

Testimony of
Ms. Linda Fairstein

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GOOD MORNING, LADIES AND GENTLEMEN. THANK YOU FOR THE INVITATION TO PARTICIPATE IN THIS HEARING.

THREE MONTHS AGO, I STEPPED DOWN FROM MY POSITION AS CHIEF OF THE NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE SEX CRIMES PROSECUTION UNIT - THE FIRST OF ITS KIND IN THE COUNTRY - IN MY 30TH YEAR OF SERVICE. FOR 29 OF THOSE YEARS, I SPECIALIZED IN THE INVESTIGATION AND PROSECUTION OF CRIMES OF VIOLENCE AGAINST WOMEN AND CHILDREN - SEXUAL ASSAULT AND DOMESTIC VIOLENCE.

WHEN I CAME TO THE PRACTICE OF LAW, MANY STATES INCLUDING NEW YORK STILL MANDATED THAT THE TESTIMONY OF A RAPE VICTIM BE DEEMED INCOMPETENT - as a matter of law - UNLESS CORROBORATED BY THREE SPECIFIC FORMS OF INDEPENDENT EVIDENCE.

WE FOUGHT TO CHANGE THAT ARCHAIC IMPEDIMENT THAT PREVENTED THOUSANDS OF VICTIMS FROM STEPPING FOOT IN A COURTROOM FOR CENTURIES; TO CREATE RAPE SHIELD LEGISLATION; TO ELIMINATE THE ABSURD REQUIREMENT OF EARNEST RESISTANCE FOUND ONLY IN SEXUAL ASSAULT STATUTES; AND TO LOBBY FOR PREDICATE FELONY TREATMENT FOR SERIAL RAPISTS, WHOSE RECIDIVIST TENDENCIES ACCOUNT FOR THE STAGGERING VOLUME OF VICTIMIZATION ALL ACROSS AMERICA.

FOR MORE THAN HALF MY PROSECUTORIAL CAREER, MY COLLEAGUES AND I DEVOTED EXTRAORDINARY HUMAN RESOURCES TO ENCOURAGING SURVIVORS TO TRUST THE CRIMINAL JUSTICE SYSTEM WHICH HAD EXCLUDED THEM FOR SO LONG, AND HELPING THEM TO TRIUMPH IN OUR COURTROOMS FOR THE FIRST TIME, AGAINST GREAT ODDS.

DURING MY FIRST FIFTEEN YEARS IN THAT POSITION, I NEVER DREAMED THERE WOULD BE A TIME WHEN SCIENCE COULD RELIEVE VICTIMS OF THE BURDEN OF IDENTIFYING THEIR ASSAILANTS. I NEVER IMAGINED THAT WHAT ARE NOW MY THREE FAVORITE LETTERS OF THE ALPHABET - DNA - WOULD BE SEQUENCED IN SUCH STUNNING FASHION, AND ACCEPTED AS A RELIABLE SCIENTIFIC TECHNIQUE IN EVERY COURTROOM IN AMERICA.

DNA TECHNOLOGY - WHICH I FIRST USED IN 1986, WHEN IT WAS DEEMED INADMISSIBLE IN A HIGH-PROFILE HOMICIDE CASE I PROSECUTED - HAS NOW COMPLETELY REVOLUTIONIZED THE CRIMINAL JUSTICE SYSTEM .

NO PROSECUTOR IN AMERICA - INDEED, NO DETECTIVE OR POLICE OFFICER - SHOULD INVESTIGATE A SEXUAL ASSAULT OR HOMICIDE CASE WITHOUT USING OR CONSIDERING THE USE OF DNA EVIDENCE.

