

## Letter from America

For a decade I have continued to receive letters of support from all corners of the globe.

One of the latest, shown below, reveals just how positively the fingerprint community has responded to the challenges of cases like Shirley's and Brandon Mayfield's and gives me hope that once the judicial enquiry has revealed the truth we can stand down confident that we leave the profession in good hands to continue its important work as one of the most successful of the forensic sciences.

As always this support is greatly valued and appreciated.

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**Dear Iain,**

### **USA**

I hope this letter finds you well and you get some enjoyment and satisfaction about what I will reveal. I am a retired latent fingerprint examiner living in the USA. Years ago I wrote a book about fingerprints and in the last years I have been publishing forensic science materials. Basically my material involves lab activities for students to complete that link with the academic content for use in the classroom. Unlike conventional textbook training, my lessons all feature operative, hand-on assignments that parallel closely with evidence examination and comparison.

### **Ed**

I have known Ed German since the early 1980's. I also know Pat and Dave having met them at conferences. About the time Ed was setting up his website with your case info I was developing an automated fingerprint identification class. I was able to take the images of Shirley's case from Ed's website and I made a practical exercise for my students. I just told them to examine the prints and see if they could chart the images and make a fingerprint exhibit. After they got their chance to look at the prints, there was much discussion, to say the least. In four or five classes that I taught, **none** of the students identified the print. Imagine their shock when I told them the *rest of the story* and revealed what was going on in your case. I played some of the video I acquired on the case. They were truly outraged and it was a great training opportunity for them, one I am sure they remember to this day. It was especially telling when I disclosed how many people verified the prints to determine identity. This corresponds to my adage that there is *no safety in numbers*. The purpose of this activity was to prove to them that *verification* is completely overrated as a quality assurance step and most erroneous identifications have been verified by one or more examiners. I can tell you that they were sickened by the thought that someone was being persecuted for this exhibit they carefully examined. I detected a high and mighty attitude that

this could not happen here, though. Little would they know that actually Shirley's experience prepared the fingerprint world for the shocker that happened with the Madrid print.

### **Great Read**

I have to say that I read the book in two sittings, in less than 24 hours. It is an amazing, but sad story to say the least. To see all those involved from your side, especially your daughter, suffer the consequences of a machine out of control is a tragedy. Her story that was told is a much bigger picture of what can happen to people as mistakes and cover up takes its course and consumes years of someone's life. Always, the biggest tragedy is time and energy lost that you cannot recover. Being pitted against your government and your allegiances to police work makes the story further unimaginable.

### **Causation**

In my personal opinion, and I have been involved in fingerprint identification for over thirty years, the cause of the problem came from the status of the comparison being an elimination identification. I know they do not get the same scrutiny as suspect prints. It is a quiet fact, but most people won't admit it. I have seen it happen before, but not get out of hand as such errors are usually kept in house and they don't get published. This elimination print identification was not given the same comparison attention as if it had been a suspect identification. Obviously, there were some stubbornness involved in not fessing up to the mistake early on when no harm had yet occurred. They knew it was a bum ident! The extended tragedy also lies with those that knew it was an erroneous identification but did not come forward and make a stand.

The peer pressure in forensic casework is tremendous--too many people trying to be good friends rather than trusted colleagues. So there is more to blame than just the incorrect four. I see that instead of four people admitting they made an embarrassing mistake it was decided to stand strong against the one person who was positioned by herself and had to prove the negative. But you know all of this, and much more. I strongly disagree with your daughter, however. She is a brave person and most people are never put in a compromising position like that to continually weather a calculated onslaught like she did. The opposite of brave is coward. There was no shortage of cowards.

### **Instructional Program**

At this time, I am developing a completely new method of training and instruction for forensic science education. In it, I am integrating not only **criminalistics**, crime lab activities, procedures, skills, etc, but also an expanded definition of **criminology**. I contend that criminology extends beyond just the activity, thoughts and demeanor of the criminal. Criminology, in my perspective, involves also the activities of victims, witnesses, family members who may have unknown agendas and pasts that influence negatively or assist the investigation. Further, this new criminology definition

component must be considered to include all those investigating the crime to include detectives, forensic scientists, administrators, prosecutors and judges. I am developing casework examples, and importantly, linked, hands-on activities, (Shirley's print comparison as an example) that explain, reveal and help understand this unknown criminology component. For instance, in my course that I used Shirley's exhibit, the bigger lesson learned was the complicated dynamic that Shirley was targeted as a criminal but actually was a completely innocent victim facing the power of a multi member team who used the reputation of fingerprint identification against her. The fingerprint students for the first time had to understand that their perfect science has flaws when placed in the wrong hands and can affect so many people. I have compiled numerous cases of my own where there were other instances of such criminology-related behavior linked to those in positions of power. Nothing like this, though. I was sworn law enforcement officer in my capacity as a full time latent print examiner, so I am not taking shots at *them* but *us*, actually.

### **Closing thoughts**

I wanted to let you know that in this unusual and academic way, Shirley's case will become a real learning opportunity for students in forensic science. I intend on integrating her case and story later in my curriculum. I just wanted to let you know of my intent and possibly in the future we could communicate to make something useful of this tragedy she overcame and rose above. Thanks for your time.

My best regards,

**K. L.**

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Dear K. L.,

Great to hear from you and thank you for the supportive comments.

What a fascinating letter showing yet again that the world community of experts has managed to rise above the minority of experts who for a range of factors fail to act with integrity.

I think your analysis is pretty accurate - an elimination mistake that snowballed.

I find your expanded definition of Criminology fascinating and do I also detect a kinship to Itiel Dror's work? <http://users.ecs.soton.ac.uk/id/>

The power factor in expert's work is also extremely important and often not recognised.

As you will see from the book however I believe that there was criminality by possibly two experts who having set up David Asbury for the murder by falsifying an identification were then faced with Shirley who unknowingly threatened to blow their cover and reveal their criminality. The system in its need to convict someone for the murder unknowingly (at first) allowed the experts to cover their actions up. Later on political matters came into play and further covered up their criminality.

I hope that the coming judicial enquiry will lift the lid.

You mention Ed, Pat and David Grieve experts who are showing the future of fingerprinting before gracefully bowing from centre stage. I hold them in the highest regard and applaud their honesty and integrity.

Your position as an educator is extremely important and I will be only too pleased to help you in whatever way I can in your work.

Best wishes to you and yours,

Iain