

# EXTENDING THE ARM OF THE LAW

## How Expanded DNA Databasing Could Help Catch Criminals Quicker

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**S**ound asleep and warm in her bed, Viola Greene was startled awake at 2 o'clock on a dark, spring morning when a 19-year-old boy kicked in her back door.

Viola was an 83-year-old retired school teacher. The boy, who was nearly 6 feet tall and roughly 160 pounds, overpowered the elderly woman's fragile frame. He began assaulting her. Then he raped her. He made her do unspeakable things in an attempt to erase the evidence of his attack on her. He stole her jewelry, her money, and left her alone in her home, badly beaten and bound around the neck and wrists.

She was Robert Smallwood Jr.'s first victim. She would not be the last.

It was 1993 when Viola was raped. Although Smallwood reportedly was familiar with Viola because he had done some yard work for her, Viola didn't recognize him. Despite the efforts of Lexington Division of Police investigators, the case went cold. Viola's rapist remained free on the streets.

As a young man, Smallwood quickly became familiar with the Fayette County criminal justice system. The year following Viola's rape, he was arrested several times for alcohol intoxication and disorderly conduct. A few years later he was a suspect in a larceny, and a month later his wife filed an emergency protection order against him.

There were five arrests in all between the time Smallwood came of age and the time he allegedly raped his next victim in 1998. There were signs that Smallwood had violent tendencies and a disregard for the law, but still, no one knew he was responsible for the violent attack on Viola, or that his criminal behavior was only going to get more violent, and eventually, deadly.

### CATCH THEM QUICKER

In 2009, the Kentucky legislature passed a law requiring all convicted felons to submit their DNA to the Kentucky State Police forensic laboratory to be processed and included in a database of offenders. Others who have to be included in this database are registered sex offenders and some juvenile felons.

The commonwealth was one of the last states to create similar legislation. So far, the database has shown impressive results. Prior to the law, the number of matches between cases and offender DNA the central lab saw annually ranged from 54 to 76. In the first full year after the legislation was in effect, that number rose to 139. As lab professionals began processing some of the case backlog in 2011, that number had jumped to 218, as of mid-September.