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For Immediate Media Release

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1981 Virginia Freeman Homicide

December 1st, 1981, 40 year old Virginia Freeman was brutally murdered in rural Brazos County. It was a traumatic day for the Freeman Family and the community of Brazos County.

In April, 2017 we revealed the Parabon NanoLabs / Snapshot analysis of the unknown DNA sample collected from under the finger nails of Virginia Freeman at the time of her autopsy. The analysis showed us a likeness of the killer and described the likely phenotypes of the killer's eyes, hair, complexion and freckling. Following that analysis the Parabon NanoLabs had informed us that they now had the capabilities of genetic and ancestry research as it relates to unknown DNA profiles. We requested the additional DNA testing and ancestry research on the sample that we had previously submitted. Results...

DNA Comparison: through the help of GEDmatch, the top shared DNA ancestral matches identified two female samples in the data base, both second cousins of the suspect.

Genealogical Research: extensive research identified the great grandparents of the top matches from different lines. These great grandparents had six children...the suspect is likely the grandson of one of these children.

Physical Characteristics: phenotype predictions as determined through the Snapshot analysis match...green eyes and dark brown or black hair.

On June 20th, 2018, officials with Parabon NanoLabs / Snapshot contacted Investigator Elliott and notified him of these results and that they had formed a hypothesis based on ancestry genetic research that **James Otto Earhart was the likely suspect in the murder of Virginia Freeman.** James Otto Earhart was born April 20th, 1943, and was a resident of Bryan/Brazos County at the time of the murder of Virginia Freeman.

Coincidentally, Earhart was convicted in Brazos County for the May 12th, 1987 kidnapping and murder of nine-year-old Kandy Janell Kirtland. Earhart was executed by lethal injection for this offense on August 11th, 1999. Unfortunately, no DNA sample was collected from Earhart and analyzed, thus no chance for a CODIS match.

Confirmation: Earhart was on our list of possible suspects...In April of 2017, Investigators researched and located Earhart's natural born son, who cooperated and provided them with his DNA specimen. The specimen was submitted to the DPS Crime Laboratory in Austin for analysis. On the confirmation from Parabon NanoLabs, we requested that the DPS Crime Laboratory DNA Section conduct an immediate analysis and comparison of the son's DNA profile to our unknown suspect DNA profile.

On June 21st, 2018 we were informed that the YSTR (short tandem repeat (STR) on the Y-chromosome) testing of both Earhart's son's DNA profile and our unknown suspect profile indicated a match of paternal lineage. The analysis further indicated that the autosomal DNA testing indicated a confirmed parent child match between the two profiles...in other words...clear and convincing evidence that James Otto Earhart was the killer of Virginia Freeman. For conclusive evidence, Sheriff's Investigators have prepared a probable cause affidavit for the exhumation of the remains of Earhart to collect a DNA sample to be compared with the suspect's sample.

Statement from Sheriff Chris Kirk: "The solving of this "cold" case, after 37 years of investigating, brings relief and closure for the Freeman family, Virginia's friends, the local real estate industry and our community. It is an incredible example of the tenacity and perseverance of the investigators involved in this case. Also, we were blessed with opportunities to take advantage of emerging technologies in forensic sciences that lead to a break-through. We are elated to finally close this case. Our one regret is that we cannot put handcuffs on the killer and prosecute him for the vicious killing of Virginia Freeman."

Thanks go out to: Sheriff's Investigator Dick Gullede (who back in 1981 bagged the hands of the victim and collected the finger-nail clippings at autopsy that ultimately, years later, lead to the discovery of the unknown DNA source). Also, Sheriff's Investigator Kenny Elliott et al., Texas Rangers Bob Connell, Frank Malinak and Josh Ray, DPS Crime Lab, and Snapshot / Parabon NanoLabs.

CASE SYNOPSIS:

December 1st, 1981 40 year old Virginia Freeman was brutally murdered. It was a traumatic day for the Freeman Family and the community of Brazos County.

Virginia Freeman was survived by her husband (Charles - deceased), two children (Brad & Laura - reside in Texas).

As a realtor for Real Estate Mart, Virginia responded to a call from an unidentified person who stated that they had cash and wanted to invest in some rural property. A vacant house listed on Greens Prairie Road at the intersection of Wood Lake Drive, south of College Station was selected. Virginia left the office around 3:00pm that day to show the house, at 7:00pm her husband reported her missing to the Brazos County Sheriff's Office. Later, it was Virginia's husband who found her at that location on Greens Prairie Road.

Virginia was viciously attacked and dragged from the front to the side of the house, where the view was obscured from the road. At the crime scene there were signs of a significant struggle. Her wounds included being stabbed multiple times, strangled and bludgeoned on the head with a 4 ½ lbs. piece of broken concrete. The initial investigation was extensive, included neighborhood canvas and the identification of some individuals who had been in the area near the time of the murder.

Interviews of those witnesses included a bus driver and brick mason working in the area. Description of the suspect was given under hypnosis and an artist sketch was prepared.

