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DNA Technology Moves Forward; Lifting Skin Cells Pivotal in Getting Match on '96 Rape Suspect

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When the Maryland State Police lab told her that the evidence didn't contain enough bodily fluid for a complete DNA profile, Shelly Progovitz was crushed. A man who had brutally raped a 12-year-old girl behind a middle school in Waldorf in 1996 and then tied her hands and feet and forced a sock into her mouth would never be convicted for what he had done.

But Progovitz, a crime scene technician, did not let her disappointment keep her on the sidelines long. That night, she went home and searched on Google for something she had read about in scientific journals but had never used: "touch DNA."

In April, after Progovitz had resubmitted the case to a private lab in Virginia, she got a different kind of call. The lab had pulled a complete profile from clothing at the scene using touch DNA. It matched the DNA of the suspect whom police had in mind since rape, 12 years ago.

"I was running and jumping," Progovitz said. "I was pretty ecstatic."

Not bad for the new girl in town at the Charles County crime lab.

Touch DNA -- using genetic material from skin cells left on an item -- is analyzed just like that from blood or semen. It's typically collected by scraping an object or placing tape on it, then lifting the tape up. The technique, in use for four or five years, gained some prominence this summer when it was used to exonerate the parents of JonBenet Ramsey, said Angela Williamson, director of forensic casework at Bode Technology, a Lorton-based DNA lab.

Many police department labs, including those used by the Maryland State Police and police in Anne Arundel and Montgomery County, also use the technique. Those labs, though, often have significant backlogs, forcing some work to be outsourced to private labs, officials said.

Touch DNA is just as expensive as other sorts of genetic testing, which can range from $1,300 to $1,500 an item, said Ernest Jones, a fingerprint specialist in the Charles crime lab. It also has a lower success rate. You can't see skin cells like you can blood or semen stains, so to get a good sample, you have to have a good idea where a suspect might have grabbed something, Williamson said.

That's where Progovitz came in.

Progovitz was only a year into her first job out of graduate school when the boxes came to the crime lab in La Plata in 2005 -- 25 boxes of more than 1,000 case files, all needing a second look to determine whether they

might contain any DNA evidence that could be analyzed.

Her boss, Sgt. Joe Goldsmith, put out a simple request in the office: "Eventually, we have to go through this when someone has time."

Eager to prove her value in the small office, Progovitz, 28, teamed up with Jones, 65, to review the cases.

Progovitz, who has a master's degree in forensic science, brought the energy and organization: She entered all the information on each case into a computer database, making sure that future generations would not have to repeat her painstaking work.

Jones, a veteran officer with more than 45 years in law enforcement, brought the experience: He looked at each piece of evidence, pondering whether a **suspect** had left behind enough DNA to make the cost of resubmission worth it.

"We just got them all and went through, one at a time," Goldsmith said. "It was the only way to do it and not miss something."

Bode, the private lab Charles used because the state police lab had a backlog of cases, told them in April that their resubmission of the 1996 **rape** case had come back with a **match**. The file was passed along to a cold-case detective.

Detective Kevin Keelan recalled pulling up to the house in Edgewater on April 25 with just a hint of apprehension. He was there to talk to the family of the now-24-year-old woman who had been raped 12 years ago. Keelan was not sure how they would take the news that, more than a decade later, DNA evidence suggested that the original **suspect**, named James C. Cole, had raped their daughter.

The woman's father, who requested anonymity to protect his daughter's privacy, answered the door. He said he was a bit surprised by the presence of two well-dressed men in his driveway.

"I'm thinking, 'police or Jehovah's Witnesses,' " the father said in an interview. "They proceeded to tell me, the DNA they have now, they can do different things with."

The man quickly called his wife, who was at work, and gave her basic details. He also called his daughter, at work in Annapolis, and told her that she needed to get home quickly. He did not tell her why, so she called her mother.

"I was frantic," the woman said. "Did they know who it was? Was he in jail? Out of jail? Did he know me?"

On the day of the **rape**, the woman barely got a look at her attacker. She said she was walking home from athletic courts behind Benjamin Stoddert Middle School when she saw a man who looked as if he was limping in the woods nearby. Before she knew it, he had come up behind her, grabbed her and forced her into the woods. He slammed her into a tree, flashed a knife and raped her.

"I was 12 years old. I didn't know what **rape** was," the woman said. "I didn't quite understand what had happened. I knew that it shouldn't have."

When she sat down with police 12 years later, she told them unequivocally that she wanted to help in any way she could, even if it meant taking the witness stand and dredging up painful memories.

"For me, even now, if nothing even happens. . . . Further, that's a sense of closure," she said. "There was always doubt in my mind that that person could be out here, doing that to somebody else."

On June 13, Cole, 51, was indicted **on rape** charges and is set for trial in December. He was already in jail for a different 1996 **rape**.

Progovitz and the others at the Charles crime lab have never met the victim. Although they share her sense of elation, they are already thinking about their next project: evaluating the more than 1,000 cases specifically for touch DNA. When they started going through the case files back in 2005, that technology was in its infancy, they said.

"Once you realize that the sky is the limit with DNA now, and anything that anyone touches in the course of a crime could yield DNA, your thought process totally changes," Goldsmith said. "That's what we're here for."

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