



Ending North Carolina's Sexual Assault Kit Backlog: *Holding Perpetrators Accountable*

As a result of the effort to end North Carolina's backlog of sexual assault kits, law enforcement is moving forward and making arrests in cold cases. Examples of cold case arrests include:

- **Cumberland County:** In 1990, two suspects allegedly broke into a motel room and raped and burglarized a survivor. A sexual assault kit was completed, but the crime remained unsolved and the kit was untested. The kit was tested in 2020 and Fayetteville police arrested and charged Jack Blackwell Sr. and Bruce Wayne Miller with first-degree rape and common law robbery for the alleged 1990 assault. This case has not yet been adjudicated.
- **Durham County:** In August 1990, a woman was leaving a baseball game and walking to her car in a nearby parking lot. When she arrived at her car, Samuel Harris was waiting with a knife. He got in the car with her and forced her to drive to multiple locations around Durham while he sexually assaulted her. The survivor faked a medical emergency to escape and a sexual assault kit was collected immediately following the attack. The kit was tested in 2021 and in April 2023, a CODIS hit identified Harris. In June 2023, Durham police arrested and charged Samuel Harris with second-degree rape and second-degree sexual offense for the 1990 assault. In spring 2024, Harris pleaded guilty to the charges and has been sentenced to two 15-year terms in person, to be served consecutively.
- **Durham County:** In 1991, a suspect allegedly broke into a survivor's home and sexually assaulted her. More than 30 years after the assault took place, DNA moved the case forward. In August 2023, Durham police arrested and charged Kenneth Lunsford with first-degree rape, first-degree burglary, and attempted first-degree sexual offense. This case has not yet been adjudicated.
- **Mecklenburg County:** In 1994, a 16-year-old girl was trying to use a payphone outside of the then-under-construction Bank of America Stadium when a man approached and offered to help her use the phone. The man then allegedly forced the child to a secondary location and assaulted her while armed with a razor. The survivor escaped and made it to a nearby convenience store where the clerk called the police. The girl was treated at a local hospital where a sexual assault kit was completed and initially tested in 1994. The case went cold until additional testing was completed in 2019. The additional testing led authorities to L.J. Bertha and in April 2019, Charlotte-Mecklenburg police arrested and charged Bertha with second-degree rape, first-degree kidnapping, and common law robbery. This case has not yet been adjudicated.
- **Henderson County:** In 1995, an adult male allegedly took indecent liberties with a child. The crime remained a cold case until the Survivor Act was passed in 2019, granting more funding for testing

sexual assault kits. In January 2022, the Henderson County Sheriff's Office, with support from the United States Marshals, arrested and charged Jerry Dean Franks with indecent liberties with a child and sexual offense by a substitute parent connected to the 1995 alleged assault. This case has not yet been adjudicated.

- **New Hanover County:** In 1995, a 26-year-old convenience store clerk was raped while at work. The suspect allegedly hid in the bathroom of the store until it was empty of customers, then isolated and assaulted the clerk four times in the walk-in freezer. He then stole cash and beer, leaving a pack of cigarettes on the floor as he fled the store. In October 2020, thanks to DNA, Wilmington police arrested and charged Freddie Anthony Jackson with first-degree rape, first-degree sexual offense, and common law robbery for the 1995 assault. Jackson was already serving time in prison for other offenses when he was identified as the perpetrator in this assault. He was sentenced to up to 44 years in prison.
- **Wake County:** Between 1995 and 2004, Rickey Hall committed multiple crimes including sexual assault, rape, and kidnapping, one of which was the 2009 assault of a survivor who was attacked at a grocery store. Hall used a knife to force his way into this survivor's car, and when she fled, he chased, tackled, and raped her in a nearby wooded area. In December 2023, Raleigh police arrested and charged Rickey Hall. Hall was sentenced to 11 years in prison.
- **New Hanover:** In 1996, a woman was raped and assaulted. Because there was no initial suspect in this case, the rape kit was not tested at the time of the assault. The policy changed in 2007, and the lab began testing rape kits when there was no suspect DNA available for comparison. Upon learning of this change and that Attorney General Josh Stein asked local law enforcement agencies to inventory their older untested sexual assault kits and test the backlog of kits, the survivor contacted the Wilmington Police Department in 2018 and asked that her kit be tested. In June 2019, DNA evidence led to Wilmington police arresting and charging Wayne Soller with second-degree rape, first-degree sex offense, and first-degree burglary. Soller's DNA was already in CODIS following an unrelated 2014 arrest. In 2021, Soller was sentenced to 24-30 years in prison.
- **Wake County:** An alleged assault of a 22-year-old woman took place in 1998 while the survivor was walking home. After testing the sexual assault kit following the assault, Raleigh police arrested and charged Erwin King in November 2023 with felony first-degree rape and felony first-degree kidnapping. This case has not yet been adjudicated.
- **Wake County:** More than 25 years after an alleged sexual assault took place in 1998, DNA allowed Raleigh police to connect and arrest Averette Alston. In January 2024, they charged him with first-degree rape, first-degree sexual offense, and first-degree kidnapping. This case has not yet been adjudicated.
- **Durham County:** In June 2013, a survivor was raped in Durham County. Following the attack, the survivor consented to a sexual assault kit, which was tested in May 2020. The sexual assault kit yielded a CODIS hit the next month in June 2020. Durham police arrested Jonathan Partridge in October 2020, and he was convicted of rape and sexual offense in March 2022.

- **Durham County:** In May 2015, a survivor was at home when a man broke in and sexually assaulted her at knifepoint. A sexual assault kit was collected at the time of the attack and was tested in May of 2019. The DNA from the kit led to a CODIS hit in November 2020, and Durham police arrested and charged Carlos Dominguez-Aguilar in August 2021. He pleaded guilty to charges of first-degree rape and first-degree burglary and was sentenced to 16 to 24 years in prison.
- **Durham County:** In 2017, a 68-year-old woman was raped by a man she let sleep on her couch because he had nowhere else to go. Once law enforcement arrested the man, Michael Brooks, they found that his DNA was connected to other unsolved sexual assaults. He was charged in those cases as well – for raping a 36-year-old acquaintance in 2016 at knifepoint while she was giving him a ride home, and for assaulting a 25-year-old woman in 2010 while they were on a walk. In August 2021, Brooks was sentenced to a minimum of 24 years in prison and ordered to complete a sex offender treatment program.
- **Buncombe County:** In September 2018, Manuel Bates committed an assault that included rape and battery of an unborn child. A sexual assault kit was completed for the survivor and the kit was tested in February 2020. After reviewing forensic evidence from the lab and uncovering additional information, Asheville police arrested Bates in February 2022, charging him with second-degree rape, battery of an unborn child, and intimidating a witness. Bates pleaded guilty to these charges in May 2023 and has been sentenced to seven to 13 years in prison and is a registered sex offender for life.

**** Several of the above cases have not yet been adjudicated. These defendants are innocent until proven guilty in a court of law.****