THE SCIENCE, THE METHODOLOGY OF DNA CONTINUES TO EVOLVE AND TO MAKE MORE CRIME SOLUTIONS POSSIBLE. WHEN FIRST INTRODUCED AS A FORENSIC TECHNIQUE IN THE MID-80'S - THE "rflp" PROCESS REQUIRED

EVIDENTIARY MATERIALS OR STAINS THAT WERE AT LEAST THE SIZE OF A QUARTER; THE FBI WAS THE ONLY FORENSIC LAB IN THE COUNTRY PERFORMING DNA TESTS; THE TURN-AROUND TIME FOR A PRELIMINARY RESULT WAS AT LEAST SIX MONTHS; AND THE COST WAS \$5,000 PER SAMPLE. THAT LAST FACT MEANT THAT IN GANG RAPES OR CASES WITH MULTIPLE VICTIMS AND OFFENDERS, THE COST WAS FREQUENTLY GREATER THAN \$50,000 PER CASE. NOW, WITH THE USE OF THE FAR MORE RELIABLE AND STURDY "pcr" TECHNOLOGY, IT IS POSSIBLE TO ACHIEVE IDENTIFIABLE RESULTS IN CASES WITH SAMPLES TOO SMALL TO VIEW WITH THE NAKED EYE. SOME LABS CAN TEST FOR 2 NANNOGRAMS OF FLUID - AND THERE ARE 1500 NANNOGRAMS IN A SINGLE DROP OF BLOOD. THE COST IS NOW SIGNIFICANTLY LOWER. AND MY COLLEAGUES GET RESTLESS IF WE DON'T HAVE A PRELIMINARY RESULT WITHIN 24-48 HOURS OF THE TIME WE SUBMIT THE EVIDENCE.

DNA'S USES ARE TWOFOLD. TO IDENTIFY PREDATORS, WITH CERTAINTY, IN CASES IN WHICH IDENTIFICATIONS WERE FREQUENTLY IMPOSSIBLE. JUST AS CRITICALLY - IF YOU WORKED FOR AND LEARNED FROM A PROSECUTOR WITH THE INTEGRITY OF BOB MORGENTHAU, AS I DID - TO EXONERATE SUSPECTS FALSELY ACCUSED.

IT IS INCONCEIVABLE TO ME THAT THERE ARE PROSECUTORS OR POLICE ANYWHERE IN THIS COUNTY NOT PROPERLY TRAINED TO UNDERSTAND THE POTENTIAL OF THIS SCIENCE TO SOLVE CRIMES, AND WHO DO NOT USE IT EVERY DAY IN THEIR WORK.

SENATOR BIDEN'S BILL - AND THE DEBBIE SMITH ACT - MARK A SUPERB EFFORT TO USE 21ST CENTURY TECHNOLOGY - dna databanking - TO SOLVE 20TH CENTURY CRIMES, AND TO BRING INVESTIGATIVE TECHNIQUES AND DUSTY, LONG-FORGOTTEN EVIDENCE OUT OF THE DARK AGES AND INTO OUR GROWING DATABANKS.

WE NEED THE FEDERAL RESOURCES, THE MONEY TO DO THIS WORK, AND LET ME GIVE YOU A PUNCHLIST OF REASONS WHY.

UNDER VAWA, WE BEGAN TO GET FUNDS FROM THE FEDERAL GOVERNMENT TO TRAIN POLICE AND PROSECUTORS. WE ARE GRATEFUL FOR THAT MONEY, BUT WE NEED FAR GREATER AMOUNTS.

THE SUBJECT OF EVIDENCE COLLECTION IS THE HEART OF THIS MATTER. IT IS A HUGE TOPIC OF CONCERN, AND IT IS WAY TOO SIMPLISTIC TO THINK WE ARE ONLY TALKING ABOUT BACKLOGGED "RAPE KITS", AS I WILL EXPLAIN.

EVIDENCE COLLECTION BEGINS WITH THE TRAINING OF LAW ENFORCEMENT PERSONNEL, TO COLLECT EVIDENCE AT THE ACTUAL CRIME SCENE. MOST OF US - AND PROBABLY MOST OF YOU - THOUGHT THAT MEANT LOOKING FOR THE OBVIOUS - BLOOD, SEMEN, SALIVA. HOW MANY OF YOU REALIZE THAT I COULD GET YOUR DNA FROM THE COLLAR OF EVERY SHIRT OR BLOUSE YOU ARE WEARING? FROM THE COMPUTER MOUSE YOU'RE HOLDING? FROM THE DOORKNOB YOU TURNED TO ENTER THIS ROOM? THE SCIENCE HAS ADVANCED SO RAPIDLY THAT EVEN SLOUGHED-OFF SKIN CELLS WILL YIELD GENETIC FINGERPRINTS. BUT COPS NEED TO KNOW WHERE AND HOW TO FIND THAT EVIDENCE.

