Anatomy of a cold case: A breakdown of the Steven Downs murder trial

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Let’s say you’re a juror on a case where the DNA of the defendant was found in semen recovered from an Alaska Native woman who was the victim of a murder.

Prosecutors say there were signs of coercion: superficial knife wounds and blunt force trauma; possibly a stun gun was used.

But the medical examiner did not note evidence of sexual assault in his autopsy report.

The case against the defendant is circumstantial, with evidence of guilt offered by prosecutors that is countered by defense attorneys armed with contrary evidence.

Oh, and the crime was committed 29 years ago.

How do you, as a juror in this case, decide whether the defendant is guilty of murder and sexual assault?

That was the question facing the 12 members of the jury in the case of the state versus Steven H. Downs of Auburn, Maine, held in Fairbanks, Alaska. The jurors reached their guilty verdict on both counts after 20 hours of deliberations over four days.

The month-long trial was delayed once by weather and twice by COVID-19 exposure.



Prosecutors show a photograph Jan. 12 of Sophie Sergie during the sexual assault and murder trial of Steven H. Downs of Auburn, Maine, in Fairbanks Superior Court. Downs is charged with killing and sexually assaulting Sergie in 1993. *Screenshot used by permission of Fairbanks Superior Court*

Everyone in the courtroom, including the judge and jurors, wore masks. Many witnesses appeared remotely on a TV monitor in the courtroom. No members of the media or public were allowed in the courtroom.

For that reason, each day's proceedings were livestreamed due to COVID-19 precautions. And testing for the coronavirus was held at the courthouse for jurors.

Cold case

Twenty-five years after the brutal slaying of Sophie Sergie, 20, of Pitkas Point, Alaska, Downs' DNA was discovered in the victim's vaginal cavity.

The case had long gone cold and only heated up again after Downs' aunt had sent her DNA to an online genealogy service that later shared it with a DNA database, in which evidence from unknown DNA contributors from crime scenes was included.

For that reason only, more than two decades after Sergie's unsolved murder, there was a match to a male member of the family of Downs' aunt.



Steven Downs, left, appears in the 8th District Court in Lewiston in 2019 with lawyer James Howaniec. His trial in the 1993 murder of an Alaskan woman concluded earlier this month with a conviction. *Andree Kehn/Sun Journal file*

Through investigation in late 2018 by a genetic genealogist, police zeroed in on Downs, who, they would learn, had attended the University of Alaska at Fairbanks as a freshman at the time Sergie was killed.

Her body was found in a bathtub in a women's bathroom on the second floor of Bartlett Hall. Downs had been living on the third floor of that dormitory.

Prosecutors went about the task of building a case against Downs.

There were no eyewitnesses identifying the defendant. There was no camera footage showing the murder. There was no confession.

Downs' DNA found in Sergie's body was the only physical evidence linking him to the crime scene. None of the other evidence collected, including hairs, fingerprints, blood, boot prints and fibers, pointed to Downs — nor to anyone else.

Although a gun and knife similar to those that had likely been used by Sergie's assailant were later found in Downs' home, they could not be identified as weapons directly linked to the crimes through forensic testing.

Over the intervening years since Sergie's killing, prosecutors had accumulated more than 8,300 pages of police records, more than 100 audio recordings, forensics reports and other documents, all of which they would eventually share with Downs' defense team to pore over.

At trial, prosecutors and defense attorneys called 45 witnesses over 15 days to testify and submitted 120 exhibits into evidence, including many graphic photographs from the crime scene and autopsy that were shared with the jury, but not the public livestream.

The victim

Prosecutors and witnesses described Sergie as intelligent, extremely hard working and shy.

She eschewed alcohol and drugs and wasn't the partying type, Chief Assistant Attorney General Jenna Gruenstein told the jury.



A photo of Sophie Sergie is shown during the trial of Steven H. Downs of Auburn, charged with her murder in Fairbanks, Alaska, in 1993. The photo was taken by a friend in 1993 at the University of Alaska at Fairbanks less than 48 hours before she was slain. *Screenshot used with permission from Fairbanks Superior Court*

"She was super happy, the kind of person who was always excited about things," Sergie's friend, Shirley Akelkok, testified.

It was Akelkok who had suggested that for smoking a cigarette, Sergie use the bathtub area of the women's bathroom on the second floor, where Akelkok's room was located, because it had been cold outside the night of April 25, 1993.

Akelkok had left her room late that Sunday night with her boyfriend, Noah, to go to his dorm room for the night so that Sergie could sleep in Akelkok's bed. The next day, when Akelkok returned to her room, she noticed her bed hadn't been slept in, and everything appeared to be the same as she'd left it the night before, including the television set still turned on and tuned to the same channel.

