2018 Binational State Attorney General Exchange

2018 Encuentro Binacional de Procuradores y Fiscales Generales

WiFi: CWAGNM
No Password
Sin contraseña
THIS IS NOT ABOUT GENETIC GENEALOGY!
Familial Searching

- Deliberate search (Outside Codis)
- After no offender hit
- Two steps
  - Special software prioritize by likelihood of relatedness
  - Lineage testing-confirm/refute close relatedness (Y-STR)
Balance

PRIVACY

PUBLIC SAFETY
Police link 14th case to "Kansas College Rapist"

- Riley County and Lawrence police are asking for your help to find the man responsible for attacking 14 women in two Kansas college towns.
- The Kansas Bureau of Investigation, the FBI and the U.S. Marshal's Office are also assisting in the investigation. A $10,000 reward is being offered for information that leads to an arrest.
The male assailant sought in three State College rape cases may be of college age, look down on women and use social influence to degrade them, borough police reported Thursday afternoon. He also is "likely to continue to commit these crimes if not identified and arrested," they wrote in a statement.
State College police investigating possible serial rapist

April 20, 2018

State College police are investigating four rape cases over seven years they say are connected by the same DNA profile.

Familial DNA Searching

- Does it work?
- How/how well?
- Can it be done? – legal
- Should it be done? – policy
• How did other states address these issues?
In Grim Sleeper case, a new tack in DNA searching

*It's the first successful use of controversial 'familial' matching in a high-profile U.S. case.*

July 10, 2010 | By Maura Dolan, Los Angeles Times
First use of familial DNA test leads to charges in serial sex assaults

- A Milwaukee man suspected in a series of increasingly violent random sexual assaults over the past decade was charged Friday after the State Crime Laboratory's first use of so-called "familial DNA" analysis, identifying a suspect through his relatives.

- But when the DNA was run against the state's databank of known offenders, there were no matches. That's when, Gahn said, new software allowed the lab to look for known offenders whose DNA had enough similarities to that left by the perpetrator to suggest he might be a relative. That produced two names.
How familial DNA search was used to find Scottsdale murder suspect in Allison Feldman case

- For three years, police had come up empty in the search for whoever killed Allison Feldman, a 31-year-old Scottsdale woman who was sexually assaulted before she was bludgeoned to death in her home.
- The man who eventually was arrested in connection with the murder, Ian Mitcham, 42, had been in police custody for unrelated cases three different times after Feldman's death in February 2015.
Familial DNA Searching

- Does it work?
- How/how well?
- Can it be done? – legal
- Should it be done? – policy
CODIS—NDIS Statistics

Measuring Success

The National DNA Index (NDIS) contains over 10,829,200 offender profiles, 1,801,870 arrestee profiles and 542,340 forensic profiles as of February 2014. Ultimately, the success of the CODIS program will be measured by the crimes it helps to solve. CODIS’s primary metric, the “Investigation Aided,” tracks the number of criminal investigations where CODIS has added value to the investigative process. As of February 2014, CODIS has produced over 236,650 hits assisting in more than 227,190 investigations.

TARGET 305,690 forensic unknowns
FS Success metric

- Denver - 23/90 - at least 25%
- Cal DOJ - 26/66 = 39%

Potential 305,000 x .25 = 76,000 solved cases
Familial DNA Searching

- Does it work?
- How/how well?
- Can it be done? – legal
- Should it be done? – policy
DNA Identification Act
(42 U.S.C. 14132)

“…for law enforcement identification purposes…”
California Penal Code 296

“…for law enforcement identification analysis…”
Statutory “purpose”

Familial searching is the means

Criminal identification is the purpose

Legislation only describes the purpose, not the means!
Other States

California
Colorado
Virginia
Texas
Florida
Michigan
Utah
Wisconsin
Wyoming

NEW YORK
LOUISIANA
ARIZONA

Maryland prohibits
D.C. prohibits
Tennessee bill-dead
Pennsylvania bill- still pending/dead
Indiana- bill for study

Minnesota bill- pilot
Need for Discussion

Idaho
Alabama
N. Carolina
S. Carolina
Oklahoma
Massachusetts
New Mexico
Iowa
Arkansas
Montana
S. Dakota
Kansas
Illinois
N. Dakota
Rhode Island
Connecticut
Nevada
D.C.
Vermont
Washington
Hawaii
Oregon
Connecticut
Canada
Indiana
Santa Cruz jury convicts Elvis Garcia of all charges in coffee shop attack

07/18/2013

SANTA CRUZ -- As a jury read guilty verdicts for sodomy, robbery and all seven charges against Elvis Lorenzo Garcia on Thursday, he looked down and shook his head.

After a roughly two-week trial, a jury took less than two hours of deliberation to convict the 23-year-old in a sexual attack and robbery at the Kind Grind coffee shop at the Santa Cruz harbor in 2008.
Familial DNA Searching

- Does it work?
- How/how well?
- Can it be done? – legal
- Should it be done? – policy
The “Grim Sleeper”

- First familial search
- No investigative lead
- Son convicted, in database
- Tenth familial search case
- One investigative lead - #3
- Father-son
- Abandoned DNA
- Arrested/charged
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