Many leads and tips were followed up on...known Serial Killers were tracked and interviewed if they were believed to be in Texas at the time of the murder. (Such as Henry Lee Lucas).....all were ruled out, no suspect has been positively identified. This unsolved case has been continually on our minds and any potential lead that has come to our attention has been followed up on.

The initial Investigators on this case have retired and moved on....in 1993 Sheriff's Investigator Kenny Elliott was assigned the Virginia Freeman Homicide Case. Investigator Elliott and other of our Investigators have followed up on numerous leads. And sought assistance of the Texas Rangers as well as presented the case to the Sheriff's Association of Texas Cold Case Review Team twice, June, 1994 & October, 2016.

In the late 1990's a new forensic technology was emerging, DNA Profiling. Through the analysis of a sample an individual can be positively identified through the characteristics of their DNA. With an unknown sample collected at crime scene, we now have the capability of comparing the sample with all samples entered in to the data base of the Combined DNA Index System (CODIS) or to submit a sample to a lab for comparison to exclude or include person as a suspect. In October, 2001 Investigator Elliott submitted the appropriate pieces of evidence from the Virginia Freeman Case to the Texas Department of Public Safety Crime Lab in Austin, Texas. Results indicated that there was an unknown source of DNA under fingernails that had been clipped from the body of Virginia Freeman and preserved at the time of autopsy by the Bexar County Medical Examiner's Office in San Antonio, Texas. This was **very exciting to us to know.....** that we now had evidence that we believed to be from the murderer and that we could conclusively identify him when we found him.

Since the revelation of the suspects DNA sample our Investigators have collected over a dozen buccal swabs from persons we wanted to check for inclusion. Our Investigators have travelled across Texas, to Kentucky, Colorado and Florida to collect these samples. Some were provided voluntarily and others required a search warrant to collect. All of the samples have excluded the person from being the suspect.

Technological advances using DNA analysis have continued. A method to analyze a DNA sample to the point of being able to recreate the facial make-up of the donor was developed to assist the military repatriate soldiers' remains. One of our Investigators attended a Homicide Conference and saw a presentation on this technology and suggested that we explore if our DNA sample would qualify. We reached out to SnapShot and they were contracted to carry out the analysis. The Texas Department of Public Safety supplied the DNA sample to SnapShot. Amazingly....from DNA phenotype analysis skin tone, hair color, eye color and skin freckling can be determined to a high level of confidence. Also, facial structure and characteristics can be determined by analyzing the characteristics of our ancestors.

This analysis by Snapshot and the most recent genealogical research of ParaBon NanoLabs were critical pieces of evidence that have helped us identify the killer as James Otto Earhart. and solve the Virginia Freeman Homicide.

FYI:

Genome - the **genetic material** of an organism. It consists of DNA. The genome includes both the genes (the coding regions) and the non-coding DNA, as well as the genetic material of the mitochondria and chloroplasts.

GEDmatch was founded by Curtis Rogers and John Olson in 2010, with its main purpose being to help "amateur and professional researchers and genealogists. GEDmatch users can upload their DNA profile from commercial DNA companies. In cooperation with American law enforcement organizations, and using data from GEDmatch, Parabon NanoLabs has been uploading to GEDmatch DNA evidence from crime scenes in an attempt to identify perpetrators. Parabon has said has found matches in 20 cases as of 2018.

Y-STR is a short tandem repeat (STR) on the Y-chromosome. The Y-chromosome, which is inherited father to son, and so can only be taken by males to explore their direct paternal line. Y-STRs are often used in forensics, paternity, and genealogical DNA testing. Y-STRs are taken specifically from the male Y chromosome. These Y-STRs provide a weaker analysis than autosomal STRs because the Y chromosome is only found in males, which are only passed down by the father, making the Y chromosome in any paternal line practically identical. This causes a significantly smaller amount of distinction between Y-STR samples. Autosomal STRs provide a much stronger analytical power because of the random matching that occurs between pairs of chromosomes during the zygote making process.

Autosomal tests look at chromosomes 1–22 and X. The autosomes (chromosomes 1–22) are inherited from both parents and all recent ancestors. The X-chromosome follows a special inheritance pattern. Ethnicity estimates are often included with this sort of testing.

CODIS - Combined DNA Index System is the United States national DNA database created by Congress in 1994 and maintained by the Federal Bureau of Investigation. CODIS consists of three levels of information; Local DNA Index Systems (LDIS) where DNA profiles originate, State DNA Index Systems (SDIS) which allows for laboratories within states to share information, and the National DNA Index System (NDIS) which allows states to compare DNA information with one another.

The CODIS software contains multiple different databases depending on the type of information being searched against. Examples of these databases include, missing persons, convicted offenders, and forensic samples collected from crime scenes. Each state, and the federal system, has different laws for collection, upload, and analysis of information contained within their database. However, for privacy

reasons, the CODIS database does not contain any personal identifying information, such as the name associated with the DNA profile. The uploading agency is notified of any hits to their samples and are tasked with the dissemination of personal information pursuant to their laws.