Akelkok had told an Alaska state trooper in an interview that Sergie "had a lot of friends" who lived on the third floor of Bartlett Hall, one floor above Akelkok's room. She said Sergie had a crush on a red-headed male student who lived on that floor, which was a male-only floor.

Sergie also had a close group of friends at the school from rural parts of Alaska, like Pitkas Point. She had made friends at student leadership programs and academic decathlons. She'd kept in close touch with her mother, checking in daily, Gruenstein said.

Sergie had wanted to join the Navy like her brother, Alexie, but her diminutive, 5-foot, 111-pound stature didn't meet the physical requirements for that branch of the military.

Instead, Sergie focused on marine biology studies.

She took a year off in the 1992-93 school year to work so that she could get health insurance to help pay for orthodontia work to correct an overbite and had been fitted with braces. She had flown to Fairbanks on that Saturday for a Monday dental appointment that she would never keep.

The crime scene

At roughly 1:30 a.m. on April 26, 1993, Sergie was murdered in the bathtub in the women's bathroom, investigators concluded.

A custodian found her body about 12 hours later, curled in the fetal position, the Navy sweatpants borrowed from her brother pulled down below her knees along with her underpants; her shirt and bra pulled up, exposing one breast.

She'd been stabbed in one eye and cheek, with a cut across her stomach and likely puncture wounds on each hip.

Sergie had been shot fatally at close range in the back of her head, the .22-caliber slug lodged just below the skin above her left eye.

“A milky white substance had pooled in her vagina,” Gruenstein told the jury on Feb. 7. “Not in her underwear. Not on her side. Just in her vagina, because dead women don’t stand up. And if you don’t stand up, the semen inside of them doesn’t move. It stays frozen where it lays, just like Sophie stayed frozen in that bathtub. That semen didn’t get inside of her accidentally. It didn’t get inside of her without explanation. It got into her vagina because that man raped her right before he killed her,” Gruenstein said, gesturing to Downs in Fairbanks Superior Court.

She was driving home that point because defense attorneys had suggested it was possible for Sergie to have had consensual sexual intercourse with Downs before she was killed.

In police interviews, Downs said he hadn’t met Sergie, hadn’t known her.

A swab of Sergie’s exposed breast was later analyzed by a private DNA lab in Utah and was found to have contained at least one male’s DNA, but that lab determined the amount of DNA was insufficient to compare to a defendant.

The defense called a DNA expert to testify that the male DNA markers contained in that specimen didn’t match Downs’ DNA profile, thereby excluding him as a possible contributor to the specimen.

Before the crime

Gruenstein told the jury that Sergie had arrived in Fairbanks on Saturday, April 24, 1993, when she had met up with her friend Akelkok, in whose room Sergie planned to stay Saturday and Sunday nights.

The two women went to the school’s Rural Student Services center on Saturday and Akelkok testified she thought they had dinner together that night on the ground floor of Bartlett Hall, called The Commons, after Sergie had run some errands around town.

Joanne Sundown, another friend of Sergie’s at that time, said Sergie had come by her room and they’d looked at catalogs together. Sundown snapped a photo of Sergie thumbing through one of the catalogs while lounging on Sundown’s bed.

Sundown and Akelkok said Sergie had not been doing drugs, drinking alcohol or partying.



Steven H. Downs, left, sits in Fairbanks Superior Court last month during the fourth day of his murder trial in Fairbanks, Alaska. His attorney, James Howaniec of Lewiston, at top left, has filed a motion for a new trial. *Used with permission by Fairbanks Superior Court*

The next day, April 25, 1993, Sundown said she had given Sergie a ride to a hairdresser, later they went to see the movie “Indian Summer” with a couple of other school friends. Afterward, the four drove to Murphy Dome, a former U.S. Air Force station about half-an-hour outside Fairbanks where visitors can view the Northern Lights in winter. Sundown took a photo of Sergie spinning in a circle, her arms outstretched. It was the last photo ever taken of Sergie alive.

Sergie “wasn’t one of the students partying late on a Sunday night. She wasn’t one of the kids who was hooking up with random guys. She was a girl who came to town to run errands and go to an orthodontia appointment. And while there, use it as an opportunity to catch up with her close friends that she didn’t get to see very often,” Gruenstein told the jury.

After she was dropped off at Bartlett Hall around midnight, Sergie met up again with Akelkok and her boyfriend in her dorm room and the three of them ate pizza, drank soda and continued to catch up, Akelkok testified.

