

Chair's Message

I thank you for giving me the opportunity to be your Chair. I look forward to serving you and continuing the fine efforts of our past chairs.

As we work together this year, I encourage all of us to keep two thoughts in mind.

First, and foremost, I encourage each and every one of you to make it a personal goal to invite at least one new member to join the Division. Over the last several years I have watched new members really enjoy their participation. CHAL offers its members a unique opportunity to advance civic, scientific and legal objectives. I have enjoyed being able to both participate and benefit from these opportunities, and I look forward to helping the Division continue to expand its reaches to new aspects of the Society and offer these opportunities to other Division and Society members. Please make it your goal to invite just ONE new member to join our ranks.

Second, as we all know, CHAL enjoys the fruits of strong leadership and the active involvement of many of its founding members, while at the

same time seeming to recognize and appreciate the benefits which can be realized by continuing to reach out to newer members. These newer members are asked to assist not only in Division growth, but also to bring new ideas into the existing framework. These new ideas have value as demonstrated by the Division's success. I am a product of these efforts, and I look forward to working with the existing and new members to further CHAL's laudable activities. With this in mind, I ask each member to do something this year that you haven't done since being a member of CHAL. Perhaps it will be volunteering to speak at one of our upcoming meetings or writing an article for our newsletter. Alternatively, you may have a fund-raising idea or other idea that you have been thinking about, but have not shared with the division. Please do! Please contact any member of the Executive Committee with your thoughts. Finally, you may have never attended one of our social hours or business meetings. Please do! We look forward to seeing you there and for your participation. For those who are

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CHAL EVENTS AT SAN DIEGO

Social Hour

All welcome. To be hosted by
Campbell & Flores LLP
5:00 p.m.
Sunday, April 1, 2001
Napa Valley Grill
502 Horton Plaza

Executive Board Meeting

All welcome.
6:00 p.m. - 9:00 p.m.
Sunday, April 1, 2001
(after the social hour, same location.)

Notice of Open Meeting

Monday, April 2, 2001
Hyatt Regency
(after the morning session)

Presentation of Papers

Sunday to Thursday
April 1 to 5, 2001
Hyatt Regency
Schedule: Page 7
Abstracts: Page 8
Also see C&EN

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regular participants, I ask you to give some thought to something new, and just do it.

Finally, thanks to all who have assisted in putting together our San Diego program. As you can see elsewhere in this newsletter, our Program Chair, Mitch Katz, and his subcommittee chairs have done a wonderful job putting together an exciting program. Thanks Mitch for your hard work; we hope you all enjoy the various presentations.

Charles F. Hauff, Jr.

Program Chair's Report

Following the very successful programs we had at the Washington, D.C. meeting, we are presenting the following programs at the San Diego, meeting:

On Sunday morning, a symposium will cover start-up companies and tech transfer. This symposium is being organized and presided over by David Jaffer of Pillsbury, Madison & Sutro LLP. The symposium will cover patent strategy for start-ups, domain names and trademarks, ownership of IP rights, non-disclosure agreements and confidentiality agreements, IP licensing for start-ups, financing and structuring a start-up, and business plan development.

There will be an additional symposium on Sunday afternoon which is being organized and presided over by Michael Grossman. This symposium will be a 2-1/2 hour informal drop-in session where questions can be asked of lawyers who practice in various state, federal and foreign jurisdictions. These lawyers will be members of CHAL, available here without fee.

On Monday morning, a half-day symposium will cover forensic law. This symposium is being organized and presided over by Cathryn Campbell of Campbell & Flores LLP. Speakers will cover a wide spectrum of topics including presentation of DNA typing evidence to courts and juries, new DNA technology in the courtroom, non-human DNA testing for law enforcement purposes, DNA profiling technologies: past, present and future, the use of forensic DNA testing in the new millenium, and DNA testing from the laboratory viewpoint.

On Monday afternoon, Howard Peters of Peters, Verny, Jones & Biksa, LLP will present "Chester, Chester, Chester - A One Man Play" by George Shea summarizing the life of Chester Carlson, the inventor of the Xerox copying process.

We will have a social hour following the symposium on Sunday, April 1, 2001, starting at 5:00 p.m. at a location to be announced. We will have our executive board meeting from 6:00 to 8:00 p.m. on Sunday evening follow-

ing the social hour. Everyone is invited to both the social hour and executive board meeting. At noon on Monday, April 2, 2001, we will hold our division's open business meeting.

Please contact me or my co-chair, William R. Johnson, also at Needle & Rosenberg, P.C., if you have any interest in chairing a symposium at any future Chemistry and The Law Division program. The upcoming future national meetings are as follows:

222nd ACS National Meeting

Chicago, Illinois
August, 2001

223rd ACS National Meeting

Orlando, Florida
April, 2002

224th ACS National Meeting

Boston, Massachusetts
September, 2002

225th ACS National Meeting

New Orleans, Louisiana
March, 2003

226th ACS NATIONAL MEETING

New York, New York
September, 2003

Mitchell A. Katz.

NEW EDITOR

The previous issue of this newsletter was the last to be edited by Shirley Raddling, who now becomes editor emeritus. This is my first effort as the new editor. I hope I can do as well as Shirley did during her 15 years as editor, from the very start of the newsletter, when this ACS Division was founded. "A tough act to follow" is no cliché here.

As it has over the years of Shirley's guidance, form and nature of content will likely continue to evolve. Although I do not have major changes for the newsletter's central features, readers should notice some additions. As before, up-coming programs, CHAL business reports, and analysis articles

by members remain the central features. And, as Shirley warned me many times, I find that members' articles may be the most difficult to obtain, and on time. Additions that readers should notice may include a miscellany listing of a few Internet sites that have some relevance - humorous or serious - to the science/law interface, or at least to chemistry. Similarly, relevant news items may be quoted.

As some CHAL members may already know, from my previous contributions to this newsletter, and presentations at CHAL symposia, my own involvement in the science/law interface has been for Canadian labor law

and Canadian criminal law. The labor issues involve the chemistry (and physics and engineering) of workplace hazards; the criminal law issues are forensic, including, importantly, lab quality assurance. I hope that the biases that certainly go along with my practice of criminal law defense in Toronto are not thought of as interfering with my editing here. They should not interfere, at least, because I am trying to make the biases obvious.

Readers' comments are requested; and even more, their contributions. If you have suggestions and articles to submit, please contact me - see contact data page.

Michael Grossman.
Toronto, March 2001

Carver KidVention

The Division of Chemistry and The Law's most recent connection with the Carver KidVention was that the January 5, 2001 event was by CHAL members: Dr. Howard Peters, Sally Peters, Dr. Hugh Dubb, Shirley Radding Dr. Jack Riley, Bonnie Charpentier and Barry Elledge. Here is Dr. Peters' report (also submitted to The Silicon Valley Chemist (Santa Clara Valley local section newsletter) and C&EN):

Many ACS local sections have not yet created a formal Committee on Minority Affairs to further the work started in 1993 by ACS national. The Santa Clara Valley Section has had a Committee since 1997, with Dr. Howard Peters, a Palo Alto chemical patent attorney, as the first chair. Earlier work resulted in a resolution in 1997 from the ACS Board and Council

endorsing the creation of an official State Day of Recognition in all states to recognize the contributions of the renowned agricultural chemist, Dr. George Washington Carver. By cooperating and partnering with the local African American directed Healing Institute, the ACS Santa Clara Valley Section provided some documents that were helpful in making California the tenth state to create a State Day of Recognition to honor Dr. George Washington Carver. Halim Mustafa, the community entrepreneur, Founder and Director of the Healing Institute is a former policeman from East Palo Alto, California.

