



United States Army Criminal Investigation Command

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PUTTING TOGETHER THE PIECES – WHEN A COLD CASE GETS HOT Army crime lab at work

QUANTICO, Va. (February 1, 2018) - In August 2008, Norfolk, Virginia, police investigated the scene of a home invasion and rape. A Navy chief petty officer, reported that she awoke to an unknown male assaulting her. Before leaving, he threatened to harm her and her teenaged daughter if she reported him. Nearly a month later, the woman and her daughter entered their residence to find the assailant inside. He bound the daughter with duct tape and sexually assaulted her. Although sexual assault evidence collection kits (SAECKs) were obtained from both women, and fingerprints were collected from the crime scene in both instances, there were no leads as to the identity of the attacker and the case soon went cold.



Amin J Garcia.
(Photo by: Norfolk Police)

In April 2010, at Camp Arifjan, Kuwait, a female Army captain was taking a shower when she turned to find an unknown man behind her. He was wearing a tan T-shirt wrapped around his head in order to cover his face. The man attempted to drag her into an empty stall at the far end of the trailer but she fought back. During the ensuing struggle, she sustained numerous cuts from a box cutter and blows to the head, but she was able to deter her attacker. The assailant fled the scene and Special Agents from the U.S. Army Criminal Investigation Command (CID) were immediately alerted. Agents observed a blood trail leading to the male latrine. Blood stained tissue paper and stains in the sink indicated that the attacker had attempted to clean up. Agents also found a tan shirt with blood stains in a nearby dumpster. Evidence collected from the male and female latrines, blood trail, and dumpster was submitted to the U.S. Army Criminal Investigation Laboratory (USACIL) in Atlanta, Georgia, for analysis.

Lab examiners processed more than 60 items submitted for DNA, trace evidence and latent print analysis. DNA typing results on the blood evidence found both inside and outside the male latrine determined that it originated from an unknown male. The tan shirt from the dumpster was stained with blood from the same unknown male, and also with blood from the victim, linking it to the crime.

When the DNA profile of the unknown male was submitted to the Combined DNA Index System (CODIS) it was searched against the national database. CODIS is the generic term used to describe the FBI's program of support for criminal justice DNA databases as well as the software used to run these databases.

In September 2010, Army CID agents at Camp Arifjan were notified of a database match. The unknown DNA profile had matched another crime scene sample - a DNA profile obtained from semen on a vaginal swab from the 2008 Norfolk case. The case to case match did not provide the name of a suspect, but did provide a valuable lead. CID began a joint investigation with Special Agents from the Naval Criminal Investigative Service (NCIS) to try and determine persons of interest who were stationed at both Norfolk and Camp Arifjan during the specified dates, and to examine all evidence from the 2008 crime scene that had not been examined by the Norfolk Police Department.

Service members serving at both installations during the specified time frames numbered in the tens of thousands, and agents looked for ways to narrow the focus of their search. The USACIL coordinated outsourcing of blood evidence recovered from the crime scene for ABO blood-typing. This information was used to limit the number of service members to approximately 1,800 males who were blood-type A. Blood

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samples of service members stored in the Armed Forces DNA Identification Laboratory Registry are collected for the sole purpose of identifying the remains of service members, and legally cannot be searched for criminal investigations except in the rarest of circumstances. Because of this, there was no easy way for the DNA profiles from persons of interest to be searched. CID and NCIS agents were presented with the difficult challenge of collecting DNA reference samples from those 1,800 persons of interest, most of whom had relocated to other duty stations all around the world, and submitting them to USACIL for analysis.

By December 2013, with no new leads, the case went cold again. More than 200 DNA references had been processed at the USACIL with no matches to report when there was a long awaited break in the case. Latent prints collected by Norfolk PD were forwarded to the FBI to search against military service records. The FBI notified NCIS of a potential "hit" on a Navy reservist named Amin J. Garcia. NCIS agents considered Garcia a person of interest, but wanted to confirm that he matched the unknown DNA profile before an arrest was made.

Garcia was serving at the Navy Operational Support Center in the Bronx, New York, when NCIS contacted the USACIL's DNA casework branch for advice on what types of covert DNA samples to collect. NCIS Agents shadowed the suspect while eating lunch in the cafeteria, and submitted a fork, drinking glass, and swabs from a partially eaten banana for DNA comparison. In December 2013, USACIL reported that the DNA from the fork matched the DNA profile from the blood collected from the crime scene at Camp Arifjan. Early in 2014, PO2 Amin J. Garcia was arrested. His DNA profile was entered into CODIS and matched him to both the Camp Arifjan sample and the Norfolk SAECK sample, linking him to the rape in 2008 and the aggravated assault in 2010.

