

'From a US attorney' – The Debate

From: S

To: friendsofshirley@btinternet.com

Sent: Tuesday, October 18, 2005 9:39 PM

Subject: you have my support

As an attorney who handles criminal cases in America, I am thrilled that your case was made public but so sorry it has damaged your life, profession and reputation. Those in criminal justice know that when you show law enforcement where it is wrong, the information isn't exactly taken with appreciation.

All the world should look upon your case and be happy that it has helped increase our understanding that the art of fingerprint analysis is just that, an ART not a science. Errors ARE made. The fact that happened to one of law enforcement's own is necessary before serious analysis will be given, but I am sorry that you had to be the one involved. Keep fighting the good fight! Demand apologies and hold your head up high.

Your name..... is known world wide..... Innocent people who have been charged or incarcerated will see..... one who made an impossible dream seem possible... maybe someone will listen to them too, just as they finally did to you.

I know, as all criminal defense attorneys know, that the bulk of inmates are not innocent of the crime charged, but we also know that some ARE innocent. For those, we need to stop crying and start screaming. The same society that clamors for harsher sentences and "death penalty for all" forgets that in addition to the hell the innocent person endures throughout the arrest, conviction and incarceration for a crime they did not commit, an often dangerous, GUILTY man/woman walks free among us - able to commit more crime and harm more people.

Even the "law & order" folks should want the truth about fingerprint errors to be addressed and minimized. Hell, right now I would settle for having the errors acknowledged! In America, this great country, the FBI has NO set minimum number of matches for a latent to known print- that is embarrassing. This great country should be ashamed. But I was happy to see that this country's experts have done some good- just not enough.

(This) Criminal Defense Attorney in America" is grateful for your voice. Keep talking! I hope your experiences lead to an even better life than you had prior to this ordeal. Many of us are so grateful for the exposure you have brought to such a critical issue. KEEP IT UP!!! If I can ever assist you, please let me know.

S. Attorney at Law. USA

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Dear S,

Thank you for taking the time to write. Your support is extremely important to Shirley as we approach yet another court hearing in February of next year.

I think it is vital, as you acknowledge, that lawyers and judges are much more aware of the 'expert' evidence being given and do not take it as infallible.

Despite the major issues facing fingerprinting I still believe that in the correct hands it is a forensic science capable of continuing its role as an important crime prevention and detection tool. Like you however I believe that the issue of 'error rates' must be faced.

The problem lays not in the 'science' but in the lack of international standards, differences in training and procedures and a need to create effective independent oversight of the profession.

I have been in contact with many 'experts' across the world who are well aware of the need to develop their profession and are working effectively to that end.

It was fingerprint experts who rescued Shirley from the hell of a period in prison and our family will forever be thankful for that. I believe that the most effective strategy is for the experts and the critics to start listening to each other and work together to improve the 'science' instead of seeking to score points of one another.

Best wishes to you and yours.

Sincerely, Iain

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From: L
To: iainaj.mckie@btinternet.com
Sent: Friday, October 21, 2005 3:34 AM
Subject: US attorney at Law

Hello Iain,

The letter from the apparent US attorney draws out a new level of attention to Shirley's case and the controversial effect it continues to have on the science of Fingerprints. I thought your response was very well balanced which is something we have all come to appreciate with regard to the standard of your communications. The two main issues that 'S' raises are that of standards (numerical or not) and the methodology (art or science). It is difficult to teach these concepts to people within the industry of Forensic Science and additionally hard to convey the correct understandings to those like 'S' who dabble at the edges.

The main problem facing our future is the length of transition time from a century of practice that was dominated by inked impressions and manual searching into a new century of computerisation and a modified philosophy based upon science rather than dogma. At the roots of what has occurred in Shirley's case is also a reluctance to be accountable and progressive. There needs to be a new international forum with governing powers for the purpose of improving the progress of transition and correcting poor performance.

Regards, L

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Dear L,

Seldom have I so completely agreed with a correspondent.

Short and very much to the point. Your last three sentences really sum it up

Fingerprinting is indeed in transition and needs to be given time to make that transition.

The problem is some experts and their representative organisations are going to have to be dragged screaming into the new millennium and will continue to drag the profession down while they persist with their resistance to change.

The idea of an international forum with 'powers' is exactly what is required. The time is long overdue for narrow national and organisational interests to be rejected. Unless this happens the present controversy will continue because whether we like it or not practitioner 'error' is an unavoidable constituent of the present fragmented system.

Best wishes,

Iain