After much planning and many volunteer hours, the Healing Institute, in partnership with Intel Corporation, Applied BioSciences, Cypress Semiconductor, Microsoft, the Santa



CHAL members Hugh Dubb, Jack Riley and Carver Scholars in midst of Carver KidVention.

Clara Alliance of Black School Educators, the Santa Clara Valley Section of the ACS, and others created the Carver Scholars with about 150 African American grade-and high school students in the Silicon Valley. This program won for the Healing Institute a special award in 1999 from the US Congress for the best public or private program to encourage minority students in science and engineering.

On January 5, 2001, the Healing Institute and its partners cooperated to hold the second Carver Science Fair primarily for African American students at the Santa Clara Convention Center in the Silicon Valley. Some 120 students participated. About half of the science fair judges were local ACS volunteers. It is anticipated that many of these first time exhibitors will now exhibit their science project in the local mainstream science fairs.

Ten Santa Clara Valley local section (and CHAL) members also organized a Carver KidVention, a program to focus children (in this case 40 K-5th grade students) what inventions were all about, and that you did not need to be a rocket scientist to be an inventor.

The Carver Recognition Day and Carver Science Fair Award dinner in the evening included a special video-taped address by President Bill Clinton. The President praised the many contributions of Dr. Carver, often in the face of adversity, and congratulated the Healing Institute and its

continued on next page

Treasurer's Report

June 28 – December 12, 2000

Starting Balance	\$ 5,141.36
Income	
ACS Division Dues (January-June, 2000)	\$ 6,561.75
New Member Dues	65.00
Royalty, CRC Press Inc. (January-June, 2000)	65.97
ACS Allotment (balance payment)	1,316.76
ACS Reimbursement for Councilors' Expenses	1,575.00
Total	\$14,725.84
Expenses	
Fall Newsletter	3,903.72
Ballot Mailing	1,282.68
Awards	129.00
Councilors' Expenses	3,204.46
Bank Charges	14.20
Total	\$ 8,534.06
Ending Balance	\$ 6,191.78

partners in Santa Clara for their pioneering volunteer efforts to encourage minority students in science and engineering. Mr. Bill Jackson, the Superintendent of the George Washington Carver National Monument in Diamond Grove, Missouri gave the keynote address. This is the first national park to honor an African American (or a scientist or a teacher). Julian Richardson (1916-2000), the founder of Marcus Bookstore in San Francisco (and a former student of Dr. Carver) and his family received the Healing Institute's Global Humanitarian Award. Ms. Richardson (the widow and also a Tuskegee University graduate) had once been a cook for Dr. Carver. She



Dr. Attila Pavlath (2001 ACS President) addresses Carver Scholars, teacher mentors, coaches and parents at Carver Day Event.

kept the audience laughing as she recounted how peaceable Dr. Carver had once thrown a can of muffins at her because she had baked them too quickly and they were not to his liking.

Dr. Attila Pavlath, the 2001 president of the national American Chemical Society, attended and presented a luncheon talk to the Carver Scholars "Why Study Science and Engineering?" This was his first official presentation as ACS President. Dr. Pavlath knows something about opportunity in America. Dr. Pavlath and his wife Koti came to the U.S. in 1956 as political refugees after the Hungarian Revolution that year.

Dr. Pavlath and his wife attended the Carver Recognition Dinner and he spoke to over 1,000 attendees about the ACS ongoing diversity programs and specifically the ACS Minority Scholarships. The national and local ACS supported these Carver Science Fair, Carver KidVention and Recognition Day events with over \$10,000 in contributions, materials, volunteer time and sweat equity.

Howard Peters (newly re-elected ACS Councilor for the Division of Chemistry and The Law) and the local section's Chair of the Minority Affairs Committee received a special award from the Healing Institute for his commitment and ongoing support of the local programs in the Silicon Valley.

During 2000 the Healing Institute (with some assistance by the partners) was instrumental in having January 5th added to the Congressional calendar to honor Dr. Carver. This means

that each January 5th federal buildings across the country will display their flags at half mast to honor Dr. Carver.

Future cooperative projects for the partners include having each of the 50 states declare a Carver Recognition Day each January 5th, having many Carver recognition events each January 5th around the nation, expanding the Carver Scholars and Carver Science Fair Programs throughout California and the nation, and encouraging the U.S. Treasury to recognize the important contributions of African American chemist Dr. George Washington Carver by issuing a new U.S. coin or U.S. currency for general circulation honoring Dr. Carver. It will be a powerful statement for a minority to be able to go to the local store to buy the paper and bread and milk using newly minted Carver coins and currency.

12 BENEFITS OF ACS DIVISION MEMBERSHIP

Whether you join CHAL or several ACS Divisions, you will find your professional life enhanced – by new knowledge, new contacts, and new accomplishments. Division membership affords unique benefits – at modest cost. Among the benefits most valued by division members are:

1. Access to national meeting abstracts, preprints, and/or reprints of papers
 2. Enhanced opportunities to present papers at national and divisional meetings
 3. Substantial savings on publications
 4. Career advancement through professional development and networking opportunities
 5. Advance notice of upcoming events
 6. Membership directories
 7. Scientific and technical exchange with colleagues that sparks new directions in your work
 8. Timely information on the latest trends in areas of special interest
 9. Enthusiasm and renewed commitment to your professional goals
 10. Recognition of your discipline's vital contribution to chemistry's advancement
 11. Opportunity to suggest symposia topics and participate in technical programming
 12. Continuing education and professional development opportunities
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Minutes of the Executive Committee Meeting

Sunday, August 20, 2000 • Washington, D.C.

After a reception at the offices of Pillsbury Madison & Sutro in Washington, D.C., the Executive Session meeting was held at the same offices with a dinner hosted by Pillsbury.

The Executive Session began at 6:20 p.m. with the following in attendance: James Carver, Hugh Dubb, Alan Ehrlich, M. Grossman, Chuck Hauff, David Jaffer, Rob Jenkins, Michael D. Kaminski, Mitch Katz, Barbara Lences, Carl Meyer, Howard Peters, John F. Riley, Alice Robertson and Diane Robertson.

The meeting was opened with a moment of silence in honor of Jack Riley's wife, who died recently after a long illness. Chair Alan Ehrlich announced to those attending that a contribution by CHAL in her name was being made to the Multiple Sclerosis Society.

Webmaster's Report The Division's webmaster, Laurelee Duncan, presented the first report, as she had to leave early for another engagement. Ms. Duncan has a new job with National Starch, but notified the Executive Committee that she could continue to serve in her capacity as webmaster in her new job. Ms. Duncan said that she will begin to put the following on the web page: the CHAL newsletter, information on related meetings and topics, and the Carver KidVention. Ms. Duncan can be e-mailed through the CAL website (go to acs.org/divisions). If members have materials that they wish to have posted, these are best sent to her as email attachments.

Approval of Minutes After Ms. Duncan's report, the Executive Session returned to its normal order. The minutes of the Spring 2000 meeting were reviewed and approved.

