

## Jennifer Pennington

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**From:** Joshua D. Dowling  
**Sent:** Tuesday, March 28, 2023 8:22 AM  
**To:** Hunter Swanson  
**Subject:** RE: 03-27-23-- missing evidence

Unfortunately there are no none pictures associated with the case.

I concur with your assessment regarding the missing rape kit from our evidence room, it would seem almost impossible to make a case at this juncture.

I greatly appreciate your time.

Thank you,

Josh Dowling

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**From:** Hunter Swanson <[hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)>  
**Sent:** Monday, March 27, 2023 2:24 PM  
**To:** Joshua D. Dowling <[jddowling@cityofbeaufort.org](mailto:jddowling@cityofbeaufort.org)>  
**Subject:** RE: 03-27-23-- missing evidence

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I don't see how you get around the missing rape kit since she did not know who he was which the receipt may have had on it but that is lost too and I assume any pics.

Hunter P. Swanson  
SVU Lead Prosecutor  
Fourteenth Circuit Solicitor's Office

e-mail: [hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)  
cell: [REDACTED]

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**From:** Joshua D. Dowling <[jddowling@cityofbeaufort.org](mailto:jddowling@cityofbeaufort.org)>  
**Sent:** Monday, March 27, 2023 2:15 PM  
**To:** Hunter Swanson <[hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)>  
**Subject:** RE: 03-27-23-- missing evidence

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Hello:

I have not begun that inquiry, glad to do such if you think this case has any potential at all of criminal prosecution success. Thank you.

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**From:** Hunter Swanson <[hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)>  
**Sent:** Monday, March 27, 2023 12:52 PM  
**To:** Joshua D. Dowling <[jddowling@cityofbeaufort.org](mailto:jddowling@cityofbeaufort.org)>  
**Cc:** Dylan Hightower <[dhightower@scsolicitor14.org](mailto:dhightower@scsolicitor14.org)>  
**Subject:** RE: 03-27-23-- missing evidence

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Well,

Without the rape kit and chain the DNA would certainly be out and that's what identifies who he is, right? Also, do you know where the witness to her intoxication level is? [REDACTED]

Hunter P. Swanson  
SVU Lead Prosecutor  
Fourteenth Circuit Solicitor's Office

e-mail: [hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)  
cell: [REDACTED]

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**From:** Joshua D. Dowling <[jddowling@cityofbeaufort.org](mailto:jddowling@cityofbeaufort.org)>  
**Sent:** Monday, March 27, 2023 12:04 PM  
**To:** Hunter Swanson <[hswanson@scsolicitor14.org](mailto:hswanson@scsolicitor14.org)>  
**Cc:** Dylan Hightower <[dhightower@scsolicitor14.org](mailto:dhightower@scsolicitor14.org)>  
**Subject:** 03-27-23-- missing evidence

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Hello A/S Swanson:

I hope you are doing well.

I was assigned a cold case regarding an alleged rape pertaining to City of Beaufort case 06-03177 (CODIS report and original report attached). Recently, we had received CODIS hit notification that identified the named suspect in the case. I was not the original investigator in this case and have been requested to follow-up since the CODIS hit notification.

It has been determined that ALL of the evidence in this case is missing from the evidence room, which includes the sexual assault kit.

The present Evidence Custodian (E/C), Re, has reviewed the records in an attempt to identify where this evidence could be. To provide context of his inquiry, E/C RE had previously worked as the evidence custodian and would transition out when E/C GARNES was hired. From my understanding, both E/C RE and newly hired E/C GARNES did a Change of Evidence Custodian Inventory between the dates of November 21, 2017 through December 6, 2017. This inventory was done collectively by the departing E/C RE and the incoming E/C GARNES. Per E/C RE, the 4-items associated with this case were accounted for in this Change of Evidence Custodian Inventory. However, per E/C RE, he located an inventory done by former E/C GARNES in August of 2018 and on

said audit, no evidence items are listed for this case. Also, E/C RE has not located the evidence for case 06-03177 in the evidence room and it remains missing. These timeline facts were provided to me by E/C RE.

Therefore, relying solely on information provided by present Evidence Custodian RE, I can potentially deduce that all the evidence in this case went missing sometime on or about December 6, 2017 through August of 2018. Where, why, or how it went missing from the evidence room cannot be explained by Evidence Custodian RE,

As a result, given that obvious imperativeness of the physical evidence of this case, I was reaching out to your office for legal insight. Would bringing forth criminal charges be completely out of the question given the missing evidence?

Presently, I have reached out to the victim to see if she would like us to move forward with the investigation given our findings. The victim is presently deciding if she wants Beaufort Police Department to pursue this case and has not made a final determination. However, given the pivotal evidence that is missing and cannot be explained why it is missing, I am preemptively trying to establish if pursuing a case would be completely out of the question.

Any guidance you can provide would be much appreciated.

Thank you,

*Joshua Dowling*

Investigator

City of Beaufort Police Department

  
[jddowling@cityofbeaufort.org](mailto:jddowling@cityofbeaufort.org)