

**Agency Information: DeKalb County District Attorney's Office**

**Priority Area 1A Application. See pp. 2-3, 10**

**Statement of the Problem/Description of the Issue**

As of today in DeKalb County, Georgia, the unidentified remains of 27 people are catalogued (**Appendix 1**) and either stored in the DeKalb County Medical Examiner's Office or buried near the facility; that number is growing. The remains represent 27 families that have lost their loved ones and may be continuing to search for them, as well as 27 people that may have been killed by a perpetrator or perpetrators who have, literally, gotten away with murder. The majority of these cases are over ten years old, making solving them without DNA evidence incredibly difficult.

Typically, when a body is found, the identity of the deceased is identified fairly quickly. Investigators then use that identity to create a victimology profile consisting of the lifestyle, habits and circumstances surrounding the deceased at the time of his or her death. In many cases, this leads to the discovery of how the person died, and in cases of homicide, the relationship between the victim and the killer. When the identity of the deceased remains unknown, the victimology remains unknown as well. This results in making an already difficult investigation even more challenging. Oftentimes, these cases remain unsolved for long periods of time, eventually becoming cold cases.

Cold cases are notoriously difficult to solve, with the complexity level inflating as the case ages. Memories fade, witnesses move or die, and the investigation inevitably stalls and becomes stagnant. This is compounded by the lack of resources and rising number of homicide cases, particularly in a populous and crime-heavy county like DeKalb.

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DeKalb County, Georgia, as of 2019, had an estimated population of 759,297, with over 14% living below the poverty level<sup>1</sup>. DeKalb is the third most populous county in the State, behind Fulton and Gwinnett. The County is considered part of Metropolitan Atlanta and constitutes 7.5% of Georgia's total population.

The homicide rate in DeKalb County has alarmingly grown since the pandemic's onset. In 2020, the County broke its own record, with 128 homicides. In 2021, that record was again broken with 135 homicides for the year. In 2022, we are unfortunately on track to again surpass our record. The rising crime rate, coupled with a huge dip in the number of officers in DeKalb's police force, results in having limited resources available to investigate cold cases. This is especially true in cold cases in which the identity of the victim remains unknown. Violent acts such as murder fracture the sense of well-being and security in our communities. When these killings go unsolved, and when a victim goes unnamed, the already tenuous relationship between the community and law enforcement is strained. Conversely, when a cold case is solved, or unknown remains are identified, it demonstrates that law enforcement is invested in the community and has not stopped working.

DeKalb is applying for funding under Priority Area 1A. The project will promote racial equity and the removal of barriers to access and opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality. The current proposal addresses inequities and barriers to equal opportunity, and/or contributes to greater access to services for underserved because the bulk of cold cases seen in the District Attorney's Office and Medical Examiner's Office involve populations which are historically underserved, marginalized, and hugely impacted by inequality. This fact is glaring when looking at the demographics of the currently catalogued 27 cases. Of the 27 cases, 22 are of Black or Hispanic

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individuals, and 2 are of not yet determined ethnicity. In every single case, it is assumed, because it has been proven over and over in actual solved cold cases, that the victims were from economically depressed backgrounds and/or lost touch with families due to mental illness, death, homelessness, incarceration, or other debilitating factors. According to a decade-long National Institute of Health study analyzing neighborhood and individual variations in unsolved homicides in Indianapolis, a large urban city akin to Atlanta, the majority of victims in the uncleared cases were African American and from “disordered communities.”<sup>ii</sup> The Black and Missing Foundation, a national non-profit states that, “thousands of people are reported missing every year in the U.S. and while not every case will get widespread media attention, the coverage of white and minority victims is far from proportionate.” According to The Foundation’s statistics, “40% of missing persons are persons of color, yet African-Americans make up only 13% of the population.” The Foundation goes on to explain the lack of media attention being from a) minority children being more likely to be classified as runaways, thus not receiving an amber alert; b) missing minority adults are more likely to be hypothesized as being criminally involved, grants, and/or drugs; and “Desensitization because it is believed that missing minorities live in impoverished conditions and crime {as} a regular part of their lives.”<sup>iii</sup>

At this time, due to the rising violent crime rate and nonexistent available resources for complex forensic analyses, it is critical that we receive the funding needed to investigate and identify the unknown remains we currently have in DeKalb County.

