

The Role of DNA Evidence in Finding and Convicting My Assailant

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Editor's Note: *The text of this article was presented orally by Mrs. Smith to the participants at the 10th International Symposium on Human Identification, on September 30, 1999. Because of the tremendous response that we received from participants, we have asked Mrs. Smith to let us print her story here. Below is her narrative.*

INTRODUCTION

03-03-89; 9342-00 through 9342-05. Numbers of Identification: 8905010; C89-1968. Human Identification: 180907; 89-85-00-0234. Written and spoken without a particular face impressed on the mind. 228-00-0009; 214515HA4; VA654195. Cold, impersonal...necessary numbers of human identification revealing personal information about this faceless individual. Never before had there been so many ways to identify me, and yet I had never felt so lost. I resented being referred to as a number. The numbers made it seem as if I didn't exist as a person, mechanical and unreal. Little did I know that it would be numbers—matching numbers—that would breathe air into my lungs and allow me to truly live life again. There is no way for me to describe how what you do in your laboratories and offices can mean the difference between life and death without taking you back to March 3, 1989.

MARCH 3, 1989

It is around one o'clock on a Friday afternoon. Outside, it is cold and gray with a light mist falling. I am in my home in a nice neighborhood in the city of Williamsburg, Virginia, which happens to be one of the safest towns in this country. My husband, a police lieutenant, is upstairs asleep after having been up for over 24 hours. How could I have possibly been any safer? I had no way of knowing that within a matter of moments my life, and the lives of those around me, would be changed forever.

A typical day in the life of any wife and mother, I was cleaning house, doing laundry and preparing dessert for dinner with friends. In the midst of all of this, I noticed that my clothes dryer did not seem to be working properly, so I went outside to check the exhaust vent. When I returned, I decided to leave the back door unlocked, a door that is always locked. But I knew that I was going to return right away with the trash. After all, I thought, what could happen in just a few minutes; time for me to go in, gather the trash and come back out. But before I could return—within moments—a stranger entered that door and nearly destroyed, and definitely changed, my life forever. This masked stranger forcibly took me out of my home to a wooded area; then blindfolded, robbed and repeatedly raped me. This crime that took less than one hour has deprived me of my innocent outlook on life and my freedom. The sound of his voice rang through my ears as a deafening clamor, "Remember, I know where you live, and I will come back if you tell anyone." But I did tell someone. As soon as I was allowed to return home, I ran upstairs to my sleeping husband waking him with the words, "He got me, Rob, he got me." I begged him not to call the police. I pleaded with him not to tell anyone because I feared this man would keep his promise to return and kill me. But the police officer in my husband knew that we couldn't let this go unreported. He also convinced me of the importance of going to the hospital, but all I wanted to do was to take a shower. I wanted to try to wash it all away.

The hospital visit proved almost as violating as the actual crime. I was questioned, probed, scraped, swabbed and swabbed. Everyone was coming at me from all sides—three nurses and a doctor—each wanting something different but all a part of me. They made me remove my clothing, marking it for evidence. I went there feeling defeated because I had relinquished myself to this stranger who had entered my home. Now, these people wanted me to surrender



Debbie Smith addressing participants of the 10th International Symposium on Human Identification.

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the very clothing off of my back. I had now literally been stripped of everything that seemed normal and real. I was given a hospital gown to put on, something that many others had worn before me. Washed, dried and neatly folded, but it wasn't mine. All that was familiar was gone. Inside and outside, everything that identified me was gone. And I thought it would be gone forever. Fortunately, some hospitals in different parts of this country now allow some of their nurses to participate in a special training program for nurses, called SANE, which trains nurses to collect the rape evidence without the doctor being involved. This one-on-one with another female is a great benefit to a female victim just attacked by a male perpetrator. The state laboratory in Virginia provides this training for many nurses, and I have been able to meet with them and share my experience, thanking them for being willing to devote themselves to such a worthy cause.

We were finally allowed to go home where things would be familiar, and I could begin to process what had really happened. I thought that the worst was over. I had survived this terrible ordeal. I could put it behind me and go on. But the worst was yet to come. My favorite place, my home, seemed now nothing more than cold stone and wood. Everything seemed to have a strange look about it. Nothing seemed familiar at all. The one place I always felt comfortable and safe was now taunting me with memories. I would relive this nightmare day after day, remembering more and more details each day as the shock began to wear off. It was far from being over.

AFTERMATH

For the first time in my life, I couldn't find any reason to live. The love of my family and friends wasn't enough. They couldn't erase the memories or take away the pain. Even my faith in God seemed to be failing me. In fact, I couldn't understand how a God of love could allow this to happen.

There was no escaping the pain, no escaping the fear. Fear will not be satisfied until it has taken over your mind and body as a cancerous tumor. It will not stop until it has inhabited every part of you. It cripples like arthritis, making every movement unbearable, until finally it no longer seems worth the pain. You become paralyzed, feeling trapped and helpless. It was always there. It was there in my waking hours as well as in my dreams. On many occasions, my husband would be awakened in the middle of the night to the sound of blood-curdling screams from the nightmares. It was at this point that I began to realize that I could not and would not live this way. Death seemed to be the only alternative, the only answer that would end this horrible nightmare that had become my life. In death, there would be peace and quiet. I would no longer hear his voice in my ears, feel his arm around my neck or see his face before my eyes. My mind could rest. I could not risk surviving...my death would need to be fast and final. I decided a gun would be my answer. Over and over, I planned this suicide in my head. But there was one problem that had no solution...my husband and two children. Who would find me? Would they live in guilt feeling they had failed me? What would this do to them? I could not bear the thought that they would have to endure the same kind of pain that I was feeling. I thank God that my love for them was stronger than my need to rid myself of this constant torment. I finally grabbed onto this thread, and it became my reason to live. One of the most frequent comments I heard after being raped was "at least you're alive." But I can tell you still today that while I was alive physically, I had died inside. I cursed my attacker for leaving me alive to live with this pain.

