



## Criminalistics Section – 2005

### **B141 We're Not Gonna Take It! Girls Fight Back Against Attackers (Case Studies)**

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The goal of this presentation is to present several interesting case studies where in each case, DNA from the assailant was obtained after the victim fought back. To date, CODIS has solved two of these cases.

This presentation will impact the forensic community and/or humanity by demonstrating that semen on body swabs need not be the only target for DNA analysis in rape cases. Women who defend themselves during an attack help forensic laboratories by giving them more chances to obtain male profiles from the available evidence.

Several recent male-on-female assault cases received for DNA analysis by the New York City OCME Forensic Biology Department have generated CODIS-eligible profiles. Three are from blood, one is from skin cells, and one is from semen. These were all "stranger" rape or attempted rape cases, in different NYC boroughs.

The first case of the "pattern" was a home-invasion in which a stranger entered the bedroom of a middle-aged woman during the night, and chased her around her room several minutes in her nightgown. The sexual assault kit was negative, as expected because the attacker never got the chance to complete the rape. She managed to hit him over the head with a chair, drawing blood. Stains on the chest area of her nightgown matched a crime-scene sample collected from the bedroom. The blood proved to be male and was uploaded into CODIS. To date, no hits have surfaced.

Another home invader got more than he bargained for when his rape victim managed to get a knife and stab him. No sexual assault kit was collected. There was one semen stain on a washcloth, which yielded no DNA. There were bloodstains on several items from in and around the home, most of which matched the victim. However, drops of blood collected from a nearby sidewalk gave a clean male profile, which was uploaded into CODIS. It hit a convicted offender immediately, making Special Victims Unit detectives very happy, as this crime was one of a string (although the first with DNA evidence) of violent attacks. The suspect was apprehended within 24 hours.

A teenage girl was grabbed from behind in the elevator of her own building by a man who told her he had a gun, and pulled her pants down. The attack was recorded by a security camera but the picture was too blurry to be of much assistance in identifying the man. During the struggle in which she was injured as well, she managed to pull the much-larger perpetrator down the stairs with her, knocking off his eyeglasses; and eventually escape into her apartment. Male DNA from the eyeglasses, as well as bloodstains in the case, gave a full CODIS profile; to date this case is unsolved.

A woman walking home late on a winter night was grabbed from behind and dragged into a nearby park by a man with a gun. Following completion of the forced sexual activity, the victim kicked him in the groin and sprayed him with pepper spray. Detectives collected a semen sample from the scene which yielded a full CODIS profile. This case has not yet been solved.

Last but not least, a woman fended off a rapist in Central Park by twisting the attacker's penis in her hand when he put it near her face. Meanwhile her dog bit him hard enough to draw blood, which left a stain on her clothing. The male DNA from this bloodstain hit a convicted offender sample in CODIS in the next search after its upload. At the time he was free on parole.

**Self-Defense, CODIS, Sexual Assault**