

CONTAMINATED

DNA specialists failing to take responsibility for sloppy science in HPD lab

On March 12, 21-year-old Josiah Sutton was released from prison after serving more than four years of a 25-year sentence for rape. Sutton was convicted in 1998 based on DNA evidence analyzed by the Houston Police Department's crime lab. At the time, an HPD lab



JENELLE WILSON

employee told the jury that the DNA evidence in the rape absolutely came from Sutton. Recent tests, however, have contradicted the earlier results; the new tests show the DNA could not have been his.

Sutton's situation was one of more than 1,300 cases under review after the HPD crime lab was shut down in December following an Internal Affairs Division investigation. The investigation found the lab infested by sloppy science and an untrained staff. The report described the lab as ripe for contamination, according to The Houston Chronicle.

The roof had leaked for more than five years, bringing evidence in contact with water, evidence in storage freezers was not properly sealed, and the equipment to analyze forensic evidence was not even properly calibrated. The IAD investigators could not find evidence of the staff following written procedures in the lab; they could not even find evidence of staff members wearing gloves to prevent contamination. The IAD also found that officials knew of these problems but did little or nothing to remedy them.

Unfortunately, there has been little accountability for the massive problems in the HPD lab. Only seven people have been disciplined for their parts in the fiasco, and this "discipline" — which ranges from ineligibility of future employment to 14-day suspensions — amounts to little more than a slap on the wrist. James Bolding, who directed the DNA division, and Assistant Chief of Police Milton C. Simmons, who oversaw the lab, were allowed to retire before they could be fired for their negligence. Bolding and Simmons have simply walked away scot-free with their pensions from this mess, even though their actions could have potentially ruined hundreds of lives.

The case against Sutton proceeded solely because of the DNA evidence against him, according to the Chronicle. With this kind of reliance on DNA evidence in criminal trials, the carelessness and complete disregard for proper, scientific procedures displayed by the HPD lab officials and employees is unacceptable. The roof in the lab leaked for more than five years, but instead of fixing it, a bucket was placed on the floor to collect the dripping water.

The so-called discipline they received is unacceptable as well.

Bolding and Simmons knew evidence was being contaminat-

ed, yet they did nothing. They knew that some of the evidence being analyzed in the lab could potentially be used in capital punishment cases, yet they did nothing.

And now Bolding and Simmons are walking away without accepting responsibility for their massive derelictions of duty.

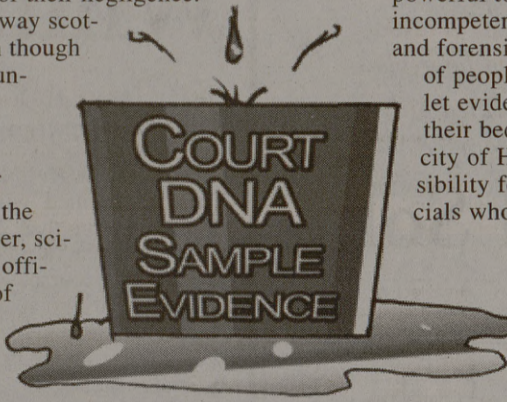
More than 1,300 cases are under review due to this mess. More than 300 new tests are being ordered on DNA evidence because of the grave and pervasive problems in the DNA division, according to the Chronicle. Hundreds of people have been convicted in this state because of potentially shoddy evidence.

The city of Houston must do more to discipline those responsible. The examiners who contaminated or manipulated evidence should be fired, not just suspended for 14 days. They do not deserve a second chance on this. They have already proven themselves to be incompetent.

