Testimony for the Health and Human Services Committee
April 5, 2023
LD 838– An Act to Identify the State's Unidentified Human Remains

Thank you for the opportunity to testify about LD 838, An Act to Identify the State's Unidentified Human Remains. My name is David Mittelman, I'm the CEO of Othram, the first private laboratory built to apply the power of modern parallel sequencing to forensic evidence. We help investigators break through previously impenetrable forensic DNA barriers and close previously unsolvable cases using a type of DNA testing referred to as Forensic Genetic Genealogy (FGG).

FGG combines traditional genealogy research with advanced forensic DNA analysis, so law enforcement can develop investigative leads to identify perpetrators of violent crime or unidentified victims of a violent crime when traditional DNA testing methods like CODIS fail to provide an investigative lead.

The legislation before the committee would require the use of FGG DNA testing on unidentified human remains when traditional investigative methods have failed. This legislation recognizes how FGG technology is uniquely

suited to clear the backlog of unidentified human remains cases.

Traditional DNA testing, often referred to as CODIS, compares the victims' DNA to a database of convicted felons, or in some cases arrestees.

As you might imagine, the vast majority of unidentified human remains cases involve victims, not convicted felons, so therefore rarely in these cases does law enforcement get a match or "hit" in CODIS.

Unlike legacy DNA testing methods, FGG technology builds DNA profiles with hundreds of thousands of DNA markers, allowing longer distance relationships to be identified in publicly available databases consented for law enforcement, thereby providing investigative leads when traditional DNA testing methods come up short.

It was such an investigative lead recently in Maine that led to the arrest of Jason Follet for a 1996 sexual assault in Hancock County. Mr. Follet has been linked to multiple sexual attacks in Maine in the 1990's. This was the first time Maine had used FGG technology in a sexual assault case.

I have seen the power of this technology firsthand clear out backlogs. For example, thanks to the generous donation of a philanthropist in Mississippi covering the cost of FGG DNA testing, the backlog of unidentified human remains cases in that state is nearly cleared out.

Whether in Mississippi or New England, when unidentified human remains cases are tested using FGG technology, the results are compelling. Recently Massachusetts solved “the lady of the dunes” case, an unidentified homicide victim dating back to 1974, and “Granby Jane Doe”, an unidentified homicide victim discovered in 1978.

According to the latest statistics from the Department of Justice, the US has at least 40,000 unidentified human remains cases and over 100,000 active missing persons cases. The National Institute of Justice (NIJ) refers to this backlog as the “nation’s silent mass disaster.”

The bill before the committee today directly addresses this silent mass disaster and sets a model for the nation to follow. A model where families, who have often waited decades, will get answers about loved ones, and oftentimes justice.

For the above reasons, I ask the committee to report the bill favorably.