

SUPREME JUDICIAL COURT OF MAINE

Jeffrey A. Cookson v. State of Maine

2014 ME 24 (2014) · No. Pen-12-351 · Decided February 18, 2014

SUMMARY

The Maine Supreme Judicial Court affirmed the denial of Jeffrey A. Cookson's motion for post-conviction DNA analysis of clothing allegedly connected to a double murder. The Court held that Cookson failed to present prima facie evidence establishing the required chain of custody, particularly for the two-year period before the items were provided to police. A dissent argued that the majority improperly required Cookson to disprove every possibility of tampering and applied an overly demanding standard.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Gorman, J.; Saufley, C.J.; Alexander, J.; Levy, J.; Silver, J.; Jabar, J.
JURISDICTION	Maine
DECIDED	February 18, 2014
DOCKET	Pen-12-351
DISPOSITION	affirmed
PROCEDURAL POSTURE	Third appeal stemming from Cookson's murder convictions, challenging the Superior Court's second denial of his motion for post-conviction DNA analysis of clothing and other evidence.
STANDARD OF REVIEW	The Law Court would disturb the post-conviction court's determination that Cookson failed to satisfy the prima facie chain-of-custody requirement only if the evidence compelled the court to find otherwise.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Jeffrey A. Cookson v. State of Maine

TOPICS

post-conviction relief

evidence

appellate procedure

criminal procedure

standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Cookson presented the prima facie evidence required by 15 M.R.S. § 2138(4-A)(B) to establish a sufficient chain of custody for post-conviction DNA testing.
2. Whether the Superior Court properly concluded that the evidence did not establish that the clothing had not been substituted, tampered with, replaced, or materially altered during the period before police possession.

HOLDINGS

1. Cookson failed to present prima facie evidence establishing that the clothing was related to the murders and had not been moved or tampered with during the two-year period before it was produced to police. The Superior Court therefore properly denied the motion for DNA testing.

KEY QUOTATIONS

“Thus, prima facie proof is a low standard that does not depend on the reliability or credibility of the evidence, all of which may be considered at some later time in the process.” (¶ 16)

“The point of establishing a chain of custody is to demonstrate that the evidence presented for testing is evidence that is germane to the case, and that it has not been tampered with.” (¶ 20)

FACTUAL BACKGROUND

Cookson was convicted of murdering Mindy Gould and a child she was babysitting. After the conviction, an acquaintance, David Vantol, gave investigators changing accounts claiming that he had committed the murders and had buried clothing and other items connected to them. Vantol eventually gave police a bag containing clothing and other items allegedly recovered from property owned by Cookson's brother, but the clothing did not include all of the items Vantol had previously described and had been exposed to an unexplained two-year period in a junkyard or wooded area. Cookson sought post-conviction DNA testing of the clothing.

PROCEDURAL HISTORY

A jury convicted Cookson in 2001 of two counts of intentional or knowing murder, and the Superior Court imposed two consecutive life sentences. The Maine Supreme Judicial Court affirmed the conviction and sentence review in *Cookson I*. After Cookson filed post-conviction DNA motions in 2004 and 2008, the court denied them; in *Cookson II*, the Law Court vacated and remanded because the Superior Court had not made required findings. On remand, after a further evidentiary hearing, the Superior Court again denied DNA testing, finding that Cookson had not established the required chain of custody. The Law Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Cookson, 2003 ME 136, 837 A.2d 101
- Cookson v. State, 2011 ME 53, 17 A.3d 1208
- Laferriere v. State, 1997 ME 169, 697 A.2d 1301
- Anderson v. Delaware, 831 A.2d 858 (Del. 2003)
- Town of Blue Hill v. Leighton, 2011 ME 103, 30 A.3d 848
- State v. Beane, 146 Me. 328, 81 A.2d 924 (1951)
- State v. Thibodeau, 353 A.2d 595 (Me. 1976)
- State v. Thompson, 503 A.2d 689 (Me. 1986)
- State v. Cress, 344 A.2d 57 (Me. 1975)
- State v. Lewis, 401 A.2d 645 (Me. 1979)
- United States v. De LaRosa, 450 F.2d 1057 (3d Cir. 1971)
- State v. Aboda, 2010 ME 125, 8 A.3d 719
- District Attorney's Office for Third Judicial District v. Osborne, 557 U.S. 52 (2009)