Chair's Report Alan Ehrlich presented the Chair's report. Alan first

informed the Executive Committee that Dan Hodgins has resigned as Secretary. Alan thanked Dan and noted that he had spoken with Dan and expressed his hope that Dan could continue to participate in CHAL as his schedule permits. Alan announced that David Jaffer has agreed to serve as Acting Secretary for the remainder of this year. Ken Colton was appointed as the new Intellectual Property Subcommittee Chair, assuming David Jaffer's responsibilities.

Alan reported on fundraising for the Division. The newsletter will now carry ads to generate funds for the Division. Alan discussed the preparation of welcome letters to new members and letters to non-renewing members to encourage them to continue their memberships. Chuck Huff and Jack Riley agreed to coordinate the sending of these letters to new members and to non-renewing members. Alan discussed sponsorships by corporations and law firms. In the past, the Division has been supported by firms in this manner. Alan agreed to send a letter to corporations and law firms which have members participating in CHAL to request support for CHAL. The Division will assist these corporations and firms by preparing press releases to local papers regarding any contributions, and the corporations and firms will be recognized in the Division newsletter. A discussion followed concerning grants for reduced speaker fees. Mitch Katz will forward information to Barbara Lences regarding how to request grants to support speakers.

Alan then discussed annual reports [to ACS], which are due in March for the prior year. The reports are prepared by the Secretary and Treasurer, and signed by the past Chair. Annual reports must now be

electronically filed. Alan noted the importance of timely filing, which is required in order for the Division to receive funding from the ACS.

Secretary's Report As David Jaffer had just assumed responsibility to serve as Acting Secretary, there was no Secretary's report.

Treasurer's Report Barbara Lences presented a written Treasurer's Report, which is reproduced in the [Fall 2000] newsletter. Barbara raised the need to budget speaker fees and the cost of Power Point presentations for the 2001 year. The Executive Committee agreed to add these fees to the budget for next year, and there was a discussion of ways to address the high cost of Power Point projectors from the ACS.

Councilors' Report Howard Peters and Jack Riley presented the Councilors' report. There are few significant current issues. These include minor changes in the constitution and bylaws of the Society. The issue expected to be most controversial involves a petition to expand the size of standing committees.

DAC Liaison's Report Alice Robertson presented her report on the DAC meeting. Preprints were an issue at the DAC, but do not affect CHAL, as CHAL does not issue preprints. Alice reiterated the importance of timely and satisfactory annual reports. Alice suggested that in preparing annual reports the Division directory be mentioned. Putting the directory on the web page was then discussed, with perhaps access limited to passwords. Hugh Dubb agreed to investigate the privacy requirements for putting the directory on the web page.

Newsletter Editor's Report Michael Grossman is now co-editor of the newsletter. Michael reported that Shirley Radding took the lead on the most recent newsletter; Michael fol-

lowed along and learned. Michael expects to take an expanding role in the next newsletter. The desirability of making the newsletter available by email was discussed. Barbara Lances noted the importance of having both a printed newsletter, as well as an email version, at least the first time that email is used, to ensure that members receive the newsletter even if there are email glitches.

Program Chair's Report Mitch Katz summarized the excellent Washington, D.C. program. Eight separate total sessions including two tracks of programs were presented in Washington, D.C., including talks by the Commissioner of Patent and Trademark Office (Q. Todd Dickinson) and U.S. Federal Circuit Court of Appeals Judge Pauline Newman. Attendance at the sessions was excellent. The location of the sessions was much better, in large part because Mitch emphasized in the materials he submitted to the ACS the significant speakers who would be participating in the CHAL programs.

Mitch said that he needs to diminish his role as Program Chair, and has found an assistant Program Chair to help in programming. Bill Johnson, of Mitch's firm Needle & Rosenberg, has agreed to serve as Assistant Program Chair help. Mitch discussed alternating meetings between the two, so that it will not be necessary for the Program Chair to be responsible for two meetings each year. Mitch noted that his secretary has taken much of the responsibility for handling the organization of abstracts. Mitch suggested that program organizers coordinate directly with his secretary in order to facilitate faster turnaround.

The following programs were discussed for San Diego (April, 2001): Start-up Companies, David Jaffer; The attorney is in - What are your questions?, Michael Grossman; General Litigation, Jim Carver/Carl Meyer; Forensic Law, Cathryn Campbell; BETC symposium co-sponsored with

AAAS/RAND Technology Policy Program

The following Fellowship Opportunity may be of interest to CHAL Division members: Senior managers from industry are needed to help shape science and technology policy in Washington, DC, at the RAND Science and Technology Policy Institute, beginning in September 2001. Expertise is needed in R&D, technology transfer, manufacturing technologies, or international competitiveness. The Institute provides research and analytical support to the White House Office of Science and Technology Policy. The American Association for the Advancement of Science (AAAS) and RAND sponsor the Technology Policy Program, which is designed to demonstrate the value of industry-government interaction; to bring external perspectives to scientific and technical policy issues related to industry; and to provide qualified individuals with a unique public policy learning experience. Applicants must have at least five years experience in industry, at the managerial level, and must have a Ph.D. or equivalent doctoral-level degree in science or engineering. Persons with a master's degree in engineering may apply. Applicants must be US citizens; federal employees are not eligible. For application information, e-mail science_policy@aaas.org, or visit <http://fellowships.aaas.org/rand> on the World Wide Web, or call the Directorate for Science and Policy Programs, at 202-326-6700.

CHAL, Cathryn Campbell; Biotech Patent Law, Ken Colton; Science and the Law of Dietary Supplements, Diane Robertson; Chester, Chester, Chester - A One Man Play, Howard Peters; Sci-Mix, Poster Session, Howard Peters. Location of a reception and speaker costs for the San Diego meeting were also discussed.

The following was suggested for the program plan for Chicago in August, 2001: TOSCA, Savol; Expert Witnesses for Litigation, Meyer; Technology Transfer (co-sponsor as secondary party), Peters; Emerging Issues in Food Law, Diane Robertson; Intellectual Property. Bill Johnson will plan the program for this meeting. He can be contacted at Needle & Rosenberg, 127 Peachtree Street, NE, Suite 1200, The Chandler Building, Atlanta, GA 30303-1811, Phone: 404-658-5259.

A program on Trademark and

Copyright in the Chemical Industry was suggested for the Orlando meeting in April, 2002 (in view of the proximity to Disney World). The following programs were suggested for the Boston program in August, 2002: Regulatory Law in Biotechnology, Diane Robertson; Intellectual Property; Start-up Companies, David Jaffer.



Program for San Diego Meeting

Division of Chemistry and The Law

April 1-5, 2001

Kate Boyer, Program Secretary M. A. Katz, Program Chair

SUNDAY MORNING

Hyatt Regency

Start-Up Companies and Tech Transfer

D. H. Jaffer, Organizer

1. 9:00 Patent Strategy for Start-Ups.
C. F. Hauff
2. 9:30 Domain Names and Trademarks.
M. Cabanski
3. 10:00 Ownership of IP Rights, Non-Disclosure Agreements and Confidentiality Agreements
D. Jaffer
4. 10:30 IP Licensing for Start-Ups.
A. Dow
5. 11:00 Financing and Structuring a Start-Up.
S. M. Wurzburg
6. 11:30 Business Plan Development.
D. G. C. Shu

SUNDAY AFTERNOON

Hyatt Regency

The Attorney Is In - What Are Your Questions?