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**Project Design/Implementation**

DeKalb is applying under Category 2, as a county. The goals of the project will be to establish and expand systems in identifying missing persons and humans remains in DeKalb County, to bring some answers, albeit not the hoped-for answer, to families with a long-lost missing loved one, and, when applicable, to gain key information in bringing a perpetrator to justice. The objectives to reaching the goals will be to create, expand, and/or enhance systems around processing, reporting, identification, and remains' transportation. Performance metrics strategies will be directly tied to BJA's reporting requirements for this project.

To summarize the challenges addressed in the problem statement, DeKalb County currently has unidentified remains of 27 people, either in the DeKalb County Medical Examiner's office or buried. The initial cataloging step required by this grant program has already been completed, as is charted in Appendix 1, already mentioned. Of the 27, 16 are buried and will be exhumed, with strict adherence to NEPA guidelines as required by this program. We feel that identifying all 27 is possible, but only by utilizing the most advanced investigative and scientific tools at our disposal, which is out of the scope of our highly capable public labs, the Georgia Bureau of Investigation and our regional FBI lab. The strongest, most reliable tool in identifying unknown remains and solving cold cases is through DNA. Deoxyribonucleic acid, or more commonly known as DNA, contains the genetic makeup of all living things. DNA is so unique that each person has their own genetic code that tells everything about a human, from their eye color to their skin tone and height. DNA profiles were first used to solve crimes in the 1980's. Since that time, many advances have been made, and DNA has become widely used in the criminal justice system around the world. However, in cases involving the unknown remains

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of a human being, unless the DNA profile of the deceased had been previously entered into a database such as CODIS (Combined DNA Index System) it was not useful as a stand-alone investigative tool. Recent scientific advancements are now changing that, making it possible to identify unknown remains through Forensic Genetic Genealogy.

Forensic laboratories are now using large-scale single nucleotide polymorphism (SNP) panels for human identification in routine casework. Using the SNPs, scientists can identify sections of DNA that are shared between samples. The SNP profile that is created from the unknown remains sample can be entered into a public DNA database. If a match occurs, investigators can use the profiles to piece together a family tree in the hopes of identifying individuals from their distant genetic relatives. If they are successful, an identity can be confirmed, victimology can be created, and a cold case can be solved.

The financial costs involved in obtaining an SNP, Forensic Genetic Genealogical (FGG), and other profiles from unknown remains, and then following up with a genealogical investigation, can be exorbitantly high. For example, just as a reference, a price structure is attached to this grant (**Appendix 2**). Each case can accrue thousands in testing costs, in hopes of identification. These high costs make identifying the unknown remains that are currently located in our Medical Examiner's office impossible without assistance.

The DeKalb District Attorney's Office (DCDA), as the lead agency on this project, and its partners are dedicated to identifying these remains and discovering the cause and manner of death, along with holding any perpetrators responsible. To this end, a Multidisciplinary Cold Case Multidisciplinary Team was created this year. Participants include DCDA's prosecutors and investigators, investigators and analysts from the DeKalb County Medical Examiner's

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Office, Detectives from the DeKalb County Police Department, Analysts from the Georgia Bureau of Investigation (GBI), Federal Agents from the FBI and the ATF, and a genetics expert.

The Cold Case Multidisciplinary team is led by the DCDA's Deputy Chief Shannon Hodder and Director Lance Cross. It meets monthly, or more frequently, if needed, to round tables cold cases and cases involving unidentified remains, identify viable cases, and propose investigative strategies. In addition to the partners listed, our team has coordinated with representatives from NamUS and the National Center for Missing and Exploited Children (NCMEC). In fact, the team was very recently successful in identifying the unknown remains of a child who had gone unnamed for 23 years and discovering the identity of his killer. The suspect has now been indicted and awaits trial in the DeKalb County Jail. (**Appendix 3**). If funding from this grant is secured, the Multiagency Team will already be postured to fulfill its mission of identifying unknown remains, determined how they died, and when applicable, bringing their killers to justice.

