

Task Number:

Article Title: Current trends in latent print testimony

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Article's Subject Matter:

- This is a summary of the evolving testimony issues from the Daubert era to 2011. "One of the most actively changing aspects of latent print examination has been in the legal arena"

Key Points in Article

- Daubert hearing in the 1999 US vs Byron Mitchell trial started the "scientification" of latent print examiner testimony
- Ashbaughs book assisted the examiner in articulating evidence for the courts
- Critics say we are pushing too far to a certainty that cannot exist. We are told out examinations can never reach 100% "scientific" or "absolute"
- Examiners state that you don't need 100%, that courts acceptance is not based on whether we can reach scientific certainty but rather if the technical opinion and experience can assist the trier of fact
- Author sees ACEV as a framework or process instead of referencing ACEV as an error free scientific methodology
- Author references the 2004 Brandon Mayfield case to illustrate how critics view our discipline as having an "error prone nature" within the discipline
- Brandon Mayfield and the 2009 NAS report on Strengthening Forensics brought numerous challenges and saw experts using more caution on the witness stand
- SWGFAST removed "to the exclusion of all others" and redefined individualization and identification as synonymous
- Future trend is possibly still toward conservative testimony and also further discussions on the use of statistics in our discipline
- Stay abreast with developments through "resources" page at www.SWGFAST

Fallacies and Issues

- A good but brief read on how things have developed in the last few decades.
- Since this March- April 2011 article things have progressed toward the use of statistical information to support our discipline. Take for example the technical report released in December of 2012 – “Application of Spatial Statistics to Latent print Identifications – towards improving forensic science methodologies” – Stephen Taylor, Emma Dutton, Patrick Aldrich and Bryan Dutton – Division of Natural Sciences and Mathematics, Western Oregon University & Oregon State Police. This report addresses the question of fingerprint uniqueness by statistically evaluating the spatially distribution of these features. The forensic community is being asked to provide quantifiable metrics and stats during testimony on latent print comparisons. This research will aid in bolstering testimony with data that characterize patterns and metrics. The scientific approach taken here will strengthen the validity of using fingerprints for identification. The spatial analysis of fingerprints and the consistent clustering of similar pattern types strongly suggest a biological association between fingerprint development and fingerprint pattern type.

Our discipline is evolving... stay tuned for developments!