M. Grossman, Organizer

7. 1:30 The Attorney Is In - What Are Your Questions?
M. Grossman

MONDAY MORNING

Hyatt Regency

Forensic Law

C. Campbell, Organizer

8. 9:00 Presentation of DNA Typing Evidence to Courts and Juries.
G. W. Clarke
9. 9:30 New DNA Technology in the Courtroom.
C. J. Plourd
10. 10:00 Non-Human DNA Testing for Law Enforcement Purposes.
J. Ruth
11. 10:30 DNA Profiling Technologies: Past, Present and Future
M. J. McGinniss
12. 11:00 The Use of Forensic DNA Testing in the New Millennium.
R. C. Giles
13. 11:30 DNA Testing from the Laboratory Viewpoint.
H. Klann Jr.

MONDAY AFTERNOON

Hyatt Regency

Chester, Chester, Chester - A One Man Play

H. M. Peters, Organizer

14. 1:30 Chester, Chester, Chester - A One Man Play by George Shea Summarizing the Life of Chester Carlson, The Inventor of the Xerox Copying Process
H. M. Peters

TUESDAY MORNING

Hyatt Regency

Technical Intelligence Cosponsored with Division of Chemical Information

THURSDAY MORNING

Hyatt Regency

Patent Issues In The Bioinformatic Age Cosponsored with Biotechnology Secretariat.

Mission/Goals of CHAL

The mission of the Division of Chemistry and The Law is to provide a forum within ACS for members who work in careers involving the interaction of Chemistry and The Law. Some typical examples would include chemists and chemical engineers working in the fields of patents, copyright, trademarks, intellectual property, occupational health and safety, regulatory compliance, forensic science, product liability, toxic tort and environmental law.

Our goals are to provide an interactive forum for chemists who work in these positions, to provide Division members and the ACS membership at large with high quality, inter-disciplinary programs, symposia, and publications in these areas, and to promote and increase the public understanding of chemistry and its interactions with the law.

We also desire to expose ACS members (chemists, chemical engineers, and students) to alternative career opportunities which provide an interdisciplinary challenge, between chemistry and its application to areas of law, and in law and its applications to chemistry.

221st ACS National Meeting

San Diego, CA April 1-5, 2001

Abstracts for Chemistry and The Law Papers

CHAL 1 [446670]**Patent Strategy for Start-Ups.**

Charles F. Hauff, *Snell & Wilmer*
One Arizona Center, Phoenix, AZ 85004-0001
Fax: 602-382-6070, hauffc@swlaw.com

Technology start-ups have limited resources, but patent protection is often critical to their success. This talk will discuss how key patent rights can be strategically protected in an emerging business.

CHAL 2 [446674]**Domain Names and Trademarks.**

Mary Cabanski, *Pillsbury, Madison & Sutro*
2550 Hanover Street, Palo Alto, CA 94304
Fax: 650-233-4545, cabanski_me@pillsburylaw.com

Domain names and trademarks form the public's perception of a company. The internet has expanded the scope of trademark use worldwide, and the domain name system has brought companies which previously co-existed with similar trademarks into conflicts. This talk will address the steps a start-up should take to protect its name and marks, and how to avoid disputes.

CHAL 3 [446678]**Ownership of IP Rights, Non-Disclosure Agreements and Confidentiality Agreements.**

David Jaffer, *Pillsbury Madison & Sutro*
2550 Hanover Street, Palo Alto, CA 94304
Fax: 650-233-4545, jaffer_db@pillsburylaw.com

Patent, trade secret, and copyright rights can easily be lost through failure to obtain ownership of these rights from employees and consultants, failure to obtain security interests in transactions involving intellectual property, or failure to restrict disclosure of confidential information. This talk addresses these ownership and disclosure issues, and provides simple ways to avoid inadvertent loss of intellectual property rights.

CHAL 4 [446682]**IP Licensing for Start-Ups.**

Alan Dow, *Pillsbury Madison & Sutro*
101 W. Broadway, Suite 1800, San Diego, CA 92101
Fax: 619-236-1995, dow_ae@pillsburylaw.com

A start-up company often can generate significant revenue by licensing their IP rights to other companies, even before the start-up has products of its own. Start-ups are also often license rights from institutions and larger companies. This talk will discuss issues that arise in both of these situations.

CHAL 5 [446683]**Financing and Structuring a Start-Up.**

Stephen M. Wurzburg, *Pillsbury Madison & Sutro*
2550 Hanover Street, Palo Alto, CA 94304
Fax: 650-233-4545, wurzburg_sm@pillsburylaw.com

The success of a start-up company depends on obtaining adequate financing to allow the company to bring a product to market. This talk will examine financing and corporate structure alternatives.

CHAL 6 [446684]**Business Plan Development.**

Don G.C. Shu, *Analytica Therapeutics, Inc.*
1150 Marina Village Parkway, Suite 104, Alameda, CA 94501
Fax: 510-748-3722, dgcsbu@hotmail.com

A realistic and well written business plan is a critical element when seeking financing. This talk will discuss how a business plan should be created.

CHAL 7 [446352]**The Attorney Is In – What Are Your Questions? (adapted from the Miami Beach spring 1985 meeting)**

Michael Grossman
P.O. Box 5954, Station "A", Toronto, Ontario, Canada M5W 1P3
h2841@netcom.ca

This will be a 2-1/2 hour informal drop-in session where questions can be asked of lawyers who practice in various state, federal and foreign jurisdictions. These lawyers will be members of CHAL, available here without fee.

Questions may be about legal career possibilities, and about the law itself: patent, trademark, copyright, trade secret, employer-employee contract, collective agreement, toxic litigation, toxic real estate, workplace health and safety, workers compensation, environment, forensics, trade regulation, pharmaceutical regulatory, etc.

The discussions should be interesting, notwithstanding that correct answers are not guaranteed. This session will be of an informational and educational nature only; the considerations of questions asked will not be in the context of any lawyer-client relationship; answers (if known) will not be formal legal advice.

CHAL 8 [447837]**Presentation of DNA Typing Evidence to Courts and Juries.**

George W. Clarke, *Deputy District Attorney, County of San Diego*
330 W. Broadway, 11th Floor, San Diego, CA 92101
Fax: 619-531-3735, uclark@sdccda.org

The vast majority of jurisdictions in the United States have embraced the presentation of DNA profiling evidence to juries deciding the fate of defendants accused of violent and other crimes. The focus of courts and attorneys confronted with DNA typing evidence has shifted to the presentation of that evidence and effective means to lend meaning to DNA testing results. This presentation will address issues unique to the actual submission of DNA typing evidence to courts and juries.

CHAL 9 [447836]**New DNA Technology in the Courtroom.**

Christopher J. Plourd, *Law Office of Christopher J. Plourd*
1168 Union Street, Suite #303, San Diego, CA 92101-3560
dnacjp@flash.net

Over the past ten years DNA testing has experienced an exponential increased use as evidence in criminal and civil litigation throughout the United States. The courtroom use of DNA technologies continues to evolve with the development of more advance scientific testing methods as well

as the expansion of the variety of biological types of DNA being used as evidence. Nontraditional DNA tests are beginning to find their way in the courtroom as the technology becomes better understood and accepted by judges. DNA testing of animal DNA, plant DNA, viral DNA, and other biological evidence is being presented as evidence in court. Also, mitochondrial DNA testing is beginning to gain acceptance in several court cases.

CHAL 10 [447834]

Non-Human DNA Testing for Law Enforcement Purposes.