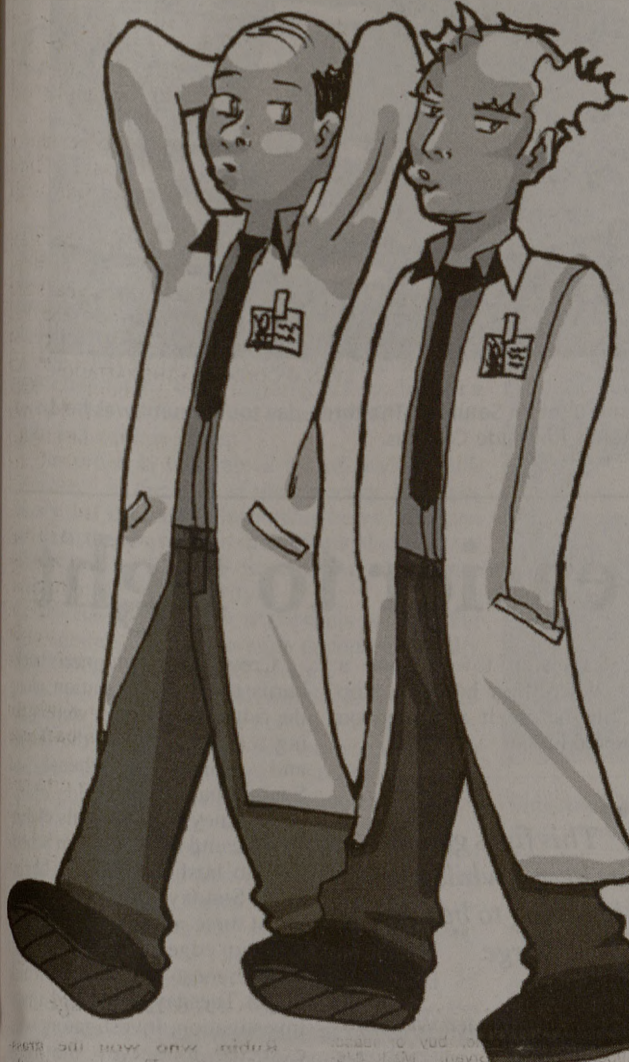
Bolding and Simmons knew of the shoddy work being done by their examiners, yet the two let it continue for years. They should be brought up on criminal charges. They were responsible for the lab, and they are responsible for the mass corruption that permeated the lab. They set the examples for their employees to follow. Letting them just walk away without accepting responsibility amounts to condoning their behavior.

Forensic evidence in criminal trials can make or break the case. The case against Sutton was based solely on DNA evidence, and a juror in that case admitted he would not have voted to convict had the evidence not been there.

The work that is done in crime labs is too important and too powerful to allow such a display of massive incompetence to go unpunished. The lab officials and forensic examiners held the fate of hundreds of people in their hands, yet they knowingly let evidence get contaminated. They made their beds, now they have to lie in them. The city of Houston must make them take responsibility for their actions, especially the officials who let this absurdity continue unabated.



Jenelle Wilson is a senior political science major. Graphic by Ivan Flores.



France's new tourism campaign ridiculous

Woody Allen commercials, Serena Williams debacle only discourage tourists

According to the New York Post, the French Tourist Board has responded to an estimated 15 percent decrease in American tourism with a series of ads featuring none other than America's favorite performer — Woody Allen.



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Because, Allen argues, he doesn't want to "freedom" kiss his wife, he wants to French kiss her. What an incentive.

But enough about Woody Allen. As the adage goes, don't shoot the messenger, and Allen is just that — a messenger. For many Americans, it probably wouldn't matter who was chosen to be the FTB's mouthpiece. The message conveyed by France is clear: forgive and forget, and let the cash begin to flow.

The fact is that those Americans who chose to cancel trips to France or to boycott French goods based that decision on well-founded political frustrations with France. For this American at least, nothing short of an apology from Jacques Chirac would regain my monetary support.

The ad hosted by Allen should be seen for what it is, an attempt by the FTB to make up for lost tourism dollars and not any real change in France's general attitude of anti-

“And what is the logic Allen offers as to why this reconciliation would benefit America? ... he doesn't want to 'freedom' kiss his wife, he wants to French kiss her. What an incentive.”

Americanism. A good case in point is the turn of events at the recent French Open.

Enter Serena Williams. Cocky, irreverent and a powerhouse in the realm of tennis, Williams probably seemed the quintessential American to many French spectators. In a semifinal match against Justine Henin-Hardenne, the tide of public sentiment at Roland Garros turned toward Henin-Hardenne. But instead of cheering for Henin-Hardenne, the unruly French Open crowd of about

15,000 cheered brutally against Williams, booing her successes and applauding her mistakes, reports ESPN.com.