THE COLLECTION PROCESS CONTINUES, FOR A RAPE VICTIM, IN THE HOSPITAL

EMERGENCY ROOM. THE SINGLE WORD THAT COMES TO MIND WHEN I TALK ABOUT THE TREATMENT OF RAPE SURVIVORS IN ER'S IS "UNEVEN." THERE ARE NO TWO HOSPITALS IN ANY CITY OF THIS COUNTRY WHO RESPOND TO THESE PATIENTS IN EXACTLY THE SAME WAY, AS I WILL DISCUSS IN A FEW MINUTES. EVIDENCE COLLECTION CONTINUES AT POLICE AND MEDICAL EXAMINERS' LABS. THE TRAINING OF SEROLOGISTS TO DO THIS WORK IS EXPENSIVE AND TIME-CONSUMING. IT CHANGES, WITH THE METHODOLOGY AND MACHINERY, SEVERAL TIMES A YEAR. THERE AREN'T ENOUGH TRAINED SCIENTISTS TO DO THE WORK THAT IS WAITING TO BE DONE, AND THAT WILL CONTINUE TO BE THE CASE AS THE TECHNIQUES BECOME EVEN MORE REFINED AND SOPHISTICATED. LET ME TELL YOU SOME OF THE GOOD NEWS. THERE ARE COMMUNITIES AND OFFICES AND LABS THAT HAVE MADE THESE ISSUES WORK.

BOB MORGENTHAU'S UNIT - FOUNDED WITH 2 LAWYERS IN 1974, AND NOW STRONG WITH 40 LAWYERS DEVOTED TO GIVING THESE SURVIVORS A DAY IN COURT - OUR UNIT IS EXCEPTIONAL.

THREE YEARS AGO, WE STARTED AN EXPERIMENT. WE ASSIGNED OUR TWO MOST SENIOR LAWYERS TO WHAT WE CALLED A COLD CASE UNIT. THEY LITERALLY WENT TO THE POLICE DEPARTMENT TO LOOK THROUGH FILES TO FIND CASES THAT WERE APPROACHING THE 5 YEAR STATUTE OF LIMITATIONS, HAD BEEN UNSOLVED, AND HAD THE POTENTIAL TO BE RE-EXAMINED FOR THE PRESENCE OF GENETIC MATERIAL.

OUR POINT WAS THAT FROM AMONG THE MANY THOUSANDS OF CASES SITTING ON POLICE EVIDENCE SHELVES, WE NEEDED TO PRIORITIZE THOSE WHICH COULD BE PROSECUTED IF DNA WAS SUCCESSFUL IN SOLVING THEM.

KEEP IN MIND THAT ALL ACROSS AMERICA, AT LEAST 80% OF REPORTED RAPES OCCUR BETWEEN ACQUAINTANCES. 20% OF REPORTED RAPES ARE SO-CALLED "STRANGER" CASES. NOT THAT THE LATTER ARE MORE IMPORTANT TO US, BUT THE ACQUAINTANCE CASES DO NOT INVOLVE THE IDENTIFICATION OF THE OFFENDER AS THE ISSUE. STRANGER CASES DO, AND SO THE DNA IS CRITICAL TO THEIR SOLUTION.

WHILE NYC OUTSOURCED 1600 UNTESTED RAPE KITS IN A STUNNING EFFORT TO ELIMINATE THE BACKLOG THAT EXISTS IN SO MANY CITIES AND STATES ACROSS AMERICA, OUR TEAM DID NOT WANT TO WAIT FOR THOSE RESULTS, WHICH ARE STILL COMING IN. WE WANTED TO PICK OUT THE STRANGER CASES - THESE ARE YOUR SERIAL RAPISTS, THE MOST RECIDIVIST AND MOST LIFE-THREATENING CRIMINALS - AND TRY TO SOLVE THOSE FIRST.

