

Convicted Killer, Suspect In Slayings Of 4 Other Hartford Women, Could Soon Walk Free

By Dave Altimari and David Owens

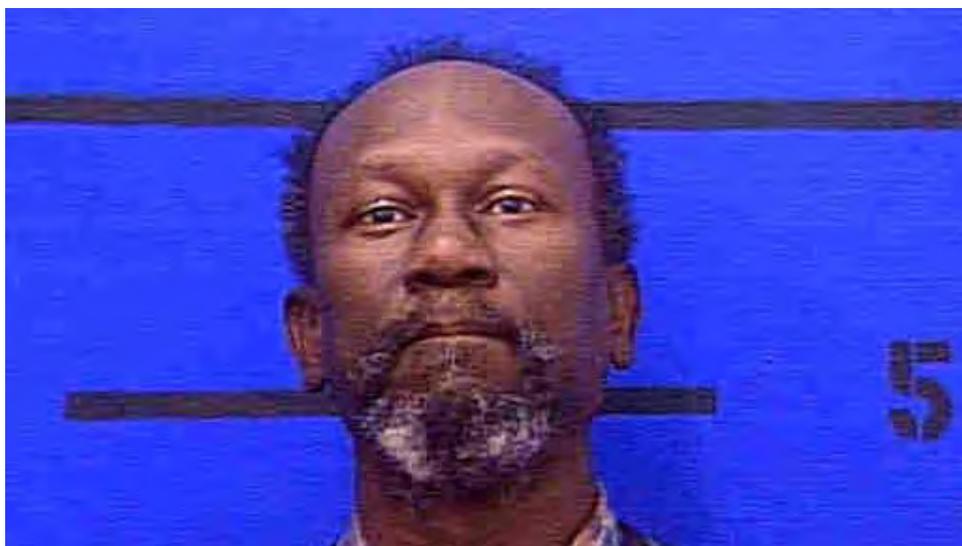
The conviction of Alfred Swinton, found guilty in the notorious 1991 slaying of a Hartford woman found with teeth marks on her breasts and for years the suspect in the slayings of four other city women, is in jeopardy after new DNA testing ruled him out as the source of the bites, court records reveal.

The records also show that a forensic odontologist who testified against Swinton in 2001 has recanted, admitting in a signed affidavit that the science behind his initial opinion was invalid and that “many thousands of other individuals could have produced those injuries.”

Dr. Constantine Karazulas testified at Swinton’s 2001 trial that he was “scientifically certain” that bite marks found on Carla Terry’s breasts matched Swinton’s teeth.

In a 59-page petition for a new trial, attorneys from the Innocence Project, an

“Forensic odontology is junk science, was junk science when Mr. Swinton was convicted, and will I suspect be junk science forever,” [defense attorney Norman A.] Pattis said. “The criminal justice system failed Mr. Swinton.”



Alfred Swinton was convicted in 2001 of the 1991 murder of Carla Terry.

organization that investigates old criminal cases, are seeking to have Swinton's murder conviction overturned. They cite new evidence not available at Swinton's trial as well as the renunciation of crucial forensic evidence by Karazulas.

Swinton, 68, was sentenced to 60 years in prison after he was convicted in 2001.

Police have long suspected him to be a serial killer based on statements he has made over the years and have tried to connect him, with no success, to four other murders in the Hartford area in the 1990s. Terry was strangled in January 1991.

Police identified Swinton as a suspect because he was seen with Terry at a bar before she disappeared. Swinton was arrested but a judge threw out the case, ruling there wasn't enough probable cause to prosecute him.

Seven years later, police arrested Swinton again based on two new pieces of evidence — a bra that was found in a box in the basement of the apartment building where Swinton lived at the time of the murder and the testimony of Karazulas, who said bite marks on Terry's breasts matched Swinton's teeth.

At the trial, Laverne Terry, Carla's sister, testified that she had given the bra to her sister to wear the night that she was murdered. Prosecutors told

jurors that Swinton kept it as a trophy of the murder.

But new DNA testing, known as touch DNA, conducted on the bra in 2015 by the Connecticut Forensic Science Laboratory revealed that neither Swinton's nor Carla Terry's DNA was on the bra. That revelation raises the possibility that the bra was not Terry's and that she wasn't wearing it the night she was murdered, the petition states.