*Jerry Ruth, Senior Forensic Scientist, U.S. Fish & Wildlife Forensic Lab
1490 E. Main Street, Asbland, OR 97520
Fax: 541-484-4989, dna.dude@home.com*

Dr. Ruth has been involved in the DNA testing of both humans and animals since 1986. He will present an overview of non-human DNA testing for law enforcement purposes, including the illegal take of endangered species and other wildlife worldwide. Topics will compare and contrast human and animal DNA testing, including wildlife database development, expert witness testimony, DNA testing of animals as evidence in human homicides, and other aspects of the legal process unique to non-human DNA testing.

CHAL 11 [447833]

DNA Profiling Technologies: Past, Present and Future.

*Matthew J. McGinniss, Group Leader, Sequenom, Inc.
11555 Sorrento Valley Road, San Diego, CA 92121-1331
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Since its introduction in 1985, forensic DNA profiling has been adopted by forensic scientists around the world. The state of DNA profiling technology has advanced to the point that results are highly reproducible and the admissibility of the resulting DNA evidence is almost routine in many court proceedings. The current gold standard of forensic DNA analysis is conventional electrophoresis including both VNTRs and STRs. Human mitochondrial DNA has also become an important tool in certain forensic applications. These current methods are so powerful that they are almost certain to exclude an innocent suspect. New classes of polymorphic markers include the single nucleotide polymorphisms (SNPs). Finally, novel technologies are being developed with potential application for DNA profiling including oligonucleotide microarrays in DNA Chips, denaturing high performance liquid chromatograph and MALDI-TOF mass spectrometry.

CHAL 12 [447838]

The Use of Forensic DNA Testing in the New Millennium.

*Robert C. Giles, Science Director, Genescreen
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The advent of DNA testing in criminal casework has had a tremendous impact on the ability of investigators to solve crimes that only a few years ago would have remained unsolved. This same technology has likewise been responsible for the release of hundreds of falsely accused suspects and has even led to the exoneration of numerous convicts who have been incarcerated for crimes they had not committed. Several real-life examples of DNA testing success stories will be presented. The future impact of databasing DNA profiles for all convicted felons, DNA in testing criminal cases with no known suspects, and the filing of "John Doe" cases will also be discussed.

CHAL 13 [447898]

DNA Testing from the Laboratory Viewpoint.

*Harry Klann Jr., DNA Technical Manager, Los Angeles Police Department
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Fax: 213-847-0036, mrsaurkraut@yahoo.com*

Mr. Klann has been involved in human DNA testing at the LAPD lab since 1993. As the DNA Technical Manager in a major crime lab, he will present aspects of day-to-day DNA testing from the laboratory viewpoint. Topics will include lab and analyst accreditation, protocol validation, scientific testimony as an expert witness, crime scene response, and chain of custody issues as viewed by the court.

CHAL 14 [447070]

Chester, Chester, Chester – A One Man Play by George Shea Summarizing the Life of Chester Carlson, The Inventor of the Xerox Copying Process.

*Howard M. Peters, Peters Verny Jones & Biksa, LLP.
385 Sherman Avenue, Palo Alto, CA 94036
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George Shea has created an inspiring one-man play that accurately describes the odyssey of Carlson and puts an important human touch on the invention and commercialization process. Chester F. Carlson (1906-1968) was born in Seattle, WA, grew up in Riverside, CA, and graduated in physics from the California Institute of Technology in the Great Depression. His eventual employment was with a New York patent law firm and he later became a patent attorney. Frustrated with having to hand copy documents and drawings, Carlson embarked on a personal research program to create an electrostatic copying process and copier. Many disappointments and false starts awaited even after Battelle Memorial Institute and HALOID (later XEROX) undertook to commercialize the process. Once introduced into the marketplace in 1958, the XEROX 914 copier became a sensation.



Chemistry and The Law Membership Report

Welcome to all the new members of Chemistry and The Law. Here are the names and cities of the 312 new members who joined our Division in 2000. Of the 312, there are 175 who were already ACS members and there were 137 new ACS members who chose our division as there one "free" division. To all 312 new members, we hope that you are pleased with us and will continue your membership. To all CHAL members, we want to satisfy your interest in Chemistry and The Law. Welcome aboard!

Member – Statistics

We are a "new" division with 313 new members (or 28% of our 1113 total). We have 145 members in their 2nd year and another 100 in their 3rd year. Members with 3 or fewer years comprise 50% of our membership but a different 37% have more than 5 years service; 22% have more than 10 years and 11% have more than 15 years service.

Congratulations to members in the 15 and 16 year group, listed in this Newsletter. We have another 30 members now in their 17th year and we have 56 "charter" members.

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BEAL, DAVID A	CLEVELAND, OH	CUPAR, DAVID B	CLEVELAND, OH
BELEN, MAYRA I	BAYAMON, PR	CURT, J	NEW YORK, NY
BELFORD, ROBERT E	MORGANTOWN, WV	DALAL, SONA D	DAVIS, CA
BENDER, KELLY L	EXTON, PA	DALTON, MIKE	INDIANAPOLIS, IN
BENTLEY, CAROLYN S	PHOENIX, AZ	DAVIS, AHMED J	GAITHERSBURG, MD
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BRICENO, EFRAIN A	VENEZUELA	DERMATIROSAN, ANITA	LOS ANGELES, CA
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FISCHER, H ERIC	BOULDER, CO	KENNEDY, JAMES C III	LOS ALAMOS, NM
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GOVETT, BRETT C	DALLAS, TX	KUO, HSIN-JUI MARGARET	GREAT NECK, NY
GRANT, JAMES L	PRINCETON, NJ	LAMB, KIMBERLY CHARMARIJA	NEENAH, WI
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JONES, MICHAEL T	TITUSVILLE, NJ		

continued on next page

New Members, continued from previous page

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RABAH, M A	EGYPT	SUNDBY, SUZANNAH K	ARLINGTON, VA
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YING, XU	MOSCOW, RUSSIA
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ZONGTAO, ZHANG	PEOPLES REP CHINA



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Application blanks are part of this Newsletter. Ask a colleague to join you in the Best Division in the ACS. Personal invitations support our growth.

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SIKORA, CHARLES JAMES	CLEVELAND, OH
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TESCHNER, MICHAEL H	WESTFIELD, NJ

The Impact of the Intoxilyzer¹ in the Litigation of Drinking and Driving Cases in Canada

Sivarama Krishnan,² M.A., Ph.D., P.Eng., Forensic Consultant/Alcohol Toxicologist, Professor (Adj.), Department of Chemical Engineering and Applied Chemistry, University of Toronto

Every day Canadian courts litigate a large number of criminal cases, involving driving an automobile while "having excess alcohol" or while "being impaired by alcohol". These are similar to the DUI (driving under the influence) cases in the United States. In Canada,^{3,4} the blood alcohol concentration (BAC) of an accused is often reported to the courts in the form of a certificate from a qualified⁵ Breathalyzer technician, who is expected to follow a careful procedure.^{6,7} These certificates contain two BAC readings taken 15 minutes apart. The first reading must be within two hours of the time of occurrence of the incident. In such cases, the measured BAC is presumed to be the same as at the time of occurrence of the offense. This presumption can be rebutted in the courts by the defense, by providing "evidence to the contrary."

