

Prevent Tomorrow's Victim

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Tempe rapist sentenced to nearly 138 years in prison

Sydney Greene The Republic | azcentral.com

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A man convicted in the prolonged sexual assault on an Arizona State University student in 2003 was sentenced Friday to nearly 138 years in prison — the maximum sentence allowable in the state of Arizona, officials said.

[It took jurors less than an hour to convict Kevin Francois in November](#) and just 15 minutes to attach special circumstances on all 12 felony charges for which they found him guilty: nine counts of sexual assault, plus burglary, kidnapping and aggravated assault charges.



Kevin Lee Francois Maricopa County Sheriff's Office

[Jurors agreed that on Aug. 20, 2009](#)

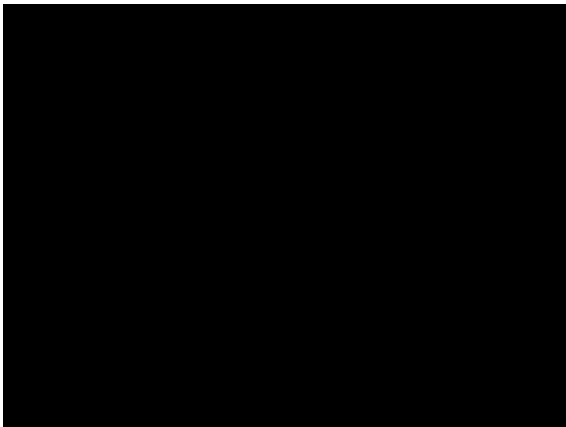
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Supreme Court Ruling


Maryland v. King - 569 U.S. 435, 133 S. Ct. 1958 (2013)

RULE:
 DNA identification of arrestees is a reasonable search that can be considered part of a routine booking procedure. When officers make an arrest supported by probable cause to hold for a serious offense and they bring the suspect to the station to be detained in custody, taking and analyzing a cheek swab of the arrestee's DNA is, like fingerprinting and photographing, a legitimate police booking procedure that is reasonable under the [Fourth Amendment](#).

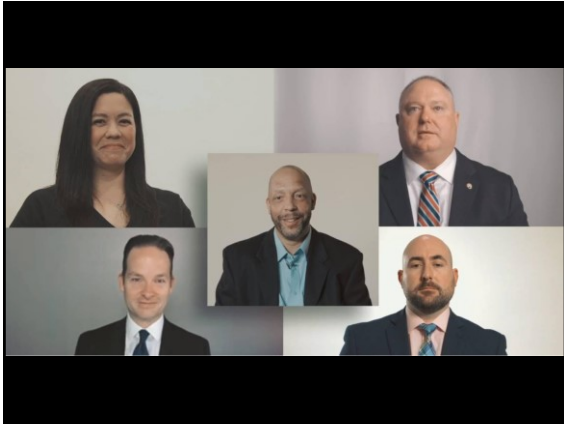
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DNA Evidence in Trial

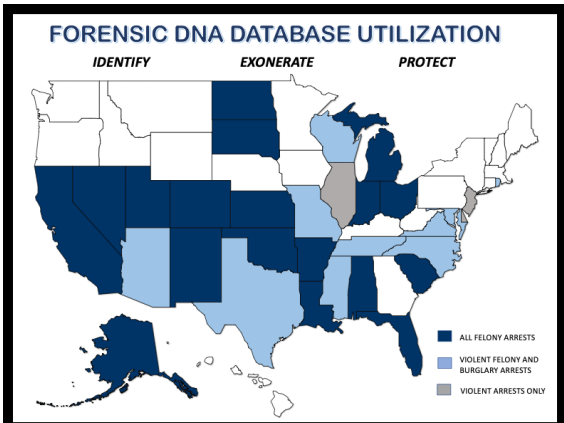
- 38 trillion times more likely this man's DNA than anyone else's
- Y-STR analysis proved the stories I told detectives immediately after the attacks were true.



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Katie Sepich

- Brutally raped and murdered in New Mexico in 2003
- 3 months later her murderer Gabriel Avila arrested for aggravated burglary
- Had they collected DNA upon this felony arrest, her family would have had justice 3 months after her death, instead of 2 years



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1 IN 6 WOMEN



1 out of every 6 American women has been the victim of an attempted or completed rape in her lifetime (14.8% completed, 2.8% attempted).