When Akelkok and her boyfriend were leaving to go to his room for the night so Sergie could sleep in Akelkok’s room, Sergie said she wanted to smoke a cigarette. Akelkok suggested the tub area of the women’s bathroom because it had a large exhaust fan, and it was cold outside.

That was the last time Akelkok saw her friend, she said.

As she was entering the stairwell, Akelkok noticed two male students and a female, she would tell an investigator nearly three decades later. Shown a photo of Downs around the time he had been a student, Akelkok identified him as one of the males, saying the two had made eye contact. She said he'd been wearing a white T-shirt.



Criminal defense attorney James Howaniec displays the more than 8,300 pieces of discovery Saturday in his Lewiston home. Howaniec recently defended Steven H. Downs of Auburn who was convicted of murder in a 29-year-old Alaskan cold case. *Andree Kehn/Sun Journal*

The defendant

Lead defense attorney James Howaniec of Lewiston told the jury that Downs had been a "young, handsome, vibrant, good-looking young man who had beautiful girlfriends" while he was a student at the school.



Katherine Lee testifies during the murder and sexual assault trial of Steven H. Downs of Auburn in Fairbanks, Alaska. *Screen shot used with permission of Fairbanks Superior Court*

An English major, he did well in school, made the dean's list. He played music in a band and "probably did his fair share of partying," Howaniec said.

"He was happy, well-adjusted, popular (and) friendly," Howaniec said.

When Downs had been drinking alcohol, he became even happier, his then-girlfriend Katherine deSchweinetz Lee had testified.

After Downs had completed his undergraduate studies in Alaska, he went on to earn a master's degree in business administration from the University of Arizona and, after working in the pharmaceutical industry for many years, became a licensed registered nurse in 2011.

He was fired in 2016 from his job at a Livermore Falls residential facility and had received an official warning from the state nursing board — in part because two female co-workers complained he had made them feel uncomfortable.

His only criminal conviction was for operating a vehicle under the influence, a misdemeanor.

Downs had told police in an interview in February 2019 that he'd been with Lee the night of April 25, 1993, in her room all night on the fourth floor of Bartlett Hall, drinking and watching movies along with other friends.

Lee would testify that Downs had been “in and out” of her room that night and that she’d been awakened by a student who tried to kiss her, something she said wouldn’t have happened had Downs been with her.

The DNA

In 2000, a DNA profile had been built from foreign bodily fluids evidence found inside Sergie. That profile had been loaded into the national DNA database of offenders with no matches.

Police had submitted the crime scene DNA from Sergie’s killing in September 2018 for genetic genealogy analysis and in December, Downs’ name came back through a random hit after his aunt had submitted her DNA to a genealogy website.

At a March 2021 pretrial hearing, CeCe Moore, who has appeared in a television network series called “The Genetic Detective,” testified that she had been working for a DNA testing company as an investigator in 2018 when Alaska State Police submitted unknown DNA evidence discovered in the Sergie case.

Moore also testified at the 2021 hearing that the crime scene evidence was sent to Parabon Nanolabs Inc. in Virginia in an effort to create a profile of the murder suspect.

The genetic information derived by Parabon from the crime scene DNA evidence was provided to a Florida company called GEDmatch, which uses DNA information submitted by subscribers of genealogy DNA testing services such as Ancestry.com. Those users can give permission for their DNA profiles to be used by GEDmatch and shared with law enforcement to create a database from which overlapping DNA profiles can be determined.

GEDmatch returned results that identified anyone in their database who shared significant amounts of DNA with the unknown sample given to Parabon by Alaska State Police, explained Moore, who worked for Parabon.

In this case, GEDmatch showed that Downs’ aunt, who lives in Vermont, had a partial match with the crime scene DNA. By examining that DNA profile, Moore was able to conclude it was a male who was related by the aunt’s mother’s family, which turned out to be her sister’s son, or Downs.

His attorneys had argued in a pretrial motion that the DNA evidence shouldn't be allowed at trial because it had been an invasion of his privacy and had been done without a warrant to seize his DNA. He hadn't given his consent for his DNA profile to be compared to evidence collected from the crime scene, only his aunt had, apparently.

Fairbanks Superior Court Judge Thomas Temple ruled against Downs, allowing the DNA evidence to be used against him at trial.

An appeal of that ruling is likely to be raised after Downs' sentencing in September, Howaniec has said. And the issue of using so-called genetic genealogy in criminal cases may be headed for the U.S. Supreme Court, he said.

In an affidavit, lead investigator for Alaska State Police Detective Randel MacPherron said, "What we have here is DNA, alone (it) is not enough to prove Downs committed the murder, only that he had sexual intercourse with Sergie," Howaniec told the jury. "Whether this intercourse with Sergie was consensual can also not be confirmed through DNA analysis alone."