Army CID Special Agent Charles Rector was the special agent-in-charge of the Kuwait CID Office at Camp Arifjan, Kuwait, when the second attack took place. Now retired from the military, Rector is a regional special agent-in-charge for the Investigation Division, Office of Security and Integrity, U.S. Citizenship and Immigration Service. Even though it's been more than seven years, he definitely remembers the case.

"It was about a week or so prior to redeploying in 2010, and even though we had worked several sexual assaults during the year-long rotation - this one was an exceptionally brutal attack in a populated area of Zone 6 ... very unusual for an incident to happen in the early evening hours in a busy area," said Rector.

"Initially I supervised the processing of the crime scene, a large female shower trailer, and the surrounding area. Additionally, we launched many efforts to locate the suspect. Many MP patrols and the local MPI section were used and nearly the entire night was spent working the primary scene and a secondary scene where it appeared the subject had cleaned himself."

Rector said he and his team faced many challenges during the investigation.

"Zone 6 was largely a transient area of the installation and additionally there had been a concert approximately 150 yards away from the incident location which had concluded about an hour earlier," said Rector. "As result, many military and contractors from several of the other smaller camps within Kuwait had attended."

"At some point after my team redeployed and the initial lab work was completed, a "hit" on the DNA recovered from evidence recovered in Kuwait matched an "unknown" sexual assault in Norfolk from several years prior - involving a female Navy member and her daughter. I attempted to keep aware of the case from the U.S. from several different locations over the next couple years."

"I am thrilled and overwhelmed, especially for the victim," said Rector. He said this investigation is a "very good testament to the CID work performed and that the hours "devoted to this assault is a testament to the CID motto of "Doing What Has to be Done."

Dr. Evelyn Ridgley is a forensic biologist at the USACIL's DNA Branch and was the DNA examiner assigned to the case. She examined the evidence submitted from the crime scene for the presence of blood or possible touch DNA, which could be used to identify a person of interest. She said that she was always hopeful the case would be solved and was surprised that an older ABO blood type test was what broke open the case.

"It's an older test that has been replaced by modern DNA testing," said Ridgley. "In this case, it was a test that was used to eliminate potential suspects based upon the blood type listed in their service records. There was a

lot of blood at the scene, so we were able to obtain the unknown suspect's blood type as well as his DNA profile. We don't perform that test because it is so rarely used these days, but we outsourced the sample to a private lab."



Dr. Evelyn Ridgley, a forensic biologist at the USACIL's DNA Branch, examines evidence for traces of blood with a magnification light. (U.S. Army photo)

Ridgley said there were many challenges to the case.

"One challenge was that I was examining evidence from three different crime scenes," said Ridgley. "Two scenes were from Camp Arifjan - the shower where the female captain was attacked, and the male latrine where the suspect cleaned up; that evidence was received from Army CID. Later, NCIS sent me evidence from the Norfolk crime scene where the teen-aged daughter was assaulted, that hadn't been examined during the initial investigation. The agents were exhausting all possible leads trying to identify the assailant. Another challenge was examining more than 200 DNA references that were sent to the lab and checking them against the DNA evidence from the crime scenes. I ended up issuing more than 14 DNA reports for this case."

To overcome those challenges Ridgley said she maintained open communication with the case agents.

"They would give me a call and discuss any new evidence they were planning on submitting, and I would let them know what tests could be done and if it might yield any useful information to the investigation," she said. "They would also give me a heads up when they were going to submit a new batch of DNA references. We decided that it was more efficient to process them in batches of at least 20 or so, rather than submit them one at a time."

Ridgley added that for agents in the field, "when in doubt, call the lab and we will be happy to answer any questions about how to collect a sample."

In August 2014, Garcia was convicted in Norfolk Circuit Court of rape and abduction for the 2008 crimes. He was later sentenced to life. He pleaded guilty, and was sentenced in February 2016 to 20 years for the attack at Camp Arifjan. After a lengthy investigation involving multiple agencies, two different forensic labs, and multiple forensic exams, justice was finally served.

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