RAINN National Sexual Assault Hotline | 800.656.HOPE | online.rainn.org
Please visit rainn.org/statistics/victims-sexual-violence for full citation.⁵

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Out of 1,000 Sexual Assaults:

- 310 reported to police
- 50 lead to an arrest
- 28 lead to felony conviction
- 25 lead to conviction resulting in prison

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This means, out of 1,000 rapes

97.5% OF RAPISTS GO FREE

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"An overwhelming majority of both serial and one-time sexual offenders had felony level criminal histories."

-Case Western Reserve University Study

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Repeat Offenders

- 74% of serial rapists had at least one prior felony arrest
- 95% of all serial rapists had a subsequent felony arrest

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DNA Databases

- CODIS is one of the most successful investigative tools available to US law enforcement
- As of October 2021, CODIS has produced over 587,773 hits assisting in more than 574,343 investigations.
- Expansion of DNA collection laws has broadened CODIS, which has helped more criminal investigations and led to more prosecutions throughout the nation.
- CODIS is safe, private and protected.

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LabXYZ (Originating Laboratory Identifier)

0012152 (Specimen ID Number)

**12,14; 11,17; 10,12; 7,12; 13,15; 11,11;
9,11; 17,18; 28,31.2; 49,21; 6,8; 8,8; 16,17;
16.3,17.3; 10,11; 17,18; 14,15; 16,17;
14,16; 16,16 (20 core loci)**

DHL (Analyst Identifier)

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16,16; 16,17; 9,9; 11,12; 8,8; 13,15; 27,29; 12,12; 14,14; 14,15,2; 7,7;
21,24; 15,15; 11,11; 10,10; 10,11; 17,19; 16,16; 17,3 17,3; 18,22; 19,19

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Crime Reduction

According to a 2020 study, in the first year after DNA offender database registration there was a reduction in:

- Property crimes by 42%
- Violent crimes by 60%
- Weapon offenses by 88%

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Across the United States, it is estimated that 40,000–50,000 lawfully owed samples, per state, are missing due to these complicating circumstances.

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Uncollected Offender DNA

- Systemic problem of failing to collect and process samples of offenders who lawfully owe DNA
- Profiles not regular compared to forensic profiles from unsolved crimes
- Lack of offender DNA profiles and proper DNA testing leaves offenders free to commit crimes, wrongfully punishes the innocent and drains agency resources

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Complications of Lawfully Owed DNA

- Missed court hearings
- Ignored court orders
- Unclear status
- Manual or flawed intake processes

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Holly Cassano

- Young Illinois mother brutally murdered in 2009
- Perpetrator Michael Henslick was arrested multiple times after attack, but blew off judge orders to collect DNA sample
- Finally caught through genetic genealogy in 2018
- Justice would have been served 9 years sooner



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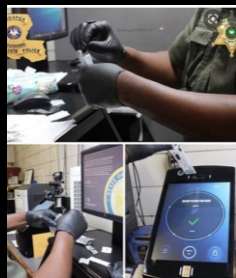
DNA + Rape Kit Backlogs

- Uncollected offender DNA samples is one of the biggest hurdles to solving rape kit backlog issues.
- We must maximize forensic DNA evidence and databases to catch violent predators and bring justice to victims

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Advancements in Technology: RAPID DNA

- States with laws to collect DNA samples from certain arrestees may be eligible to immediately and directly search index of DISC and CODIS for possible matches in unsolved violent crimes
- Louisiana is first to go live in booking stations, other states preparing to follow suit



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Why Rapid?

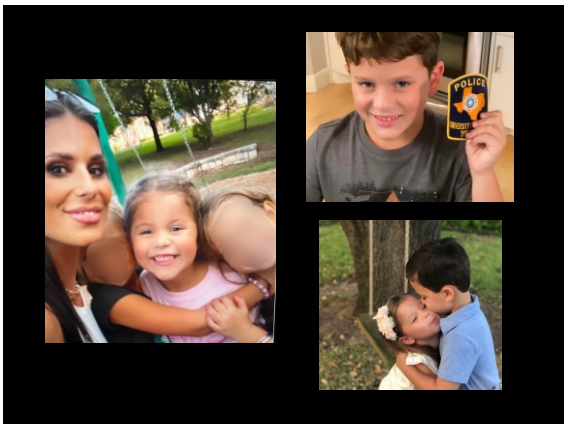
- Identify violent offenders and potential flight risks within 90 minutes of booking
- Eliminate/exonerate wrongfully accused faster.
- Eliminate loopholes in DNA collection processes which allows criminals to remain undetected.
- Assists in prevention of rapekit backlog issues.
- Allows courts to make informed decisions on bail and bond.

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Time is of the Essence

Every minute a crime remains unsolved is time for someone else to become a victim.

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Thank you, ISHI!

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