ONE OF THE UNSOLVED CASES OCCURRED IN A LAWYER'S OFFICE ON 42ND STREET. THE ASSAILANT TIED UP THE LAWYER, AND RAPED THE CLEANING LADY WHO HAPPENED UPON THE SCENE, INSERTING THE BUTT OF HIS GUN INTO HER VAGINA AS WELL. ALL HER EFFORTS AND AN INTENSIVE POLICE INVESTIGATION FAILED TO FIND HIM.

OUR COLD CASE TEAM PULLED THIS 4 AND A HALF YEAR OLD CASE FROM A GREEN TRASH BAG, WHICH THE POLICE WERE ABOUT TO THROW OUT BECAUSE OF THE FAST-APPROACHING STATUTE OF LIMITATIONS.

THE DNA WAS DEVELOPED, AND MATCHED A CAREER CRIMINAL - RAPIST AND ROBBER - WHO WAS CONVICTED AGAIN OF THIS CRIME JUST TWO MONTHS AGO.

IMAGINE THE REACTION, IF YOU CAN, WHEN THE DETECTIVES KNOCKED ON THIS WOMAN'S DOOR AND TOLD HER THAT HER CASE HAD BEEN SOLVED, AND THAT SCIENCE WOULD CONFIRM THAT FACT, WHETHER OR NOT SHE COULD EVER RECALL HER ATTACKER'S DESCRIPTION?

THE TRIAL COURT IN THIS CASE - PEOPLE AGAINST WENDELL BELLE - THAT THE STATUTE OF LIMITATIONS HAD BEEN TOLLED, AND THAT WE WERE ABLE TO PROSECUTE BELLE BECAUSE NOTHING LESS THAN DNA DATABANKING COULD HAVE SOLVED THIS CASE.

ANOTHER CRITICAL POINT THAT I HAVE NOT SEEN MENTIONED ANYWHERE ELSE, IS THE FACT THAT THE EVIDENCE THAT WILL SOLVE COUNTLESS RAPES AND MURDERS IS NOT SIMPLY SITTING IN THE SO-CALLED KITS.

THAT IS, OUR TASK IS NOT SIMPLY TAKING CARDBOARD BOXES OFF SHELVES, ALTHOUGH THAT'S A GOOD STARTING POINT. MUCH OF THE EVIDENCE WE NEED TO EXAMINE IS IN POLICE PROPERTY LOCKERS OR LABS ,BUT NOT IN KITS - EVERYTHING FROM BED LINENS, TO VICTIM OR SUSPECT CLOTHING, OR ABANDONED PROPERTY FROM A CRIME SCENE. YOU NEED TRAINED INVESTIGATORS TO IDENTIFY AND ORGANIZE THOSE ITEMS.

WE HAD A RAPIST LAST YEAR IN NYC - HIS NAME IS FRED MONROE. A RECENTLY RELEASED FROM STATE PRISON PREDICATE FELON, MONROE COMMITTED TWO SEX ASSAULTS IN NYC IN ONE EVENING - THE FIRST IN QUEENS, AND THE SECOND IN MANHATTAN. THE 2ND TIME, FOLLOWING A WOMAN FROM ANOTHER STATE INTO HER HOTEL ROOM, HE DID NOT EJACULATE. BUT HE DID PUT HIS MOUTH ON HER BREAST, AFTER SUBDUING HER AT KNIFEPOINT.

THE HOSPITAL DID NOT EVEN BOTHER TO SWAB HER BREAST. BUT AT THE LAB, THE SEROLOGIST DISCOVERED A DRIED SECRETION ON HER BRA, WHICH WAS THE SALIVA THAT HAD TRANSFERRED THERE WHEN SHE DRESSED AFTER THE ASSAULT. THE KIT WAS NEGATIVE, BUT THE TINY AMOUNT OF SALIVARY SECRETION ON HER BRA MATCHED THE DNA OF CONVICTED OFFENDER FRED MONROE.