Booing and hurling criticism at contestants may be standard operating procedure at, say, a WWE wrestling event, but such behavior is certainly not considered socially acceptable at a tennis match, which is traditionally associated with tea, crumpets and other upscale niceties. Tennis players who exhibit behavior that is considered unsportsmanlike by the code of proper tennis etiquette, such as throwing a racquet or using obscene language, have committed a faux pas that is taken very seriously by the tennis community. So for fans to make such a blatant breach of acceptable conduct suggests that they must have been driven by a relatively strong emotion. Many have argued that said emotion was anti-Americanism.

Williams herself denies that anti-Americanism was a factor in the fans' behavior. She attributes the crowd's hostile behavior to wanting to root for the underdog, reports ESPN.com.

That argument would make more sense if the Roland Garros crowd had merely been cheering for Henin-Hardenne, but that was not the case. The spectators at the French Open were willing to break a respected, age-old code of etiquette to achieve their goal, which was not for Henin-Hardenne to win, but for Williams to lose. And 15,000 to one isn't a fair match. It was personal, and Williams' American citizenship had at least something to do with it.

Perhaps the expression "actions speak louder than words" would be an appropriate message to send across the Atlantic.

If the FTB is serious about regaining American dollars, it should a) lose Woody Allen, b) use its ads to address issues instead of Allen's bedroom preferences and c) treat our visiting citizens with some modicum of respect. Anything less and the French fry may be in serious danger of becoming extinct.

Lindsay Forson is a junior journalism major.

Canada's decriminalization of marijuana comes at high price

In response to Timothy Gilbert's June 19 column:

Before praising Canada's marijuana decision, look closely.

The penalties for growing and distributing marijuana will double. Life imprisonment sentences would become possible under the new proposal, while they are not currently used for marijuana production. No allowance is made for medical use and the ticketing process for users still allows for arrest and formal criminalization at the discretion of police.

Very little changes under the proposed new laws. Doubling criminal penalties for production while dropping use to a fine won't discourage casual use nor heavy users. It will scare off some of the more benign, generally law-abiding pot growers and leave only the most violent criminal elements willing to risk harsh jail sentences for the lucrative market.

Current police practice for small amounts is often to confiscate, warn and do nothing else. There is generally no record of any kind.

Yet ticketed offenses can be recorded and known to agencies wishing to do a background check and discriminate for employment, insurance or housing based on someone's recorded history of marijuana use. Many casual users will actually receive a harsher punishment under this "decriminalization" than they do today.

As long as marijuana remains in the criminal domain, the criminals and police agencies are the only winners, as they both can look forward to lucrative funding to fight their war over an inebriant which is more properly sold and regulated as we do for alcohol.

The title of the article has it right, as did our Canadian Senate when the conclusion of their exhaustive study declared that legalization and regulation were the proper course to control marijuana.

Mack McLeod Thornhill, Canada

Benefits of marijuana ignored by U.S. but not other countries

In response to Timothy Gilbert's June 19 column:

The recent column subtitled, "America should follow Canada's planned decriminalization of marijuana" is informative but does not go nearly far enough to admonish the critics of this nation's current drug policy.

Since the passage of the Marijuana Tax Act of 1937, the United States has been incarcerating its citizens for the possession and "manufacturing" of a plant that has for years been a mainstay of other countries.

When one looks through the hysteria of the risks associated with the Cannabis plant, one finds all kinds of beneficial uses, none of which get to see the light of day when compared to the single "drug" aspect of the plant.

Furthermore, real problems such as the environmental impacts that continue to occur because of our continuing dependence on

petroleum-based products is ignored.

America has not been telling the truth about the benefits of the Cannabis plant for years now. And I ask you, how do we expect to be a nation of law-abiding citizens when the very leaders of this country themselves are often lawless?

A Grandma For Ganja Mrs. Jeanne Marie Black-Ferguson

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