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DNA Backlog Results In Justice Crisis, Observers Say

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Attorney General Says Poor Pay Contributes To Problem



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SACRAMENTO, Calif. -- A backlog for DNA analysts has resulted in a crisis in California's criminal justice system, some observers said.

Those caught in the middle said the problem threatens public safety, but there are conflicting thoughts on how to make a fix.

Some said the problem lies with the relatively low pay for state analysts that makes it hard to fill positions and retain staff.

Sharon Wilcoxson, 21, was raped and killed in Sacramento in 1979.

More than 20 years later, a DNA match found the killer, who turned out to be her neighbor.

The man, Willie B. Thomas, was already in prison, serving time for another slaying.

Wilcoxson's sister, Linda Thompson, said she was in shock when she learned the result. Her family also had to wait many years for a resolution to the case.

Nearly a million such DNA samples are stored in a statewide database, including Thomas' sample, which was collected during his prison stay.

Currently, prisoners and those charged with murder or sex offenses are tested and the results are backlogged.

In 2009, any adult arrested for any felony offense will be added to the database, adding hundreds of thousands of new samples.

But testing of those samples has come nearly to a halt.

Last year, the state lab could not get to more than 300,000 samples.

Lance Gima, a forensic DNA expert, said the situation is critical to public safety.

DNA BACKLOG
Video: Lois Hart Reports

Rape victim advocates said the backlog is forcing rape kits collected from victims to go unprocessed, which is a violation of the state's sexual assault victims' bill of rights.

Attorney General Jerry Brown said some of the kits have not been analyzed in several years.

Gail Abarbanel, director of the rape treatment center at UCLA Medical Center, said the lack of analysis poses many problems for victims as well as the accused. In one case, a man accused of rape was in jail for seven months, but the rape kit was not opened. When it was finally analyzed, his DNA was not found.

Industry experts said the problem is centered on pay. Of all the labs in the West, California ranks near the bottom when it comes to salary.

Officials said they are having trouble retaining lab workers. Dozens of positions remain open.

Brown said many times employees come to work for the state, get trained and then go to work for local government, where they make much more money.

Thompson added that she would like to see proper staffing hired so that families like hers can have a sense of closure in their lives when loved ones are victimized.

In an emergency report, the California Commission on the Fair Administration of Justice called on Brown the end the DNA crisis.

Brown said the problem could be solved among lab workers with a few extra million dollars. But he said the real problem is that if pay is increased for one group of public employees, other groups will request raises as well. He said that would result in an extra cost of hundreds of millions of dollars.

Brown added that only Gov. Arnold Schwarzenegger can solve the problem.

Schwarzenegger declined an on-camera interview with KCRA 3, but his office said some forensic scientists will get scheduled raises and some additional incentives. But for now, no new positions will be added.

Schwarzenegger said he hopes a new subcommittee co-chaired by Sacramento County District Attorney Jan Scully may lead to legislation to address the problem. But for now, crime victims will have to wait.

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