As stated above, 27 unknown humans have either been kept in the Medical Examiner's office or have been buried. While more recent cases have more comprehensive records, the list contains cases dating back to 1987. Some of the older cases are quite limited in that there may be very minimal records, or only paper files and photos. More recent cases are stored in an MDI Log electronic platform.

The immediate steps in the project will be DeKalb County's acceptance of the funding and the DA's Office's establishment of performance metrics to be maintained by the entire team, in compliance with the grant program's requirements. The Medical Examiner will create a comprehensive website, to sensitively begin displaying to the public a listing of all cases on which we are seeking information. DNA drives will be held, at least one annually, with the first

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at project's launch, to begin collecting samples. Funds are being requested through this proposal to conduct large-scale advertising, to allow for local and national reach of our hopes for identification. We will be relying on the newly forged partnership, just mentioned, with the National Center for Missing and Exploited Children to also assist with spreading our message. The M.E., along with the GBI's assistance, will be able to add facial reconstruction images on many of the posted cases. Next: exhumations will begin. The M.E.'s Office has an existing relationship with Turner and Sons Funeral Home, who will be providing services on this project. The M.E. will confirm that all NEPA standards are met, pursuant to the checklist required by this grant. Additionally, Forensic Anthropologist [REDACTED], with also a degree in archaeological resource management, will advise on protecting the environment. Once the 16 exhumations occur, [REDACTED] will proceed with skeletal surveys. If any have not been tested by a public lab and are in conditions to be sent for initial, or Short Tandem Repeat (STR) testing, they will be sent. The FBI lab here will perform the function. Pursuant to DOJ Policy on UID cases, the Task Force Agent will open a Police Cooperation Case, collect the sample from whomever in DeKalb County has custody of it, and then deliver it to the FBI lab with the request of creating an STR profile and entering data into CODIS. The M.E.'s Office will input all appropriate data into ViCAP and NamUS.

The current process, at this juncture in the project, is that the D.A.'s Office will gather case files from the DeKalb County Police Department (DKPD) concerning the remains and bring them to the Task Force to discuss any other possible next steps. Unfortunately, up until now, the next steps were quite limited, due to funding. But looking at the scenario of this project and a funding award, genetically viable cases could then proceed to next steps at a private lab. It's imperative to note that there will not be a perfect flow of testing. A private genetic genealogical

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expert, along with the GBI or FBI in some cases, will advise at this point. Further testing will be quite costly, and only potential cases will go to for each test. Once a viable case has been identified, it will then head to a lab, possibly for an SNP and/or mitochondrial profile, as earlier described. After an SNP profile is obtained, it, and any further testing, can be uploaded to a private genealogical database.

At this point, appropriate cases will be selected for Forensic Genetic Genealogy (FGG) testing, with additional available testing available, if needed from there. A forensic geneticist, from a company such as Innovative Forensic Investigations, will be contracted to decipher genetic data to, hopefully, perform familial matches. If a match within a genealogical database occurs an investigation can begin to trace the lineage of the unknown remains, and hopefully identify them based on contact with living relatives. After identification is made, family members will be notified by our office and, depending on the cause and manner of death, a criminal investigation might commence. The remains will be delivered to the family, coordinated by the previously mentioned funeral home, and accompanied by either an M.E.'s or D.A.'s investigator and a Victim Advocate from the D.A.'s Office.

Because our office routinely coordinates with the Department of Forensic Sciences Division of the GBI, Namus, and the FBI, all involved parties on this project are versed in entering data into CODIS, NamUS, ViCAP, GCIC, and NICIC. We will comply with all protective measures regarding using data only for familial tracing and have attached a certification of such to this application. We are fully aware that the involvement of private labs will prohibit some information going into some public databases. As previously mentioned, before any information is input within the realms of this project, the Task Force will meet to formalize very specific, BJA compliant protocol for who will assume responsibility for inputting



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what, and where. BJA will be consulted for technical assistance on any changes or additions we will need to make in our reporting protocols. The CODIS compliance certification is attached to this application.

