

Crown, defence battle on DNA

Sex assault case to jury

By GRETCHEN DRUMMIE
Toronto Sun

DNA links and "compelling" circumstantial evidence point to Sheon [REDACTED] as the predator in a series of sex assaults in Toronto and York Region, a prosecutor said yesterday.

"The suggestion it's a mere coincidence that Sheon [REDACTED] DNA matches must be rejected," Crown attorney Marcy Henschell said in her closing address to the jury.



Accused

[REDACTED] match each other — and all match Simon's profile in 12 tests.

[REDACTED], 20, has pleaded not guilty to 34 charges arising from three rapes and one beating from October 1998 to January 1999.

Defence lawyer Joseph Neuberger, however, assailed the DNA evidence. He said the test results are flawed, and while the technology exists to do a 13th test — which he contends could have excluded [REDACTED] — it wasn't done.

"Without the DNA the Crown has no case," he said. "If you accept our argument with respect to the flaws and the frequency calculations, then there is no case."

Admitted stealing van

Neuberger said his client admits he stole a van, but "Mr. [REDACTED] is not a rapist."

But Henschell said in addition to the "uncontradicted" evidence from the DNA expert that [REDACTED]'s profile matches the perpetrator in all three rapes and the odds of it being someone else is less than one in six billion, circumstantial evidence backs her allegation that he is "guilty beyond a reasonable doubt."

Henschell said evidence shows [REDACTED] was familiar with the locations where the rapes took place, knew how to steal vans by using a screwdriver and carried a knife, as did the rapist.

The area and time frame of the attacks fit with his movements, and DNA from blood in a van matched his, she said.

"In addition to the fact that the likelihood of such a match is less than one in the population of the world, there would also have to be a chain of other remarkable coincidences (for the rapist to be someone else)."

Henschell noted five separate DNA samples from evidence left on the victims and vans that were used to kidnap them

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