The state laboratory also conducted new DNA testing on saliva that had been found in bite marks on both of Carla Terry's breasts. At the time of Swinton's trial the state laboratory said there was not sufficient DNA to perform testing.

But more recent testing, with new technology, allowed lab staff to extract DNA from the saliva in the bite mark on Terry's right breast. The testing concluded that it was not Swinton's DNA. Excluding Swinton from the bite mark likely excludes him as the killer, the petition says.

In addition, the laboratory also recently tested DNA that was found near Terry's vagina and determined that Swinton could not have been the source of that DNA either.

With the new DNA testing of the bite mark and bra possibly eliminating Swinton as a suspect, the other key area his new attorneys attacked was

the testimony of the forensic odontologist, Karazulas.

Karazulas is a dentist who worked at the time for the state police forensic science lab, where he spent more than 25 years.

At Swinton's trial, defense attorney Norman Pattis tried to have Karazulas' testimony excluded because he wasn't considered an expert and the field of forensic odontology, the application of dental knowledge to criminal and civil law, was too new. The trial judge allowed Karazulas' testimony and the state Supreme Court upheld that decision.

Karazulas testified with "a reasonable medical certainty without any reservation that these bite marks were created by Mr. Swinton." He also testified the bite marks were inflicted within 10 minutes of her death.

But in an 11-page signed affidavit submitted as part of Swinton's petition, Karazulas now recants his trial testimony.

"I no longer believe with reasonable medical certainty — or with any degree of certainty — that the marks on Ms. Terry were created by Mr. Swinton's teeth, because of the recent developments in the scientific understanding of bite-mark analysis," Karazulas wrote.

Karazulas continues that he "no longer believes that Mr. Swinton's dentition was

uniquely capable of producing the bite marks I observed in the photographs of Ms. Terry. Indeed many thousands of individuals could have produced those injuries.”

Pattis said Thursday that Karazulas’ recanting of his testimony backs his contention from the trial that Karazulas should have never been allowed to testify.

“Forensic odontology is junk science, was junk science when Mr. Swinton was convicted, and will I suspect be junk science forever,” Pattis said. “The criminal justice system failed Mr. Swinton.”

Karazulas, reached Thursday evening, agreed with Pattis’ conclusion about forensic odontology.

“My science is junk science today,” he said.

Karazulas said he came to that conclusion after attending a conference in 2009 and learning that only DNA could be relied on in criminal cases. “All that work I did, I feel terrible.”

Vanessa Porton, a lawyer the Innocence Project Inc. of New York, said she has met with the state’s attorney in Hartford and “we are looking forward to working with them as they reinvestigate the case.”

“Sometimes we find there’s a bad actor in a lab that falsified results,” she said, “but in this

case it is even bigger — we have an entire forensic field that had been proven unreliable.”

Swinton was a suspect in four other murders — Mary Shirley, Patricia Thompson, Tameika Mayo and Diedre Dancy. Almost all of them, including Terry, hung out at the same bars in Hartford’s North End that Swinton did. All of them were choked to death and were dumped in remote areas around Hartford between 1987 and 1991.

Documents obtained by The Courant back when two different task forces were looking at Swinton detailed his eerie connections to all of the women. Among those links: his admissions that he had sex with at least two of the victims; his failure to pass lie detector tests in two cases; and his uncanny knowledge of four of the five sites where the bodies were discarded.

The state hasn’t responded to Swinton’s petition, but sources said that investigators have been searching through the evidence from the case to determine if they could retry Swinton.

Vicki Melchiorre, supervisory assistant state’s attorney in the Hartford state’s attorney’s office, said Thursday that prosecutors are evaluating the Swinton case.

“We’ve met with the people who filed the motion,” Melchiorre said Thursday. “We’re working on it.”

In May 2001, before the judge levied the maximum sentence against him, Swinton said he was innocent.

“I’m not guilty of killing anybody in this world and that is the truth and I’m tired of being stereotyped by you people,” he said. “I have never killed anybody. I love everybody. The evidence the state presented was false. OK, all right. You may think you have gotten justice here but the state came up with all these stories, these lies, these untruths.” ■