A project of this scope cannot be described without detailing the human component. We step into this venture with full awareness of the need for compassion in how we present and collect information. We will be relying on the expertise of the D.A.'s Victim-Witness Assistance Program when we hold DNA drives and have contacts with potential families and loved ones. With many of our cases being decades old, it is very realistic that, even if families are located, they might not live in the metro Atlanta area. Funds have been requested in the budget for travel, so we may go out, with an Advocate in accompaniment, if families do need to be interviewed. And, ultimately, if a body or remains has a family now matched to it, an Advocate will accompany either an M.E. or D.A. Investigator in whatever scenario the funeral home arranges for remains' return. Even if a case does not ultimately become a criminal matter, Advocates are extremely well-versed in providing any necessary resources or referrals to resources for a grieving family.

**Capabilities and Competencies**

The DeKalb County District Attorney's Office will serve as both the lead capacity builder for the project as well as the key fiscal agent. The DCDA is a large prosecution office, handling over 5,500 cases annually, with a staff of over 250, including over 85 attorneys, several special units, investigators, victim advocates, a data analyst, administrative personnel, and support staff. The office is consistently viewed state-wide and nationally as a leader in multiple

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arenas of prosecution, investigation, victim advocacy, criminal justice reform, and progressive management. Staff are constantly out in the community speaking, training, serving and leading task forces, even teaching at Emory Law School.

Recognizing the DCDA's heavy focus on data and innovation, the Vera Institute of Justice chose the office as one of only three national sites to participate in the Institute's *Reshaping Prosecution* initiative, whereby all operations, procedures, and decision making strategies are reviewed, over a 2-year period, for Vera to assist in the formulation of concrete, data-informed policy and practice reforms to increase public safety while simultaneously reducing the reach and impact of the criminal legal system, promoting racial equity, and increasing public confidence in office operations.

DeKalb District Attorney Sherry Boston is paving history as being in the one percent of African American female District Attorneys nationwide. Since assuming office in 2017, Ms. Boston and her office have consistently been recognized for innovative, effective, and data-driven prosecution. Through her work with the *Institute for Innovation in Prosecution* and the *Fair and Just Prosecution* initiative, DA Boston has also become an integral part of the national dialogue on implicit bias in the criminal justice system, criminal justice reform and novel prosecution strategies specific to juvenile justice, reentry, and accountability initiatives. Implicit bias training and conversation around the impacts of historically routed systems surrounding inequality are constants in the DeKalb D.A.'s Office, including, most recently a staff-wide Race Education Day.

Ms. Boston's Director of Major Crimes, Lance Cross, has extensive criminal prosecution experience, spanning over two decades, particularly surrounding homicide and cold cases. Before coming to DeKalb County, Mr. Cross was the head of the Cold Case Unit in Fulton

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County, Ga. In that role he oversaw the successful investigation and prosecution of numerous cold cases involving unknown remains. Mr. Cross has been in the DeKalb County District Attorney's for over six years, serving as the head of the Homicide and Gang Unit, and has been responsible for supervising the prosecution of the majority of homicide cases in DeKalb County.

Deputy Chief Assistant District Attorney Shannon Hodder has been in the DeKalb County District Attorney's Office for over a decade. Deputy Chief Hodder has served as a prosecutor in the Homicide and Gangs Unit and has successfully prosecuted numerous homicide cases. Notably, Deputy Chief Hodder has prosecuted several complex cases that were dependent on DNA analysis, including a cold case involving a serial killer/rapist that spanned multiple jurisdictions.

As previously mentioned above, Mr. Cross and Ms. Hodder very recently worked with partners to identify unidentified remains of an 8-year-old child, from a 23-year-old case. Regarding capability and competency, this now indicted case clearly demonstrates that our office and all key partners are set. We have the knowledge, systems, and intact collaborations to attempt to identify cold case victims; we simply do not have the funding.

As the financial point of contact for this program, Roz Harris, the DCDA's Grants Director, with over 29 years of experience in successfully managing millions of dollars in grants and connected project, will prepare all programmatic and financial reports. Ms. Harris will serve as the point of contact with the Bureau of Justice Assistance and all applicable DeKalb County financial officers. Ms. Harris has extensive experience in managing federal grants and regularly utilized GMS, Grants.gov, PMT, ASAP, and JustGrants. She will assume responsibility for establishing all internal data collection systems, ensuring that our office and all involved partners

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will be collecting necessary statistics to comply with JustGrants metrics, which will ultimately demonstrate success of the project.