IN ADDITION, A BRILLIANT POLICE LIEUTENANT - JIMMY WEST - HAD KEPT HIS EYE ON AN UNSOLVED SERIES OF ROBBERIES IN GREENWICH VILLAGE. ALL THE VICTIMS WERE YOUNG WOMEN, AND IN EACH CASE, THE ROBBER HAD TRIED TO FOLLOW THE WOMEN INSIDE THEIR APARTMENTS. NONE WERE RAPED, THEREFORE NO EVIDENCE COLLECTION KITS. BUT WEST MADE HIS MEN PICK UP BEER BOTTLES AND CIGARETTE BUTTS OUTSIDE THE CRIME SCENES. THE RESULT? MORE MATCHES TO FRED MONROE, AND CONVICTIONS ON ALL THE CASES. A GREAT INVESTIGATOR, AND A SOLID CHAIN OF CUSTODY. THIS WORK REQUIRES THINKING OUTSIDE THE BOX, BEYOND THE NORMAL SCOPE OF A CRIME SCENE RUN. AND IT REQUIRES THE MONEY TO SUPPORT THAT WORK, AND THE SUBSEQUENT ANALYSIS.

ANOTHER NEED FOR FUNDING, AT THE LABS. MANY OF THE PROFILES DEVELOPED TWO, THREE, FIVE YEARS AGO WERE BASED ON A SIX-LOCI MATCH - THAT IS, SIX POINTS WITHIN THE GENE THAT WERE IDENTICAL. THAT STANDARD IS OBSOLETE. THE BRITS HAVE HAD TWO UNRELATED HUMAN BEINGS MATCHING AT SIX LOCI, AND SO WE HAVE MOVED TO MORE DEMANDING MATCHES - 13 AND 15 LOCI. ALL THE OLD SAMPLES MUST BE RE-TESTED AND RE-

PROFILED BEFORE BEING UPLOADED.

BEFORE I LEAVE THE LABORATORIES, I FEEL IT ESSENTIAL TO MENTION THE BRILLIANT WORK OF THE OFFICE OF THE CHIEF MEDICAL EXAMINER OF NYC, ITS PATHOLOGISTS AND ITS SEROLOGISTS. WITH ALL DESERVED RESPECT TO THE NYPD, FIRE DEPT, AND EMS, MY UNSUNG HEROES OF 9/11 ARE THE MEN AND WOMEN OF THE NYC MORGUE. I HAVE NEVER SEEN SUCH SELFLESS WORK - SURROUNDED BY MILLIONS OF PIECES OF HUMAN FLESH, THEY HAVE WORKED AROUND THE CLOCK TO GIVE ANSWERS AND PROVIDE SOLACE TO FAMILIES OF 9/11 VICTIMS. AND ALL THROUGHOUT THIS TIME, THEY CONTINUED TO HANDLE THE RAPES AND HOMICIDES THAT WE PRESENTED TO THEM. EVERY AMERICAN OWES THEM OUR SINCEREST GRATITUDE.

I'D LIKE TO DISCUSS THE ROLE OF THE SEXUAL ASSAULT FORENSIC EXAMINERS. AGAIN, WE START WITH THE FACT THAT THIS FIELD IS DREADFULLY UNEVEN. PHYSICIANS WHO WORK IN EMERGENCY ROOMS WILL TELL YOU THAT THEY DO NOT WANT TO TREAT RAPE VICTIMS. E.R. PHYSICIANS ARE IN PLACE TO SAVE LIVES. RAPE VICTIMS HAVE SURVIVED THE ATTACK.

THEY ARE TRIAGED AFTER HEART ATTACKS, STROKES, CAR ACCIDENTS, GUNSHOT WOUNDS, AND STABBING VICTIMS....AS THEY SHOULD BE IF THEIR INJURIES ARE NOT LIFE-THREATENING. THE RAPE VICTIM HAS SURVIVED THE PHYSICAL TRAUMA OF THE CRIME.

