Appendixes
Appendix A

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- in one case where such evidence was withdrawn by the prosecution prior to its introduction (McLeod in Maine); and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

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)

**Arkansas**

*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)

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.

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.

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  

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)
Appendix A-Reported Uses of DNA Testing in Criminal Investigations and Proceedings

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.

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  

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  

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)

**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)

**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)
Appendix A-Reported Uses of DNA Testing in Criminal Investigations and Proceedings

**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)

**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)

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.
Genetic Witness: Forensic Uses of DNA Tests

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)

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. (FBI)

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  

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)
Appendix A--Reported Uses of DNA Testing in Criminal Investigations and Proceedings

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)

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 Lincolnville. 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. 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

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. 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 Texas 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  
US. 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.