This "evidence to the contrary" most often takes the form of an expert's evidence on the BAC at the time of driving. The expert, who would be called upon by the defense lawyer, calculates⁸ the BAC at the time of the offense using the drinking scenario given in evidence by the defense. If the court accepts this defense evidence, then the presumption is set aside and this usually results in an acquittal from the "excess alcohol" charge. Another way of providing the "evidence to the contrary" is by proving an error in the measurement of the BAC. This article deals with some of the aspects of the Intoxilyzer and its measurement of BAC in human subjects.

For the non-scientists in court, including the lawyers, scientific instruments and the data obtained from them has always been an area of diffi-

culty in terms of understanding the significance or challenging validity or accuracy. Computerization of instruments, videotaping of the measurement process and availability of experts for consultation have made the understanding of scientific data somewhat easier and some defense lawyers are now taking advantage of the information these provide.

In the case of the Intoxilyzer, there are a number of printouts and error messages, which, with the help of an expert, can help in successfully defending an accused. This is especially true when there is concern that the procedure used to measure the BAC had been faulty, questionable or at best non-routine.

INTOXILYZER⁹ vs BREATHALYZER¹⁰

The Intoxilyzer used in Canada is labelled as Model 5000C while the one used in the United States is labelled as Model 5000. The two instruments are practically identical. The only difference is the sequence in which the different samples, e.g., room air, calibration standard and the subject test, are taken in the two countries. This sequence is software programmable at the factory.

(1) Accuracy: The basic technology of breath alcohol measurement is the same in both the older instrument the Breathalyzer and the Intoxilyzer. Both are based on the absorption of light energy as the basis of measurement. The Breathalyzer uses light in the visible region whereas the Intoxilyzer utilizes infrared light. Both calculate the BAC from the measured breath alcohol concentration using a conversion factor of 2100:1. This is the ratio of the breath alcohol content to blood alcohol content in humans. The most

probable value for this ratio is about 2300:1,¹¹ but the lower historical ratio is continued to be used in these instruments. Although it is known that this ratio varies among individuals,¹² the Breathalyzers and Intoxilyzers uses the constant ratio of 2100:1 for all subjects. The accuracy of blood alcohol measurement is about the same in both the instruments and is subject to: experimental errors, reproducibility or the precision of the alcohol standard measurement (usually 10 mg alcohol/100 ml of blood), and the variation of the Breath to Blood alcohol ratio from the 2100:1 value.

(2) Automation: The Intoxilyzer is more automated than the older Breathalyzer and is computer controlled. It is capable of auto-testing many of its functions and does so during routine subject measurements. It gives out a printout which contains the readings of the room air used as zero level, the alcohol calibration check, subject test and other routine checks. This automation, and the elimination of operator manipulations required in the older Breathalyzers, is the main advantage of using the Intoxilyzer.

(3) The Printout: Generally when a BAC printout without any error messages is obtained, it means that the Intoxilyzer had not detected any malfunctions and that the instrument has obtained an acceptable breath sample. For the Intoxilyzer to accept a breath sample, three conditions have to be met: a) the subject must blow with a minimum pressure (approximately 15cm of water; .0145 atm.) which is indicated by a continuous tone signal. b) the subject must blow for a minimum time of 5 seconds and c) the BAC level must level off or reach a plateau. As soon as these conditions

are met, the instrument will accept the sample as a proper minimally acceptable deep lung sample. The subject may continue to blow and as soon as he/she stops blowing, a printout will be produced.

ERROR MESSAGES The Intoxilyzer will print out error messages if it detects some malfunction or some possible errors in the BAC measurement. Some, not all, are given in the following as illustrations.

Ambient Fail: This message will appear if the instrument detects varying concentration of an interferent in the room air. The instrument uses room air as its zero alcohol calibration point. The stability of zero value of room air is as important as the 100 mg/100 ml alcohol calibration standard that is used for calibration of the instrument.

Invalid Sample: This message indicates that mouth alcohol may be present. Mouth alcohol may be present due to consumption of alcohol within the previous 15 minutes or due to vomiting, regurgitation, burping and such acts. The presence of mouth alcohol may give erroneously high BAC reading.

Interferent: This indicates that the subject's breath sample contains non-alcoholic interferent.

Invalid Test: This indicates that the test was aborted before being completed. There may be a variety of reasons for this.

There are other error messages that may also appear. The importance of these error messages is that it gives the court and the counsels some indications of what happened during the BAC measurement. It also helps in evaluating the remedial actions, if any were taken. Usually an expert knowledgeable in the operation of the Intoxilyzer will be able to interpret the error messages and determine the reliability of the BAC measured. If videotape taken during the breath

measurements is available, it will also help the expert in the interpretation. This is due to the fact various tones and indicator signal the Intoxilyzer makes during the measurements, inputs and outputs. These are important aspects of the Intoxilyzer, which will help the courts, the counsels and the expert in the litigation or in the resolution of the case.

Notes:

1. A registered trademark of CMI, Inc., which manufactures the Intoxilyzer® line of breath alcohol testers.
<http://www.alcoholtest.com/home1.htm> CMI, Inc., 316 E. 9th Street, Owensboro, Kentucky 42303 1-800-835-0690. CMI, Inc. is an employee-owned company; one of the MPD Companies.
2. Contact data for Dr. Krishnan: 13 Spindlewood Drive, Toronto, Ontario, Canada M2J 2M7 416-491-0626. Fax 416-880-0863 e-mail: s.krishnan@utoronto.ca
3. Criminal Code, Revised Statutes of Canada 1985, c. C-46, s. 253; et seq. – Consolidated Statutes – Complete documents for download – Department of Justice of Canada
<http://canada.justice.gc.ca/FTP/EN/Laws/Chap/C/C-46.txt>
<http://canada.justice.gc.ca/FTP/EN/Laws/>
4. Approved Breath Analysis Instruments Order – Regulation: SI/85-201, section 2,
(a) Breathalyzer®, Model 800;
(b) Breathalyzer®, Model 900;
(c) Breathalyzer®, Model 900A;
(h) Intoxilyzer® 5000 C;
(i) Breathalyzer®, Model 900B.
<http://canada.justice.gc.ca/FTP/EN/Regs/Chap/C/C-46/SI85-201.txt>
5. Under the Criminal Code. In practical terms, this technician is a police officer who has had training in the operation of the instrument, and is usually not a scientist.
6. The operational procedure followed is based on the recommendations of the Alcohol Test Committee of the Canadian Society of Forensic Sciences.
7. See: "RECOMMENDED STANDARDS AND PROCEDURES OF THE CANADIAN SOCIETY OF FORENSIC SCIENCE ALCOHOL TEST COMMITTEE", Canadian Society of Forensic Science Journal, Vol.28, No.1, March 1995, pages 1-53. <http://www.csfs.ca/>
<http://www.csfs.ca/manuals/ATCSTDenglish.htm>
8. See: Amy Ramsay, A guide to the Intoxilyzer 5000C, Amicus Legal Publishing Company Limited, 39 Tamarack Drive, Thornhill, Ontario, Canada L3T 4W2; page 63.
9. A registered trademark of CMI, Inc., – see note 1.
10. Breathalyzer is a registered trademark of Smith & Wesson Company, Springfield, Massachusetts.
<http://www.smith-wesson.com/>
11. See: K.M. Dubowski, "Absorption, Distribution and Elimination of Alcohol: Highway Safety Aspects," J. of Studies of Alcohol, Supplement No. 10, July 1985, pages 98-108.
12. Ibid.



