



January Newsletter

Better Justice Through Better Science™

TrueAllele helps resolve Texas double murder DNA case



In 2010, Mary Goodman (41) and her daughter Brianna (16) were shot to death in their in Beaumont, Texas home. Witnesses identified Joseph Colone as the shooter. Prosecutors said suspect Colone killed the mother because she was going to testify against him in a robbery case; the daughter just happened to be at home.

DNA mixtures were found on a glove and towel left at the crime scene. Different crime laboratories generated DNA data, attempting mixture interpretation with different software. Colone was convicted in 2017, and sentenced to death.

In Colone's 2022 appeal, issues arose with DNA analyst testimony, possible contamination, and evidence mishandling. In 2023, the Jefferson County District Attorney's Office reached out to Cybergenetics for a TrueAllele reanalysis of the DNA data.

TrueAllele computation connected Colone to the glove and towel. The match statistics ranged from thousands to trillions. The defendant challenged the reliability of the DNA evidence. But in December 2023, during the Texas Daubert hearing, Colone (45) [pleaded guilty](#) to the murders. He was sentenced to 30 years.

Colone Conviction and Sentencing

Cybergenetics helps California defendant rebut rape charges



Santa Clara County Superior Court

In May 2021, a California man allegedly sexually assaulted a teenage hitchhiker (16) in Santa Clara County. The assailant left her stranded by the road. Detectives identified a suspect through security camera footage from a local liquor store.

The county crime laboratory developed DNA mixtures from the victim's sweatpants. But the lab couldn't interpret the minor parts of the mixture – there was too little DNA and too many people in the mix.

Cybergenetics analyzed the three-person sweatpants mixture. TrueAllele connected the major part to the victim. The computer statistically excluded the defendant from the rest of the mixture. The case resolved this month. After considering the TrueAllele results, the District Attorney dismissed all sex charges against the defendant.

TrueAllele Assists Defendants

***Martin Luther King and Georgia
exoneree Kerry Robinson***



Kerry Robinson (center) with attorneys Jennifer Whitfield (left) and Rodney Zell (right). Photo by Miranda Taylor.

This month, Cybergenetics celebrates Martin Luther King Jr. Day by honoring his legacy of fighting for justice. Writing from a Birmingham jail fifty-five years ago, Dr. Martin Luther King, Jr. said, "Injustice anywhere is a threat to justice everywhere." Cybergenetics fights for justice by using accurate and unbiased truth-seeking computing. Getting more information from DNA evidence fights crime and protects the innocent. Same data, better computing.

A notable Cybergenetics exoneration case is [Georgia v. Kerry Robinson](#). With TrueAllele's help, Robinson was freed from prison four years ago this month.

Robinson was wrongly convicted of rape in 2002, and sentenced to 20 years in prison. Convinced of his innocence, in 2018 Boise State Professor Greg Hampikian sent the DNA data to Cybergenetics. A more informative TrueAllele analysis statistically excluded Robinson from the vaginal swabs. Based on this new exculpatory DNA evidence, the Georgia Innocence Project and appellate attorney Rodney Zell [filed a motion](#) for a new trial. In January 2020, Judge Brian McDaniel vacated Robinson's conviction and [released him from prison](#). In over a thousand cases, Cybergenetics has found DNA truth for fighting criminal injustice.

Human Trafficking Awareness and a Louisiana pistol rape



Cybergenetics is committed to serving justice in cases of injustice. The company played a key role in bringing a sex trafficker to justice in [Louisiana v Willard Anthony](#). In this harrowing case, a young woman had been abducted from Florida to New Orleans, and forced into prostitution. A 2015 police raid found her severely beaten after she attempted to escape. She claimed that the gang had forcibly raped her at gunpoint. She also claimed that one suspect (her pimp), "inserted the gun into her vagina during the attack."

