Mar. 4, 1989

DNA tests conducted on severed legs found in supermarket trash container in Salt Lake City area.

Vermont

United States v. Jakobetz

November 1989

U.S. District Court, Burlington

Admissibility hearing pending in rape case. Defense attorney has filed request that genetic evidence not be used in court. In August 1989, judge ruled that hair, blood, and saliva samples could be taken from defendant for testing.

Virginia

Commonwealth of Virginia v. Breer

October 1989

Arlington County

Defendant is charged with two rapes. DNA evidence expected to be introduced at trial.

Commonwealth of Virginia v. Copeland

June 1989

Portsmouth

DNA evidence admitted in murder case. Defendant convicted of murder. (LifeCodes)

Commonwealth of Virginia v. Ford

February 1989

Henrico County

Case involving charges of rape, breaking and entering, and abduction. DNA testing admitted. (Cellmark)

Commonwealth of Virginia v. Johnson

June 1989

Rockingham County

Defendant pleads guilty just prior to trial; DNA evidence had been ruled admissible after a motions hearing. (Cellmark)

Commonwealth of Virginia v. Reynolds

February 1988

Henrico County

Murder case. DNA evidence admitted. (Cellmark)

Commonwealth of Virginia v. Spencer

January 1990

Arlington County and Richmond

Defendant convicted four times-July 1988, September 1988, January 1989, and May 1989-of capital murder

and rape where DNA test was admitted into evidence. Spencer received the death sentence, which is automatically reviewed. Virginia Supreme Court upheld the admission of DNA tests. In January 1990, the U.S. Supreme Court refused to hear Spencer's appeal, thus allowing the Virginia High Court ruling to stand.

Commonwealth of Virginia v. Trent

January 1989

Roanoke

Judge dismissed charges of statutory rape against defendant because, although DNA tests showed the man had sex with a 14-year-old girl, there was insufficient evidence of criminal intent. Defendant claimed he was drunk at the time, and thought he was having sex with his wife.

Commonwealth of Virginia v. Vasquez

January 1989

Richmond

Vasquez, who had earlier pleaded guilty to second-degree murder, was released from prison in January 1989 after being granted executive clemency by Virginia Governor Baliles. DNA testing in *Commonwealth of Virginia v. Spencer* led authorities to believe that Spencer, not Vasquez, was responsible for the homicide to which Vasquez had pleaded guilty.

Associated Press report, May 13, 1989

Authorities in Campbell County plan to use DNA tests in seeking identification of the mother of a suffocated baby found in the Campbell County landfill.

Washington

State of Washington v. Buckner

February 1989

Stevens County

DNA evidence admitted. Defendant convicted of first-degree murder and rape. (Lifecodes)

State of Washington v. Cauthron

May 1989

Everett

Jury finds defendant guilty of seven counts of rape. DNA evidence was recovered from six of the seven attacks. Defendant sentenced to 51 years in prison. (Cellmark)

State of Washington v. Chapple

May 1989

Spokane County

Defendant charged with two murders. Trial pending.

State of Washington v. Evans

October 1989

Pierce County

DNA evidence admitted. Defendant convicted of rape and robbery. (FBI)

State of Washington v. Kalakowsky

June 1989

Spokane County

DNA evidence admitted. Defendant convicted of four counts of first-degree rape and one count of attempted first-degree rape. Sentenced to 54 years in jail. (Lifecodes)

State of Washington v. Shriner

October 1989

Pierce County

Judge rules that DNA testing is to proceed in sexual assault case. (Cellmark)

State of Washington v. Young

February 1989

Snohomish County

DNA tests exclude Young, who had been identified by the victim as the rapist. Charges dropped.

West Virginia

State of West Virginia v. Ferrell

January 1989

Petersburg

DNA evidence admitted in murder case. Defendant convicted. (Lifecodes)

State of West Virginia v. Woodall

July 1989

Defendant, serving 335 years and two life terms for

kidnapping and raping two women, undergoes DNA testing after several attempts are denied. DNA tests showed that samples were too degraded for testing to be accurate. West Virginia Supreme Court admitted test results in July 1989; rules that Woodall can follow normal appeals process. (Cellmark)

Wisconsin

State of Wisconsin v. Banks

February 1989

Kenosha County

DNA evidence admitted, defendant convicted of rape. (Cellmark)

Military

United States v. Luke

March 1988

U.S. Army

Defendant charged with murder, robbery, and sexual battery. DNA evidence admitted. Defendant pleaded guilty.

United States v. Scott

January 1988

U.S. Marine Corps

Rape case. Military judge approved request for DNA tests, but DNA in sample too degraded to perform the testing.