From The Baltimore Sun:

Victims of Lead Unnoticed by Courts/Justice System Fails to Track Poisoning, Despite Its Crime Effects; 'Not Even on the Radar'

Jim Haner, The Baltimore Sun, Sun Staff, Originally published 08 October 2000 - reprinted here with permission
<http://www.sunspot.net/> <http://www.sunspot.net/news/special/leadpaint/>

In a city where more than 20,000 children have been exposed to brain-damaging doses of lead paint in the past two decades, officials acknowledged last week that no effort has been made to track them - and that many have likely passed into the prison system unnoticed.

Unaware of the mental deficits of the defendants who appear before them, judges routinely shuttle lead-poisoning victims into the criminal justice system without educational or medical treatments that might help them overcome their affliction.

With more than 1,000 cases of reported lead paint poisoning every year, Baltimore ranks as one of the most toxic cities in America, according to The U.S. Department of Housing and Urban Development.

Research has shown that lead poisoning increases the tendency toward both violence and drug abuse, and a recent University of Pittsburgh study suggests that poisoned children are almost twice as likely to commit crimes.

But the state's criminal justice system collects no data on the lead-poisoning history of criminal defendants. Even juveniles are sentenced without judges ever becoming aware that many have suffered irreversible brain damage in early childhood.

"Lead poisoning is not subtle," said Dr. Gerry Gioia, an expert on brain injuries at Baltimore's Mount Washington Pediatric Hospital.

"In a city like Baltimore, where we have so many kids coming into contact with such a well known and well-documented environmental toxin, it's

a major risk factor for brain dysfunction. This is not an academic question, by any means."

Baltimore State's Attorney Patricia C. Jessamy said she has been concerned about the problem for at least two years - ever since she received troubling reports from tutors in a reading program run by her office for first-time, nonviolent juvenile offenders.

Tests revealed that nearly one out of every five kids scored in the range of mild mental retardation or worse.

"That's when my eyes got opened," she said. "These were kids who were acting out in school, were truant, were aggressive, who couldn't read at all.

"We need a system that identifies these children at the moment they are poisoned, and then tracks them all along so services can be delivered to them before they are thrown at the door of the courthouse. By the time they show up here, nobody knows who's been poisoned and who has not."

The state's failure to track poisoning victims came to light in an article in The Sun on Sept. 10 about a young woman who developed a long record of arrests for violent crime after suffering severe lead poisoning as a toddler.

Barbie Kress, 31, went on to spend her elementary school years in special education classes before dropping out after the eighth grade. She later made 11 trips through Baltimore's court system - spending weeks in the city Detention Center over the past decade - without anyone noting that her brain had been damaged by lead paint.

"This has blocked generations and generations of little kids from even

beginning to function in school, and when they wind up on the street unable to hold a job, we dump them in prison," said Ruth Ann Norton, director of the nonprofit Coalition to End Childhood Lead Poisoning.

"It is astounding that we have not looked at this before now."

Nicholas Conti, deputy director of medical services for the Circuit Court of Baltimore, which performs health background checks on defendants, said his staff of about 15 doctors and caseworkers is so overloaded that medical histories in most cases are cursory at best.

In all but a small fraction of the 3,700 adult and juvenile cases reviewed annually, evaluators depend almost entirely on reports by a defendant's family in compiling a medical history for judges to consider before sentencing.

"We've had kids involved in major hit-and-run accidents - comatose in the hospital with brain trauma for days or even weeks - and it never occurred to the mother to report it as part of the child's medical history," Conti said. "The kid appears in court, gets processed, convicted and sentenced without anyone in the system being made aware of the event.

"Lead paint? That's not even on the radar screen."

The same is true for fetal alcohol syndrome, prenatal drug abuse by mothers and shaken baby syndrome - to name three other potentially brain-damaging afflictions commonly seen by doctors in Baltimore.

In addition to chronic staff short-

ages at the courthouse - where 16 public defenders each handle an average caseload of 400 juveniles every year - most delinquents come from poor families that have been uprooted repeatedly by evictions, rowhouse fires and deplorable housing conditions.

"They move around a lot over the course of their lives, and they might receive treatment at any number of health clinics or doctors' offices," said David Fishkin, chief of the juvenile defenders. "Locating and gaining access to their childhood medical records can be difficult.

"But that's no excuse. Lead paint poisoning is an issue that goes to the heart of basic questions about a kid's competency, even to the threshold question of responsibility. There needs to be a more systematic way of picking up on it."

Currently, no such system exists. At best, fewer than one out of every 10 juvenile defendants receive even a cursory review of their medical histories, court officers say.

"Every now and then, we'll get some statement about a severe childhood injury or illness...in open court," said Judge Martin P. Welch, chief of the juvenile division, which oversees 8,500 delinquency cases a year.

"As far as having a psychiatric evaluation or medical history attached to the file so the judge can make an independent evaluation, no, not very often. Lead paint might be mentioned in my courtroom 10 times a year, and we know the problem is more prevalent than that."

Robert Shepherd, a professor at the University of Richmond Law School and a nationally known expert on juvenile delinquency, said evidence of severe childhood lead poisoning could very well affect the outcome in hundreds of criminal cases in cities such as Baltimore.

"Brain injury seems like a terribly obvious thing to ask about in a juvenile case - and it's fairly well understood by most judges," he said. "But it's not on most defense lawyers' lists of essential questions, and it could make all the difference, especially at the [sentencing] phase.

"Defendants are being tried, convicted and, in some parts of the country, sentenced to death without these factors ever coming to light."

In at least two capital murder cases involving young adults - one in South Carolina and another in Missouri - evidence of serious childhood lead poisoning discovered after convictions was rejected by appeals courts, records show.

Both men, Earl Matthews Jr. of Charleston, S.C., and Gerald Smith of St. Louis, Mo., have since been executed.

"Part of the problem is that so many capital defendants arrive at this end of the system without anybody ever inquiring about their lead-poisoning status when they were juveniles," said Dan Gralike, deputy director of the Missouri Public Defenders System, which assisted in representing Smith.

"The question doesn't get asked until they kill somebody, and maybe not even then."

Conversely, evidence of lead poisoning presented to a jury in Columbia, S.C., in 1997 resulted in a life sentence for another murder defendant over the pleas of prosecutors for a death warrant.

In that case, the same jury that found Lavar Bryant guilty of a screwdriver killing shortly after he turned 18 years old decided that he had been rendered mentally retarded by lead paint and unable to control his violent impulses.

Diminished IQ, problems with language and reading, hyperactivity,

impulsive behavior and inability to adapt to stressful circumstances are among the hallmarks of serious lead poisoning, Gioia said.

The toxin is usually ingested through hand-to-mouth contact during early childhood, when crawling children are most likely to come into contact with fine particles of lead dust and chips from disintegrating paint in homes built before 1960. The substance was banned by federal law in 1978.

Once ingested, lead strikes at the developing brain, binding to nerve endings and preventing the absorption of iron, calcium and other minerals essential for proper nervous system development. At higher doses, the toxin can cause irreversible brain damage.

Dr. Peter L. Beilenson, Baltimore's health commissioner and the architect of an initiative to modernize the city's lead paint enforcement system, said his office is now seeking grants to study the problem. Specifically, he wants to investigate the lead-poisoning backgrounds of 100 randomly selected adult felons, 100 juvenile offenders and 100 special education students from Baltimore.

