

REAL DNA CASES FROM THE NATIONAL DNA DATABANK (CANADA)

http://www.nddb-bndg.org/cases_e.htm

Accessed 19 June 2005

THE BIRTH OF DNA EVIDENCE

The birth of "DNA forensic identification" began with the tragic sudden death of fifteen-year-old girl, in the cold clear evening of November 21, 1983. The location was "Black Pad", a lonely footpath that divides the cemetery from the local psychiatric hospital in the British village of Narborough in Leicestershire. As the morning frost lifted, a hospital porter hurrying to work noted through the high wrought-iron fence, the pale lifeless body described initially as a partially clothed mannequin. Officially, listed as death by asphyxia due to strangulation, the brutal rape and murder of this teenager was different. The murderer had left his genetic calling card in the seminal stains found on the clothing and the body. The revolution of forensic DNA typing had begun and the use of serological or protein subtyping of biological tissues was ending.

Like a "bad movie" and a repetitive plot, the body of another fifteen-year-old girl was found August 1, 1986 along another foot path called "Ten Pound Lane" in the village of Enderby a short distance from the first murder scene. The pathologist report confirmed death was caused by manual strangulation and essentially paralleled the "Black Pad" murder. The serological protein forensic test developed from seminal stains identified the contributor as having the phosphoglucosyltransferase (PGM+1) secretor A status that matched the first victim's killer profile and approximately 10 percent of male population of Britain. A major investigation quickly resulted in the apprehension of a young kitchen porter who confessed to the murder committed along the "Ten Pound Lane" footpath. In an attempt to solve both murders and link the biological evidence, an exciting new test soon to be known as "DNA fingerprinting" was applied by Dr. Alec Jeffreys the scientist who had developed the procedure. When the test was completed, Dr. Jeffreys had exonerated an innocent man (the prime suspect) as well as linked both murders through an identical genetic signature. On November 21, 1986 in the Crown Court of Leicester, the young kitchen porter made legal history as the first person to be exonerated from a crime through the use of genetic evidence. One year later, Colin Pitchfork was arrested and later found guilty of the rape and the murder of both girls. After an extensive investigation and the comparison of numerous serological (4,583) and genetic profiles of potential male inhabitants in the surrounding villages, science had matched the genetic profile to one person. In 1988, he was sentenced to life for the two murders and became the first person to be convicted for murder based on genetic fingerprinting known in North America as DNA Typing. (Reference: Wambaugh, Joseph, *The Blooding*, 1989)

THE FIRST CANADIAN CONVICTION WITH DNA EVIDENCE

On April 10, 1989, forensic history was made when the RCMP forensic laboratory system became the first law enforcement agency in North America to introduce DNA evidence derived by its own police forensic laboratory into a court of law. Prior to this date, a few cases involving DNA evidence had been presented to North American courts but the analysis had been conducted by either private industry or university institutions. DNA typing was used to prosecute the assailant of 68 year old Ottawa woman who was sexually assaulted in her own home. The DNA profiles derived from semen stains left at the crime scene matched the DNA profile processed from a blood sample that was voluntarily provided after legal counsel advice from the accused. The

estimated probability of selecting an unrelated individual at random in the Canadian population with this specific profile was one in 70 billion. In the middle of the trial the accused changed his plea from not guilty to that of guilty. (Reference - R.V. McNally, [1989] O.J. No 2630, Ontario District Court-Ottawa- Carleton, Ottawa, Ontario, Flanigan D.C.J., April 4, 1989)

A NINE YEAR OLD UNSOLVED MURDER

At 12:30 a.m. on August 27th, 1991 in Toronto, an assailant entered the apartment of a 63-year-old woman. At the time, her elderly father had just moved in from his Michigan home. While her 95-year-old father slept in the next room she was sexually assaulted and murdered in her bed, in the living room. The building superintendent discovered her body at 11:15 a.m. the next day. For the next nine years Peel Homicide Investigators continued their investigation. A few months after the official opening of Canada's National DNA Data Bank, on November 28th, 2000, biological samples from this Toronto case were submitted to the Crime Scene Index of the Bank. On May 4th, 2001 a convicted offender profile was submitted to the Convicted Offender Index of the National DNA Data Bank. On the very same day a match was established between the Crime Scene Index and the Convicted Offender Index. Shortly after, a suspect was identified and charged with sexual assault and first-degree murder.