BUT SHE STILL HAS THREE CATEGORIES OF NEEDS - MEDICAL, EMOTIONAL, AND LEGAL.... IF THE RAPIST IS TO BE CAUGHT AND CONVICTED. MOST WILL TELL YOU THAT A RAPE SURVIVOR WILL BE IN THE E.R. ANYWHERE FROM 4-6 HOURS - FROM TRIAGE TO COUNSELING - INCLUDING THE INTERNAL EXAM, A HEAD-TO-TOE PHYSICAL, EVIDENCE COLLECTION - INCLUDING SWABBING THE ORIFICES, CLIPPING THE NAILS, AND COMBING THE PUBIC HAIR. THEN THERE IS THE ISSUE OF STD PROPHYLAXIS AND AIDS INFORMATION.

THE REALITY? THE COLLECTION IS NOT DONE PROPERLY, OR NOT COMPLETED, WHEN IT IS NOT DONE BY S.A.F.E. OTHER HEALTH CARE PROFESSIONALS REFUSE TO FOLLOW DETAILED PROTOCOLS, DON'T KNOW WHAT TO LOOK FOR, AREN'T AWARE OF THE LATEST TECHNOLOGY - LIKE COLPOSCOPES -; AND OFTEN CANNOT BE QUALIFIED AS EXPERT WITNESSES - LIKE THE ORAL SURGEON WHO EXAMINED ONE OF MY VICTIMS, AND HAD NEVER PREVIOUSLY SEEN A VAGINAL VAULT.

WE CANNOT MAKE AN ADEQUATE CASE WITHOUT THE PROPER EVIDENCE COLLECTION, AND NO ONE SUFFERS BUT THE VICTIM OF THE CRIME.

IN REGARD TO STATUTES OF LIMITATION, MANY STATES STILL HAVE THEM - NEW YORK AMONG THEM. OURS IS 5 YEARS. I DO NOT BELIEVE THAT IT IS REALISTIC TO ABOLISH THEM IN EVERY CATEGORY OF CASE, BUT WHEN THE EVIDENCE IS IN THE FORM OF DNA ANALYSIS, IT MAKES MOST OF THE TRADITIONAL OBJECTIONS OBSOLETE.

ONE SOLUTION, AS YOU KNOW, WAS PIONEERED BY A WISCONSIN PROSECUTOR NAMED NORM GAHN....AND IMITATED THEREAFTER BY MANY OF US. GAHN, FACING A STATUTE OF LIMITATIONS IN A CASE OF A SERIAL RAPIST WHO ATTACKED ADOLESCENTS IN MILWAUKEE, INDICTED THE UNKNOWN RAPIST BY CHARGING HIM AS JOHN DOE, WHOSE DNA PROFILE WAS SPECIFIED. I FOLLOWED

GAHN'S LEAD, INDICTING MANHATTAN'S EAST SIDE RAPIST, WHO STILL REMAINS AT LARGE. MORE THAN A DOZEN STATES HAVE DONE THE SAME, AND COURTS HAVE UPHELD THE TECHNIQUE IN TEXAS AND CALIFORNIA, TOLLING THE STATUTE OF LIMITATIONS.

ALL OF THESE INITIATIVES LEAD TO THE IMPORTANCE OF FEDERAL RESOURCES AND COMMITMENT TO THESE ISSUES.

THESE DEVASTATING CRIMES ARE A NATIONAL PROBLEM, AND TRAGEDY, FOR A VARIETY OF OBVIOUS REASONS. THEY OCCUR EVERYWHERE IN THIS COUNTRY, AND AT A RATE THAT IS DANGEROUSLY UNACCEPTABLE. STRANGER, SERIAL RAPISTS ATTACK ACROSS STATE LINES, AND CAN MOST EFFECTIVELY BE STOPPED BY INTERSTATE AND FEDERAL DATABANKING. IT IS A PROVEN WAY TO SAVE LIVES, AND PREVENT UNNECESSARY VICTIMIZATION.

