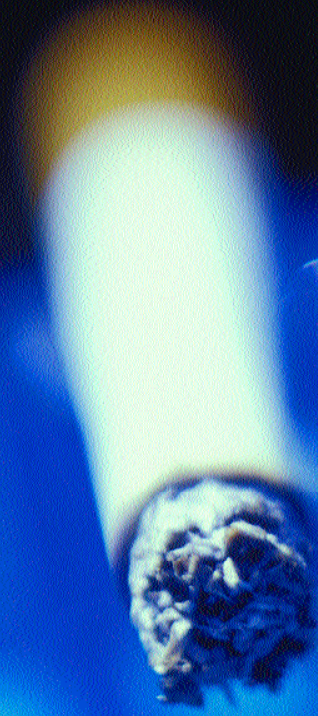


Success Story 1: Unrelated cases



The **critical link** in this case was the decision by the trial judge to order the convicted arsonist to give a sample of blood so that his DNA profile could be added to the National DNA Data Bank's Convicted Offender Index.

... tied together by a cigarette butt

The case centres on a series of violent assaults in a Montreal neighbourhood in the summer and fall of 2001.

According to Detective Sergeant Guy Bianchi, a 16-year veteran of the Montreal police service, the offender's method of attack was consistent. He would choose his victim – always a single woman living alone – and learn her daily routine. Eventually, he would force his way into her residence and sexually assault her.

"There was almost nothing to go on," adds Det. Sgt. Bianchi.

Investigators, with the help of scientists at the Laboratoire de sciences judiciaires et de médecine légale, generated DNA profiles from semen and blood left at two of the crime scenes. The results confirmed it was the same perpetrator.

Meanwhile, in what police thought was a totally unrelated case, an officer collected a discarded cigarette butt at the scene of an arson investigation. DNA was extracted from the cigarette butt and became one piece of evidence in the arson case that led to the conviction of a career criminal. Well known to police, the suspect was involved in a biker turf war over illegal drug sales.

The critical link in this case was the decision by the trial judge to order the convicted arsonist to give a sample of blood so that his DNA profile could be added to the National DNA Data Bank's Convicted Offender Index.

The judge in the arson trial had the discretion not to order a biological sample since it was a secondary offence. However, he made the order because of this criminal's history with biker gangs.

When the Montréal lab provided the DNA profiles from the two sexual assaults, they generated a "hit" on the Convicted Offender Index. It was a match with the arsonist's DNA – irrefutable evidence that put him at the scene of both crimes.

The offender was subsequently convicted of three sexual assaults and sentenced to 18 years in prison, to be followed by 10 more years of probation with strict conditions.

Bianchi has high praise for the trial judge. "If he had not ordered the collection of a biological sample for the arson conviction, there would be no DNA profile in the NDDB and virtually no chance to link him to the assaults."

Det. Sgt. Bianchi is quick to add that police and crown prosecutors also have a key role to play by requesting DNA orders for sample collection, particularly for secondary offences (see Appendix B).

"A few years ago, it was sometimes difficult to get the DNA order. Now, it's much more frequent and it's making a huge difference."