

State of California ~ Department of Justice
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Brown Releases Study Showing DNA Collected at Arrests Helps to Solve Murders, Rapes and Other Violent Crimes

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SACRAMENTO – California Attorney General Edmund G. Brown Jr. today released a detailed forensic analysis showing that DNA collected at arrests -- even for non-violent offenses -- is “cracking cold cases” by providing positive identification of suspects in violent crimes such as rape, murder and robbery.

Proposition 69, which voters passed in 2004, required law enforcement officials to take DNA samples from all adults arrested for felonies in the state. So far it is working: more than 800 crime-scene samples have been matched since the beginning of last year to DNA collected from suspects under arrest.

In its analysis, the Attorney General’s office surveyed 69 DNA matches made over 15 months. The study revealed that in 78 percent of the matches to an unsolved violent crime, DNA was collected from an adult arrested for a non-violent offense such as fraud, drug or property crimes.

“Collecting DNA at the time of arrest is cracking cold cases that might have gone unsolved forever,” Brown said. “It is particularly significant that individuals arrested for non-violent crimes have been linked to the commission of violent crimes such as murder and rape.”

Since the 1990s, California law enforcement officers have collected DNA samples from people convicted of serious felony offenses. In January 2009, as part of changes mandated by Proposition 69, officers began collecting DNA samples from adults arrested for felonies by swabbing the inside of the cheek.

The effort is already yielding results.

For example, DNA collected from Donald Carter, 56, arrested in Sacramento in 2009 on a felony drug charge, was linked to the unsolved 20-year-old murder of Sophie McAllister, 80, in the capital. Although Carter’s drug charge was dismissed, he was later charged with murder and his trial is pending. (There are other examples at the end of this press release.)

In October, the ACLU filed a lawsuit seeking to stop the DNA arrestees program. The Attorney General prevailed in U.S. District Court, and the ACLU has appealed to the Ninth Circuit Court of Appeals. In support of the Attorney General, the California District Attorneys Association filed a brief in March arguing that “the collection of DNA samples from felony arrestees serves an overwhelming interest in the pursuit of justice.” Oral arguments in the case are scheduled for July 13.

In its analysis of 69 DNA matches linking felony arrestees to violent crimes between January 1, 2009, and March 19 of this year, investigators found that 32 percent of the DNA matches were from adults arrested for felony property crimes, 26 percent from adults arrested for drug-related felonies, 10 percent from adults arrested for fraud and 10 percent for other non-violent crimes. Only 22 percent were for violent crimes.

Cases were selected for the analysis from arrests of suspects from whom DNA had never been taken. Here are some of the other findings:

- In 16 percent of the DNA matches involving unsolved rape cases, the new DNA sample came from a person arrested for fraud.
- In 34 percent of the DNA matches involving an unsolved murder case, the new DNA sample came from a person arrested for a drug crime.
- In 36 percent of the DNA matches involving an unsolved robbery case, the new DNA sample came from a person arrested for felony DUI.

A summary of the analysis can be found at <http://ag.ca.gov/bfs/pdf/arrestee.pdf?>

Some cases that illustrate how collecting DNA at arrests helps to nab suspects in crimes that might otherwise remain unsolved:

- In May 2009, Anthony Vega was arrested in Los Angeles County on felony drug charges, which were later reduced to misdemeanors. However, his DNA, collected at the time of arrest, was linked to two separate crimes committed in Orange County, a burglary in 2007 and a 2008 armed home invasion robbery. A preliminary hearing is scheduled for next month.
- Earlier this year, Joshua Graham Packer, 20, was arrested in Santa Barbara on armed robbery charges. His DNA, collected at the arrest, was matched to a sample taken at the site of an unsolved 2009 triple murder in Ventura County. He was arrested for that crime in April and charged with murder.
- In April 2009, Christopher Rogers, 34, was arrested in Sacramento for assault with a deadly weapon, which was ultimately reduced to a misdemeanor. But his DNA, collected at the time of arrest, was matched to DNA taken at the scene of a 2004 murder in Sacramento. In October, Rogers was arrested and charged with murder. He awaits trial.

Overall, the state's DNA Data Bank is the fourth largest such program in the world. It has aided more than 12,000 criminal investigations.

For more information about Prop. 69, see the California Department of Justice website:

<http://ag.ca.gov/bfs/prop69.php>.

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