LET ME END WITH 3 EXAMPLES:

1) WE HAVE AN UNSOLVED RAPE OF A TEENAGED GIRL IN EAST HARLEM. LAST FALL, OUR CRIME SCENE EVIDENCE DATABANK MATCHED THE CASE TO TWO UNSOLVED CASES WHICH OCCURRED INSIDE THE NEWARK, NEW JERSEY LIBRARY. STILL UNSOLVED, THIS LEAD GIVES BOTH TEAMS OF INVESTIGATORS NEW LIFE FOR THEIR CASES, AND INCREASES THE LIKELIHOOD OF AN APPREHENSION.

2) THE FIRST PHONE CALL I GOT FROM THE POLICE WAS ON JANUARY 1 OF 2001, TELLING ME THAT A YOUNG BRITISH TOURIST WAS RAPED AND BEATEN IN A MANHATTAN HOTEL ROOM. SHE WORKED LONG AND HARD WITH DETECTIVES BEFORE RETURNING HOME, BUT THE CASE DEAD-ENDED.

LATER IN THE YEAR, THE DNA MATCHED THE UNIDENTIFIED OFFENDER IN A RAPE-KIDNAPPING WHICH OCCURRED IN LAS VEGAS, NEVADA. THE STORY FINALLY ENDED IN THE SUMMER OF THAT YEAR, WHEN A MAN KILLED A SECURITY GUARD IN A CASINO HEIST IN ATLANTIC CITY, NEW JERSEY. FEDERAL AGENTS FOLLOWED THE SUSPECT TO NEW YORK CITY, WHERE HE WAS KILLED IN A SHOOT-OUT WITH THE FEDS, IN A CROWDED MANHATTAN HOTEL LOBBY. HIS DNA PROFILE, POST-MORTEM, SOLVED THE TWO RAPE CASES AND ENDED HIS CROSS-COUNTRY CRIME SPREE. THAT SECURITY GUARD DID NOT HAVE TO DIE.

3) THE LAST EXAMPLE IS DRAMATICALLY CURRENT. THREE WEEKS AGO, ALL OUR MAJOR PAPERS CARRIED STORIES OF A 29-YEAR OLD AIR FORCE EMPLOYEE WHO WAS ARRESTED IN FORT COLLINS, COLORADO. HE WAS CHARGED, THERE, BECAUSE OF A DNA MATCH TO MORE THAN 7 RAPE/BURGLARIES OF APARTMENTS OF YOUNG WOMEN, MOST OF WHOM WERE COLORADO STATE UNIVERSITY STUDENTS.

WITHIN DAYS, DNA DATABANKS ALSO MATCHED MR. GRAVES TO A SERIES OF UNSOLVED CASES IN PHILADELPHIA. THAT RAMPAGE - OF THE CENTER CITY RAPIST - INVOLVED AT LEAST 5 WOMEN WHO WERE RAPED, AND FINALLY A PENN STUDENT WHO WAS RAPED AND MURDERED IN HER APARTMENT IN 1998. NOW, POLICE ARE RE-OPENING FILES OF CLOSED CASES EVERYWHERE FROM NEW HAMPSHIRE TO TEXAS TO SOUTH CAROLINA TO NEW MEXICO, WHERE THE OFFENDER IS KNOWN TO HAVE SPENT TIME.

SERIAL RAPISTS ARE RARELY DORMANT. THEY DON'T RETIRE AND THEY DON'T QUIT. THE BEST WE CAN DO IS IDENTIFY THEM, PUT THEM OUT OF THE BUSINESS

OF DESTROYING INNOCENT LIVES, AND SEE THAT THEY NEVER WALK AMONG US AGAIN, IF THEY ARE IN FACT GUILTY OF THESE DEVASTATING CRIMES. DNA TECHNOLOGY IS OUR BEST HOPE OF ACHIEVING THESE GOALS. THANK YOU FOR LETTING ME JOIN YOU TODAY, AND I HOPE YOU WILL ALLOW ME TO WORK WITH YOU ON THESE ISSUES FROM THIS DAY ON.