The AMT Backup pistol was tested by the Jefferson Parish Sheriff's Office Regional DNA Laboratory. The lab's traditional DNA analysis methods couldn't interpret the gun's three-person DNA mixture. So the prosecutor had the lab send their DNA data to Cybergenetics. TrueAllele separated the mixture into three genotypes. TrueAllele then connected the handgun to three different people – the victim and both suspects.

In 2016, Cybergenetics' Dr. Mark Perlin testified at the Louisiana trial about the computer's DNA match results. Defendant Willard Anthony was found guilty of rape and human trafficking. He was sentenced to life

imprisonment without parole.

We honored National Human Trafficking Awareness Day this month, and remembered victims of human trafficking. This DNA success story underscores the importance of innovative technologies in combating horrific crimes. Sometimes "inconclusive" results are insufficient. Cybergenetics continues its commitment to serving justice, and raising awareness about serious crimes like sex trafficking.

Remember, [if you see something, say something](#). Report suspicious activities related to human trafficking to the appropriate authorities.

Louisiana v Willard Anthony Trial Page

***Outstanding New York District
Attorney honored by Bar Association***



Photo provided by DA Weeden Wetmore

Cybergenetics congratulates Chemung County District Attorney Weeden Wetmore on his recognition as an [Outstanding Prosecutor](#) by the New York State Bar Association. DA Wetmore has served in the District Attorney's office for 37 years.

DA Wetmore has secured over 100 guilty trial verdicts, many in serious and violent cases. Mr. Wetmore has been a leader in using new forensic methods. In 2015, he successfully prosecuted a serial rapist, Casey Wilson, using automated computer interpretation of complex DNA evidence for the first time in a New York trial. Cybergenetics performed the TrueAllele Casework analysis, statistically placing Wilson in DNA mixtures on a pair of purple gloves.

At the time, the New York Police DNA laboratory used limited human review methods. They were [unable to report results on 70% of their DNA](#) mixture evidence items, including these gloves. But TrueAllele got the answers. Cybergenetics' accurate and automated computer separates mixtures into

simpler genotypes that are easy to explain.

Cybergenetics Chief Scientist Dr. Mark Perlin testified before the NY v. Wilson 2013 grand jury, again at trial, and later at a successful admissibility hearing. We use the Wilson case to teach [how to present understandable](#) DNA mixture evidence in court.

Bar Association Article

California crime lab is the first to bring NGS technology to court



DA Cynthia Zimmer

This month in California, a Kern County Jury found Adrian Chavez guilty of the First-Degree Murders of Marilyn Cuervo and Crystal Hernandez. This case marked the first time Next Generation Sequencing (NGS) DNA testing was [introduced as evidence](#) in a jury trial in the United States.

Over ten years ago, Kern Regional Crime Lab (KRCL) became [the first accredited crime laboratory](#) in the world to introduce automated computer interpretation of complex DNA evidence into forensic casework. The KRCL began using Cybergenetics' revolutionary TrueAllele technology. TrueAllele routinely solved previously "impossible" DNA evidence. Working with Cybergenetics, the KRCL [validated TrueAllele for five-person mixtures](#).

The pioneering KRCL has now validated and implemented Verogen's MiSeq FGx Sequencing System for in-house Next-Generation Sequencing (NGS) testing. Following an extensive pre-trial admissibility hearing, the trial court deemed NGS to be reliable and that the technique has gained general acceptance in the scientific field. NGS was used in the Chavez case to establish the location of a murder crime scene, and help determine how a violent assault happened.

District Attorney Cynthia Zimmer commented on the conviction; "Next-Generation Sequencing (NGS) is a groundbreaking advancement in DNA evidence testing. I'm proud of our Kern Regional Crime Lab for pioneering this state-of-the-art method and introducing it for the first time in a U.S. trial. This technology is a game-changer for solving crimes, as the extensive information it provides will lead us to even more significant discoveries."

The KRCL has validated TrueAllele for using NGS on DNA mixtures.

Kern County resolves the DNA mixture crisis



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