This intruder never laid a physical hand on anyone else in my family, but when he left, he left each of us a victim. It touched emotions that we had never known. Suddenly there was rage in the eyes of my son. My daughter was afraid to go from the porch to the driveway after dark. And each of us, especially my husband, felt the awful pain of guilt. He felt as if he could protect the whole city but was unable to protect his own wife in our own home. My son was conscience-stricken because the attacker had used the baseball bat that he had neglected to put away. I felt responsible because I had left the back door open for those brief but life-changing moments. Our home, which had always been filled with love and laughter, had now become a house full of bitterness, anger, fear and guilt.

But my family and I were not the only victims that day. Every person that touched my life or my family's life was to feel the effect of this crime. They no longer felt safe in their sweet, little town of Williamsburg. They, too, felt invaded and vulnerable. I could see the pain in their eyes because I was a constant reminder that rape truly can happen to anyone anywhere. They would guard their words so they wouldn't say anything to upset me. They were angry for me and yet they felt helpless—for there was nothing they could do. I often found myself comforting them. Our minds and bodies ached for understanding, and yet there was none to be found. I waited daily to hear the news that they had found the man who had changed our lives so drastically. Those days turned into weeks, the weeks turned into months, and the months turned into years. I lived in constant fear of his return, hearing his words over and over in my head. "I know where you live and I'll come back, and I will kill you."

The Williamsburg Police Department followed every lead and every clue, only to come up empty-handed. Even my own mind began to doubt myself. Had it really happened? Was it just some terrible nightmare? Do they believe me or do they doubt my words as I doubted myself? But in my heart I knew that it wasn't some nightmare that was going to fade with time, but one that I would live forever. I began to realize that the quality of life I once enjoyed would never be restored.

I craved peace of mind and did everything I could to attain it. An alarm system was installed in our home, including panic buttons throughout the house, as well as one I could wear around my neck. A privacy fence was put around our backyard, and motion detectors were installed. At one point, I even took to carrying a gun. But I did away with that because when you go after your checkbook and you have to move a .38 out of the way, the clerks tend to get a little nervous. My biggest fear was because I had become so paranoid and so fearful for my life, I was afraid I'd hurt some innocent person if they got too close or if they came up from behind me.

There just didn't seem to be any way to attain the peace that my mind and my body craved for so long. I began to wonder how I was ever going to be able to really live again. I suffered daily with the memory of a man who was in my life for such a short span of time. He may never have to pay for his crime, but I was going to have to pay for it forever. I can tell you that it is only by the grace of

God that I am here today. For six and a half years, I simply existed trying to go on and live a normal life.

JULY 24, 1995

VA122015Y. 01-14-91. More numbers. 91-17682. 07-24-95. But these numbers bring with them a life-giving force and a renewed hope. 4183, 07-26-95. As George Li sat at his computer in the Virginia Division of Forensic Science on July 24, 1995, on what probably seemed to him to be just another day at the lab, he had no way of knowing what effect his work would have on my life and those around me. On this day Mr. Li entered a prisoner's blood sample into the computer, and it automatically began its cross-check against previously entered samples. To his joy and surprise he received a cold hit, something fairly rare at that time.

JULY 26, 1995

Two days later, this information was passed on to the Williamsburg Police Department, where the case was being investigated. They in turn passed the information on to the shift lieutenant working that day who just happened to be my husband. On that day, July 26, 1995, my husband walked into our living room, handed me a composite that he had carried with him ever since the incident, and told me I could throw it away because we weren't going to need it

anymore. Not only had they identified my rapist, but he was already in prison for another crime and had been there since six months after I was attacked.

CLOSURE

For the first time in six and a half years, I could feel myself breathe. I felt validated. There was a real name and a real face to go with the nightmare. Everyone would know that I was telling the truth, that it was real. Finally, I could quit looking over my shoulder. No longer did I have to drive around in circles, hoping a neighbor would drive by so I could get the courage to get out of my car to go into my own front door if no one else was home. Unfamiliar noises no longer left me panic-stricken. I no longer scanned faces in a crowd to see if he was following me. Suicide was no longer a consideration, and finally, my husband is grateful that I don't wake him up anymore in the middle of the night with the ear-piercing screams. Within myself, the healing had begun and peace had come at last. Because of your efforts, this man is off the streets for good. The jury gave Norman Jimmerson 2 life sentences plus 25 years with no chance of parole.

On behalf of myself and many other victims and their families, I want to extend my heartfelt thanks to those of you who work in this field. I count it both a privilege and an honor to be allowed this small part in the

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furtherance of this cause. Anytime a great tool such as this is available, yet not used, I think that our society commits a crime against its members. We must use the crime-solving capabilities of DNA typing to their fullest, and I pray that all of you continue with this in mind.