During his closing argument, Howaniec referenced the case of Joseph James DeAngelo Jr., identified in 2018 through use of genetic genealogy as the Golden State Killer, a serial killer believed to be responsible for killing at least 12 people and raping 45 women across California between 1976 and 1986.

Howaniec told the jury that while "we're all for catching the guy who raped and murdered" those people in California, "do you have concerns that perhaps out of all of these genetic genealogy investigations, they may sweep in somebody who had a random sexual contact with somebody 20, 30, 40 years ago? Someone they met in a bar, somebody they met on a college dormitory campus, and that their DNA profile gets scooped in with the other billions of bits of data and get wrongfully charged with a crime they didn't commit?"

Once investigators zeroed in on Downs, police put his Auburn home under surveillance with a camera fixed to a utility pole and listened to his phone calls by way of a wiretap.

They waited for him to bring his garbage to the curb or go to a local eatery or coffee shop and discard something containing his DNA.

After waiting a month with no progress, Maine State Police were urged to pay a visit to Downs' home. During a short interview, they interviewed him about the murder and showed him photos of Sergie. He said he hadn't known nor met her.

Police then secured search warrants for Downs' DNA and fingerprints and to later search his home for a .22-caliber revolver; ballistics experts had concluded the bullet recovered from Sergie's head was a .22-caliber slug.

That bullet was so badly damaged, experts were not able to match it to a specific gun and could only narrow it down to roughly one of tens of millions of guns in the country.

The interviews

During the trial, jurors listened to Downs in nearly two hours of interviews, first with Maine State Police, then with two detectives from Alaska. He was interviewed at his home, then later at the Auburn police station.

He denied knowing anything about the murder and sexual assault, even after he was told of the DNA match through his aunt.

"There has to be a mistake, Downs told investigators who questioned him at the Auburn Police Department on Feb. 14, 2019. "There's gotta be a logical explanation" as to why his semen was found in the victim's vagina, he said, suggesting a laboratory mix-up or investigative error.

"It's not me," he told them after they insisted the evidence against him was conclusive.



A .22-caliber revolver found in the closet of Steven H. Downs of Auburn, Maine, is shown at his rape and murder trial in Fairbanks Superior Court in Alaska. *Used with permission by Fairbanks Superior Court*

“I never hurt anyone in my life,” Downs said, telling police he was a “good person” who “always tried to do the right thing.”

While he was interrogated, he was told his home was being searched for evidence of his connection to Sergie, then later for a .22-caliber gun.

Police admitted that the sworn affidavit supporting the application for the warrant included erroneous information about who had seen him with a gun while he was in college. Defense attorneys challenged the validity of the warrants during pretrial motions, but the judge ruled against them.

Eye witness

Melanie Sagoonick was called to testify by prosecutors as an eyewitness who saw a man coming out of the shower and bathtub area of the women’s bathroom on the second floor of Bartlett Hall around 1:30 a.m. on April 26, 1993, the estimated time of Sergie’s death.

Sagoonick said she had been washing her hands at a sink in that bathroom around that time when a man wearing a paisley gray, collared shirt entered the sink area from the tub and shower area, then exited the bathroom. She described him as being 5 feet, 8 inches tall, with black hair and a dark complexion.

Downs, by contrast, was about 6 feet, 2 inches, with brownish blonde hair and was fair skinned, his attorney said at trial.

More than a decade after Sergie's murder, police showed Sagoonick a group of six photographs and asked her if any of the men pictured was the man she had seen leaving the bathroom. She excluded four of the men pictured in the photo, then said two of the men had similar features to the man she'd seen. One of the men she picked had been an alternative suspect — one of three — named by the defense at trial as having been linked to Sergie.

In a later interview, Sagoonick specifically said the man she saw was not Kenneth Moto, one of three named alternative suspects in the case.

Alternative suspects

Defense attorneys were seeking to introduce at trial 13 alternative suspects, but after pretrial hearings, Judge Thomas Temple narrowed the list to three that he would allow the defense to name at trial with supporting evidence.

One of the named suspects was Nicholas Dazer, who had been Downs' best friend and roommate his freshman year and the same year Sergie was killed.

Dazer had worked as a student security guard that year and had guarded the crime scene for hours after Sergie's body had been found around 2 p.m. on April 26, 1993.

He was interviewed by Alaska police during a 2010 interview at his law office in Portland, Oregon, and asked to provide a DNA sample.

Dazer told police Downs had owned a .22-caliber Harrington and Richardson (H&R) revolver and a derringer while they had been roommates.

