

Untested rape kit initiative results in first indictment for cold case aggravated rape in New Bedford

Bristol County District Attorney Thomas M. Quinn Untested Rape Kit Initiative has resulted in the first indictment related to previously untested rape kits. Scot Trudeau, 47, of Worcester has been indicted by a Bristol County Grand Jury on charges of Aggravated Rape and Assault and Battery connected to the cold case 2010 rape of a woman in New Bedford.

On March 18 2010, a 23-year-old woman was walking along Coffin Avenue in the north end of New Bedford when she was violently attacked by two men. She was struck in the head and then dragged to a secluded area, where one of the men (this defendant) raped her while the other one held her down. She could not see or identify them because they were wearing hooded sweatshirts. She gave a description of them to the police and was taken to St Luke's Hospital for treatment. While at the hospital, the victim submitted to a sex assault evidence collection kit (Rape Kit).



Bristol County District Attorney Thomas M. Quinn photo.

That kit was one of more than 1,100 from Bristol County alone that was never fully tested by the state lab. However, after our office became aware of the scope and breadth of the problem with untested rape kits in Bristol County and throughout the state, we took action to obtain a federal grant. We then began the painstaking process of inventorying and prioritizing all untested rape kits in our county, and are now in the process of getting all 1,148 previously untested Bristol County rape kits fully tested by a private lab under the Sexual Assault Kit Initiative (SAKI) grant obtained by District Attorney Quinn in 2019.

In February of 2022, the rape kit connected to this case was tested and resulted in the recovery of a DNA profile, which in turn resulted in a CODIS (Combined DNA Index System) hit to Scot Trudeau, 47, of Worcester. If this victim's rape kit had

been fully tested in 2010, it would have matched to the defendant's DNA sample provided after his federal conviction in 2015 for child sexual exploitation. Furthermore, if we had not undertaken this initiative and brought this issue to light statewide, the kit would likely never have been fully tested and the case would have remained unsolved. The statute of limitations on this case would have expired in March 2025. We are hopeful that this case will be the first of several to be solved thanks to our initiative.

"I am extremely pleased that our rape kit testing initiative has already resulted in indictments against this defendant for a cold case violent sexual assault committed more than a decade ago in New Bedford. This case demonstrates the importance of fully testing all sexual assault kits. If we did not obtain the grant to have all these kits fully tested, this case never would have been solved and the statute of limitations would have expired," District Attorney Quinn said. "Victims who have been sexually assaulted have gone through a very traumatic experience and have a right to have these kits fully tested, especially when an assailant cannot be identified."

Mr. Trudeau is currently on federal probation after serving a federal sentence for attempting to travel to engage in illicit sexual conduct with a minor.

A dangerousness hearing for this case is scheduled for Tuesday at 2pm in Superior Court at the Justice Center.

When informed about the indictment and the underlying issues regarding untested rape kits throughout the state, the victim in this case expressed shock about the rape kit never being tested, appreciation to our office for going through this meticulous process to revive her case and many others, and relief that the suspect has now been identified and will be prosecuted.

The revelation that so many rape kits throughout the state were not being fully tested began shortly after a defendant by the name of John Loflin was convicted in late 2013 for the cold case 2002 murder of Marlene Rose in New Bedford. Loflin had previously been charged with a 1997 New Bedford rape, but the case was eventually dismissed after the alleged victim left the country. The alleged victim in that case submitted to a rape kit.

That rape kit was sent up to the state lab three weeks after the rape, but unbeknownst to law enforcement, it had never been fully tested. After Marlene Rose was murdered in 2002, DNA evidence was collected and sent to the state lab for testing. If the 1997 rape kit had been fully tested at the time, the Marlene Rose DNA evidence would have matched to that 1997 case and Loflin would have been arrested in connection to the Marlene Rose homicide. Instead, Loflin was not identified as the murderer of Rose until 2011 when he was arrested in Tennessee on unrelated charges.

Loflin was compelled by Tennessee law to provide a DNA sample as a result of his criminal charges in that state. Once that DNA sample was uploaded to CODIS, it immediately matched with the 2002 DNA evidence connected to the murder of Marlene Rose. Loflin was then charged here in Bristol County with Marlene Rose's murder and was eventually convicted and sentenced to life in prison in November of 2013.

After learning about the 1997 rape case and discovering that the rape kit in that case had never been tested, our office began looking into other cold case rapes and attempted to determine whether there were other rape kits that were also not fully tested by the state lab. District Attorney Quinn poured a number of resources and man hours into this review.

After inventorying many rape kits from all 20 of Bristol County's cities and towns, it began to become clear that there were a great deal of rape kits that were not being fully

tested. Our office then researched and applied for the federal SAKI grant. In October of 2018, our office was notified that our grant application was approved and that federal grant money would be awarded. In June of 2019, the federal grant money was deposited into the Bristol County District Attorney's Office account. We immediately used that grant money to hire a retired Massachusetts State Police detective to assist staff members in our office with training, inventorying and prioritizing the untested rape kits. Our office is the first District Attorney's office in the state to undertake this large-scale initiative and obtain the federal grant program.

After numerous delays due to Covid-19 and other issues with the state lab, the first batches of prioritized untested rape kits were sent to a private lab (Bode Laboratories) for testing in April of 2021. Although the testing got off to a slow start, we have been informed that all 1,148 previously untested rape kits will likely be fully tested by the private lab by the end of this year. Our office is optimistic that other cold case sexual assaults and other crimes will be solved as a result of this initiative.

"During the investigation of a cold case homicide we discovered that more than 1,100 rape kits in our county had not been fully tested. This was totally unacceptable, especially for victims, the public and law enforcement who believed these kits were being fully tested. I immediately dedicated office resources so that every rape kit would now be fully tested to help identify perpetrators who had remained uncharged," District Attorney Quinn said. "I am optimistic there are other cases that will be solved as a result of our rape kit initiative. Our office discovered a major problem, took action and devoted an immense amount of resources to it, and is now in the process of solving it."