"I don't have any doubt that lead poisoning will be seen as a significant factor driving all these things," he said. "Every study I've seen suggests that we will see a significant correlation across the board in all three of these populations."

He is moving ahead with plans to computerize the Health Department's list of lead-poisoning victims so public agencies can access the information online.

"We're not just trying to systematize this data," he said. "Our goal is to make it available at the push of a button to every agency and health care provider who comes into contact with these kids."

continued on next page

Victims, continued from previous page

Among other recent Health Department initiatives:

A plan to spend \$8.7 million removing lead paint from up to 600 Baltimore homes next year. The money will be given to qualified landlords and homeowners in the form of loans and grants to repair or replace windows, doors and other high-risk painted surfaces in houses located in 11 city ZIP codes with the highest rates of lead poisoning.

A campaign to inspect properties owned by landlords with "sordid histories" of lead poisoning among tenants. Landlords who refuse to clean up their rental houses or remove them from the market will be prosecuted, whether or not the property has been implicated in a recent poisoning.

A new policy requiring all city health inspectors to conduct thorough checks of property ownership before issuing lead paint citations. The move is aimed at preventing landlords from using questionable ownership documents to dodge enforcement.

<http://www.epa.gov/lead/leadbaz.htm> Residential Lead Hazard Standards, TSCA Section 403

<http://www.mde.state.md.us/health/lead/index.html> Maryland Department of the Environment The Lead Line

Some references relevant to this topic, beyond the above quoted item:

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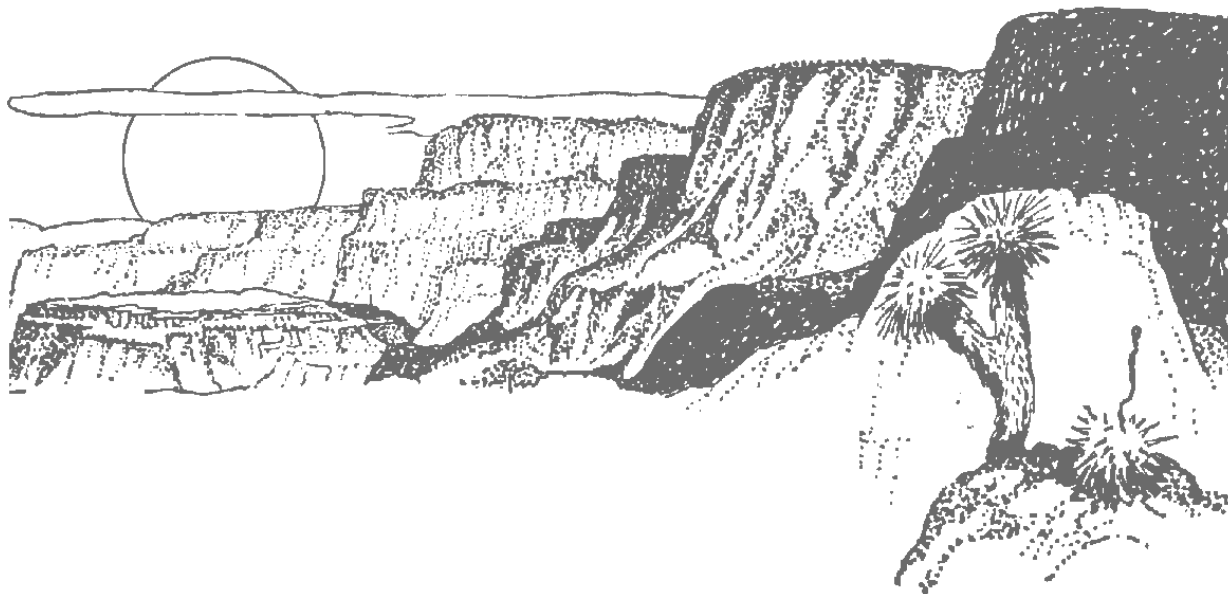
<http://www.webelements.com> Mark Winter, WeElements Periodic Table, The University of Sheffield.

<http://www.webelements.com/webelements/index.html>

<http://www.webelements.com/webelements/elements/text/Pb/>

<http://www.epa.gov/iris/subst/0277.htm> EPA, Lead and compounds (inorganic)

<http://www.epa.gov/opptintr/lead/index.html> EPA, OPPT Lead Programs



Internet Miscellany

<http://www.shef.ac.uk/chemistry/web-elements/>

Mark Winter, WebElements Periodic Table, The University of Sheffield.

<http://tycho.usno.navy.mil/what.html>

What Time Is It? Time Service Department, U.S. Naval Observatory, Washington, DC – USNO Master Clock Time.

<http://tycho.usno.navy.mil/cgi-bin/anim>

<http://www.mpiwg-berlin.mpg.de/>

Max-Planck-Institut für Wissenschaftsgeschichte Max Planck Institute for the History of Science, Berlin.

<http://www.lexum.umontreal.ca/csc-scc/en/rec/html/dd.en.html>

[re the admissibility of expert evidence] – Her Majesty The Queen, Appellant v D.D., Respondent; Supreme Court of Canada, on Appeal from the Court of Appeal for Ontario; 05 October 2000 – Indexed as: R. v D.D.; 2000 SCC 43; File No.:27013.

<http://www.fda.gov//default.htm>

Food and Drug Administration.

<http://www.fda.gov/foi/foia2.htm>

Electronic Freedom of Information Reading Room.

<http://www.fda.gov/opacom/backgrounders/foiaband.html>

“A Handbook for Requesting Information and Records from FDA.”

http://www.fda.gov/ora/science_ref/lpm/lpmtc_dec02.html

“LABORATORY PROCEDURES MANUAL”

www.epa.gov

EPA

<http://www.mde.state.md.us/index.html>

Maryland Department of the Environment.

http://www.dnd.ca/eng/archive/2000/feb00/18feb_w_e.htm

[re toxicology of depleted uranium – Canadian armed forces in the Gulf war.]

<http://www.walkertoninquiry.com/> <http://www.tscript.com/>

[re the public inquiry into the E.Coli contamination of the drinking water supply in Walkerton, Ontario, under the Ontario Public Inquiries Act.]

<http://www.scc.ca/certific/labs.html>

Standards Council of Canada – list of accredited labs

<http://www.scc.ca>

<http://www.iso.ch/>

International Organization for Standardization.

<http://izekube.tripod.com/morse.html>

Morse code translator.

<http://www.soton.ac.uk/~scp93ch/morse/>

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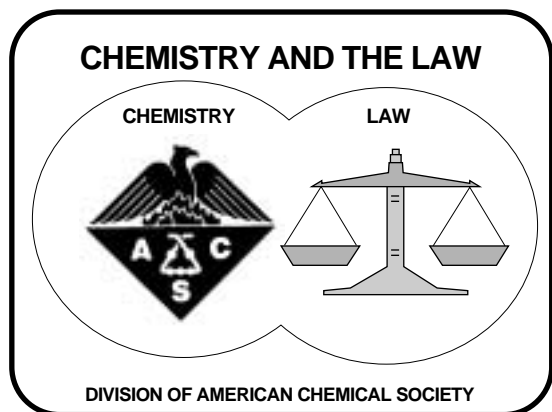
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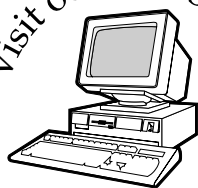
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