He had owned a gun also, though it was a larger caliber handgun. He had been fired as a student security guard because guns had not been allowed on campus by students.



Sophie Sergie, 1993

Downs told police he hadn't owned a gun until after his freshman year.

Another alternative suspect was one of the men Sagoonick picked out of the photo lineup.

Defense witness Michael Reuben Leake testified during trial that his roommate, Gregory Thornton, had owned a .22-caliber H&R revolver that he kept hidden in their room on the fifth floor of Bartlett Hall during the fall semester of 1992.

Leake said Thornton hadn't returned as his roommate during the spring semester in 1993, but had continued to live on that floor, staying with friends.

Leake said he saw Thornton daily until a day or two before the murder, then never saw him again. He said he thought it strange because Thornton had arranged to get a ride home from the school with a friend of Leake's because he had no money, but never showed up for the ride.

The third suspect was Kenneth Moto, who had been a student at the school at the time of the murder, but had moved off campus the spring of 1993.

He had been interviewed a day after the murder by the lead investigator and had been wearing a gray shirt at that time.

Moto had not been allowed back on campus the next semester because he had been a suspect in Sergie's murder, he testified at trial.

He was interviewed years later, his DNA taken for comparison to evidence found at the crime scene.

His sister, who later died and couldn't testify at trial, had told an investigator that Moto had confessed to her that he had killed Sergie. Asked about that at trial, Moto said he and his sister had been watching TV when a show about cold cases appeared, including Sergie's. Moto said he told his sister he'd been a suspect in the case.

The girlfriend

Lee had been a freshman who lived on the fourth floor of Bartlett Hall during the 1992-93 school year. She had been Downs' girlfriend during the spring of 1993, she testified at trial.

She said she couldn't remember whether Downs ended up spending the night of April 25, 1993, or not that night. She said she had been awakened on Tuesday by police who wanted to talk to her alone, without Downs, and had to go into a separate room to do that.

Asked whether Downs' demeanor had changed leading up to the night of April 25, 1993, or on that night, or afterward, Lee said she couldn't remember any difference in his mood or appearance.

She testified that she and Downs had gone into the woods one day to target shoot sometime that spring.

Lee said Downs had brought an old, beat-up, small-caliber revolver that he used to shoot at targets, but she hadn't shot the gun.

She said she had never seen the gun before nor since that day. She said she assumed he had borrowed it.

Lee said Downs had been "into weapons" but didn't own any.

She testified she knew Downs owned a pocket knife at the time and said she believed he had a "fixed blade" knife as well.

Downs told police he later owned guns while in Alaska, a narrative attested to by a witness at trial who said he'd gone hunting with Downs and believed it was after the spring of 1993.

Botched investigation?

Howaniec said during his closing argument there was “enough reasonable doubt in this case to drive a train through. Steven Downs did not kill Sophie Sergie, but it doesn’t matter what I think. All we can do is lay out the flaws in the state’s case for you, the jury, to decide.”

Howaniec told the jury that, “there’s actually no evidence, no significant evidence. There’s none. There’s no gun that’s connected to this crime. There’s no knife. There are no witnesses. There’s no motive.”

He pointed to a “botched investigation” and a prosecution that was “making square pegs fit into round holes because they have a theory about what happened and they’re throwing as much mud as possible and hoping that it sticks.”

Howaniec said the initial investigation carried out by an understaffed and overwhelmed detective unit was “chaos” as they sought to interview thousands of students who were either leaving campus or had already left as the semester was drawing to a close.

Moreover, the dramatic disappearance of a high-profile person in Fairbanks a short time after Sergie’s killing strained their already stretched resources, Howaniec said.

When the jury entered the courtroom to deliver its verdict, many jurors were openly crying, Howaniec said in an interview this week.

“We were hopeful that we could get a jury that would actually put aside the emotion and look at the actual evidence and not speculation,” he said, saying he felt there was plenty of reasonable doubt in the case for a jury to seize upon.

“It’s certainly the most traumatizing trial I’ve ever been a part of,” in his 36 years as a criminal defense lawyer, he said. “But this one was really extreme, heightened emotions.”

Howaniec said he and two other Maine attorneys had spent 44 nights in Fairbanks over the course of the trial. Howaniec had flown to Alaska twice before the trial, once for Downs’ arraignment and once for pretrial hearings.

Jurors appeared to have been divided early on during deliberations, Howaniec said, based on notes passed along from them to the judge.

“And so somewhere along the way, it seems to us anyway, that minds were made up and possibly changed. And, you know, that’s a pretty difficult situation to accept because we think that in the end, it was just a classic case of reasonable doubt.”

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