The DCDA's has a tremendous resource in relation to this project, in that it has a 26-person Victim-Witness Assistance Program, under the leadership of Chastity Rogers. While not all of the 27 cold cases are homicides, nor will they become homicides with new information, we will still rely on Victim Advocates for the quite painful angle of this project. As previously mentioned, the Advocates will be present at the DNA drives, to provide grief counseling and any other necessary referrals. An Advocate will accompany the M.E. or D.A.'s Investigator, if remains are returned to the family. Funding is included in this application if repatriation needs to occur to family who is out of state, or even out of the United States. And, of course, the Advocates will be fully equipped to seamlessly provide a plethora of support services to the loved ones if the cold case now becomes a new homicide case.

DeKalb County annually receives and administers approximately \$90 million in state and federal grant funds. The County maintains an Oracle based accounting system, with grant funds segregated by each individual project, and maintained completely independently from operating funds. Annual audits are conducted by an outside firm and are made available to all funding agencies. DeKalb is not delinquent on any federal grant matters.

The key partner and subject matter expert on this project will be the DeKalb Medical Examiner's Office. Under the leadership of Dr. Gerald Gowitt, the M.E.'s Office is known as a state-wide, and national, forensic leader. And, sadly, as outlined earlier, DeKalb has no shortage of homicides. The Office is well practiced. The M.E.'s Office will assume responsibility for inputting all data in its capacity to input, which will include ViCAP and NAMUS.

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[REDACTED] will conduct all necessary anthropological forensics on the project. [REDACTED] will be instrumental at the onset of the project, performing skeletal surveys on the exhumed remains. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Georgia Bureau of Investigations brings demonstrated awareness and competencies of the state of current DNA technologies, and other forensic technologies and their application to solving missing and unidentified human remains. Its forensic lab representatives will continue serving as vital Task Force members, and they will continue testing any trace evidence, running any unrun STR DNA tests, and inputting any data in their purview into CODIS.

It is relevant to note that the DeKalb D.A.'s Office receives Sexual Assault Kit Initiative (SAKI) funding via federal fund passed through the State. In its 3-year existence, the D.A.'s SAKI team has solved many cold sexual assault cases, with our investigator now being requested to consult with other jurisdictions on their SAKI cases. The dynamics are different in that SAKI is all known criminal cases, but our success on this project demonstrates our ability to meld new science to provide answers on aged information, and to work with many varied agencies to solving complex situations.

Specific to the current proposal, the fact that a multiagency team already exists and is meeting regularly demonstrates a primary capability and capacity. The required skill sets, and relationships are currently in place. The only missing piece is the funding; thus, the need for this grant.

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**Plan for Collecting Data Required for this Solicitation's Performance Measures**

As evident with the Office having a data analyst on staff, DeKalb D.A.'s Office is highly experienced in data collection and is equipped with the necessary flexibility to match strategies around analysis results, always measuring progress and success and changing course, as necessary. This philosophy is evident in, as described above, its selection as one of very few national VERA Institute Research sites. Toward the overarching goals of identifying unknown remains, notifying families, and solving any related crimes, we will utilize the already released JustGrants questionnaire as the guidance to the performance metrics to be collected. As previously mentioned, the DA's Grants Director will assume responsibility for all reporting and implementing a Task Force accessible metrics storage system. Immediately at the launch of the project, a system will be circulated to all relevant partners, so they may begin with clear-cut directives on what information to maintain and quarterly submitted to Roz Harris for required reporting. Additionally, if necessary, metrics will be maintained to analyze operational changes and their effectiveness, with any subsequently needed written policies and procedures then created.

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<sup>i</sup> United States Census

<sup>ii</sup> National Institute of Health; National Library of Medicine; National Center for Biotechnology Information; Injury Epidemiology. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7706017/>

<sup>iii</sup> Black and Missing Foundation. <https://www.blackandmissinginc.com/statistics/>