

Conference of District Attorneys
N O R T H C A R O L I N A

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FOR IMMEDIATE RELEASE
March 22, 2011

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DISTRICT ATTORNEYS COMPLETE REVIEW OF SBI CASES
No question of guilt found in cases cited in Swecker Report

North Carolina District Attorneys have completed their review of SBI cases called into question by an independent review commissioned by the Attorney General. **Of the cases reviewed, the District Attorneys have found no cases where the guilt of the defendant was called into question.**

The Swecker Report reviewed 15,419 cases at the SBI that were processed by the Forensic Biology Section between 1987 and January, 2003. Of the total cases reviewed, the report identified 229 cases where the reporting of the results was called into question. Of those identified, 65 cases had no suspect, no one was ever charged, the case was dismissed, or the defendant was found not guilty. The remaining 164 cases, where defendants pled guilty or were found guilty by jury, were identified for review by each elected District Attorney.

One hundred forty seven (147) cases were reviewed and found to have **additional overwhelming evidence of guilt including confessions, eyewitnesses, ballistics, DNA or a combination thereof.** There were 17 cases in which a file could not be located.

“Prosecution decisions are not made in a vacuum,” said Conference President Seth Edwards. “The Swecker Report was simply a snapshot of lab work and did not examine the full evidence of these cases. Criminal cases are decided on a compilation of facts, evidence and other relevant information from multiple law enforcement agencies and other sources. Forty-three District Attorneys across North Carolina worked diligently to reconstruct these cases and review the evidence. All reviewed cases were found to have compelling evidence of guilt separate and apart from the lab work identified by the Swecker report.”

The defense counsel in each case was notified, when possible, of the results upon completion of the review.

In August of 2010, upon release of the Swecker report, the Conference of District Attorneys requested the SBI conduct a more in-depth review of lab operations. The ongoing review being conducted under the direction of Acting Laboratory Director Judge Joe John has identified an additional 75 cases that met the threshold for inclusion in the Swecker report. The District Attorneys will now review these cases in coming months and report any issues that arise to the public. At this time, the SBI has found no credible evidence of undue influence by prosecutors.

For information on a specific case or district, please contact the District Attorney’s office in your area.

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