

By Dr. Donna

When Things Don't Go Right

Summary: When this mother discovered that police efforts to find her missing son were insufficient, she got busy. Time was of the essence since the first 48 hours of any missing person case are the most crucial. But was it too late to make a difference?

To Jan Smolinski, the last two years have been not only a nightmare, but also a learning experience. They've driven her to focus efforts on creating legislation that can make a significant impact in society.

Her 31-year-old son, Billy, a law-abiding citizen, has been missing since August 24, 2004. He disappeared without a trace. (See www.justice4billy.com for the whole story, including details on the lover's triangle that may provide details to the disappearance.)

And ever since then, the Smolinski family has practically had to conduct the investigation by themselves. They suspected foul play from the start.

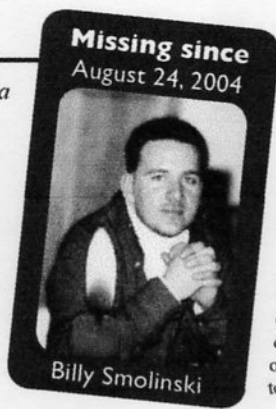
Because Billy wasn't a child, law enforcement didn't have stringent guidelines to follow in investigating his disappearance.

"After finding out that Billy was missing," Jan said, "we asked for a search with dogs, and law enforcement said no because they didn't suspect foul play, even though clues were provided. We had to call in volunteer dogs (and handlers) trained to find cadavers ... They came to search for eight weekends straight."

In fact, when the community came out to help with the ground search along the river banks that spanned four different towns behind, a police officer approached them, inquiring about what was happening. He had no knowledge that Billy was missing even though a report had been filed.

The family did what every loving family would do to try to find a missing loved one — they posted flyers, everywhere.

They received reports that someone was ripping them down, marking an "X" through the face, writing the words "Who cares?" on



Billy's photo, razor blading the photo out of the flyer, and even removing the flyer from inside store windows, telling the store manager that Billy was found.

Friends carefully waited with hidden cameras to discover who could be so cold-hearted to rip down flyers of a missing loved one... and Jan showed the footage to the press who released it.

And Jan was treated like a criminal herself shortly thereafter. She was arrested for posting flyers on school grounds on the charge of criminal trespassing, even though flyers of missing cats and dogs were posted in the same location! Mysteriously, there were other charges that she never found out about until she went to court, charges that were never committed.

The Smolinski family followed every lead from the psychics who contacted them, leaving no stone unturned, but despite all these efforts, no evidence surfaced.

DNA samples mysteriously went missing, just like Billy did.

Apparently police even told Jan they didn't know about the national database for DNA.

America's Most Wanted TV show producers wanted to report on the case months ago, but it wasn't until 18 months after the case opened that police finally suspected foul play was involved. Producers aired Billy's photo on June 10th of this year. Recently, other shows picked up the story.

After getting nowhere with the investigation on the local and state level for so long, Jan took the case to the FBI. She proudly announced FBI involvement this past October.

And the whole process has taught her that she's not the only one who has had to battle a lack of procedure in the investigation of missing persons over the age of 18.

"There are hundreds of others with similar problems resulting in feelings of frustration and isolation...It's hard enough having someone go missing without all these other things happening," she said.

Jan and her friend worked on writing legislation that can prevent others from experiencing her difficulty with the system.

That legislation includes the necessity to:

- Evaluate every missing person report immediately within the first 48 hours and release a full search (by foot with dogs and infrared detection capability and by air), involving the state police if necessary.

- Train police specifically on the proper collection of DNA in missing persons cases and the CODIS system.

- Collect DNA from not just criminals for the CODIS database, but also soldiers and missing persons so that more bodies can be identified.

- Increase funding for the DNA CODIS system, to help catch up with the backlog of samples. Extra funding should be provided to make this system work more smoothly and more timely.

- Increase funding to police for open communication between law enforcement, medical examiners and coroners. This way, the time the corpse isn't identified would be kept at a minimum.

- Provide police with the NCIC (National Crime Investigation Center) number of the missing person for more complete records.

- Include an in-depth class on procedures to follow for missing persons cases at the police academy, along with sensitivity training.

- Prosecute those tampering with missing persons flyers in any way.

- Go beyond the usual description of height, weight, hair color, birth date for missing persons. Include in the description: fingerprints, scars, and tattoos.

- Create a watchdog group over the police.

- Post flyers of the missing and homicide victims in correction facilities throughout the state

All this takes money, and police budgets are often strapped. But what's at stake here is a human life. It's worth it to invest every penny.

It is said that we're living in a small world. Billy went missing in Waterbury, Connecticut, but word travels fast. Go to www.justice4billy.com and send the site to your email list. Let's help bring closure to this case for Billy's family.

Missing: August 24, 2004
Age now: 33 Years Old
Sex: Male
Race: White
Hair: Light Brown
Eyes: Blue
Height: 6'0"
Weight: 200 lbs.

TATTOOS: A tattoo of a blue cross with the name Pruitt in the cross on left forearm, a tattoo of a blue cross with an orange outline on right shoulder. His left ear is pierced with a small diamond. ❀

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