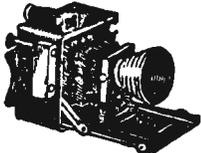




THE PRINT

*The Official Publication of the Southern California Association of Fingerprint Officers
An Association for Scientific Investigation and Identification Since 1937*

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Officer Remembered for Keen Crime Work

(This article is reprinted from the The Salt Lake Tribune, January 4, 2003)

By KEVIN CANTERA
The Salt Lake Tribune

Scott Spjut could find fingerprints on anything, culling evidence from the most unlikely places to help put criminals behind bars. He was world-renowned for his forensic expertise -- and also for the painstaking care with which he did his job.

So a bleak cloud of disbelief and sorrow descended over much of Utah's law enforcement community Thursday night when Spjut died of a gunshot wound suffered while examining an assault rifle.

The gun went off while he was working alone in the West Valley City crime lab.

"We are all still in shock. He was so meticulous and had such a passion for the job," said Jay Henry, deputy director of the Utah State Crime Laboratory in Taylorsville.

Spjut began his career as an intern at the state lab more than 10 years ago, and Henry remembers when he left to run the West Valley City lab in 1997.

"It was with a lot of mixed emotions. You were excited that he had become a director in his own lab, but you were sad to see him go," Henry said. "It sure was nice he just moved down the road -- his expertise was still nearby."

Investigators were trying to understand how Spjut was shot while photographing fingerprints on the rifle.

The weapon, a stolen semiautomatic rifle that had been forwarded to the lab by the Bureau of Alcohol, Tobacco and Firearms, inexplicably discharged shortly before 4 p.m. Thursday.

Spjut, 38, was hit in the chest. He was airlifted to University Hospital, where he later died.

It isn't clear whether Spjut knew that the rifle was loaded, said Capt. Craig Black of the West Valley City police.

The Salt Lake District County Attorney's Office will investigate the accident, said Kent Morgan, deputy district attorney.

On Thursday, Morgan remembered the pivotal role Spjut played when Morgan won a capital murder conviction against Michael Scott DeCorso in 1996.

“Scott made the case.... After his testimony we could have just sat down,” Morgan said. “Another expert might have said, ‘I just don’t know for sure,’ but Scott, with his expertise, was able to testify that we had the right guy.”

DeCorso was sent to prison for life for the Feb. 15, 1994, murder of 50-year-old Margaret Martinez at a West Jordan Payless store. DeCorso beat the woman, stabbed her with scissors and then smothered her by wrapping her head and face in duct tape.

Spjut used a revolutionary technique to lift one of DeCorso’s fingerprints from a piece of duct tape used to bind the woman’s legs.

“Scott got the slam dunk. He was the hero of that case,” said West Jordan police Lt. Bob Shoher.

Utah prosecutors touted Spjut’s key role in other cases, including the double-murder conviction of John Pinder for killing two people in Duchesne County in 1998, and the successful robbery prosecutions of the Galli brothers and cousins, the so-called “preppie bandits” who pulled a string of 19 robberies in Salt Lake County in 1991.

Morgan remembered Spjut as “a man of justice,” adding, “I have lost a friend, and the community has lost a great scientist.”

Spjut, who graduated in criminology from Weber State University before earning a master’s degree in public administration from the University of Utah, leaves behind a wife and two children.

“He always put his family first,” said former West Valley police Lt. Charles Illsley.

“The greatest tribute to Scott is that even though he had a very full life as a forensics specialist, he balanced that with his family life,” Illsley said. “He will be very seriously missed.”

(Editor-Scott was not a member of SCAFO, but he will be missed by the many SCAFO members who knew him. Scott was very active in the IAI. At the time of his death, he held the position of Chairman of the Latent Print Certification Board. Some of you may also recognize his name because The Print published an article of his in 1994. Scott’s death was a tragic accident and it should remind us of the many dangers law enforcement personnel face.)

‘CSI’ Effect on Potential Jurors has some Prosecutors Worried

(This article is reprinted from the December 16, 2002 issue of the The San Diego Union-Tribune. Thanks to Susan Lindgren for the submission.)

By **ROBIN FRANZEN**

Potential jurors these days are being asked a question that is becoming something of a national refrain: “Do you watch the television show ‘CSI’?”

As “CSI: Crime Scene Investigation,” the top-rated CBS show about a technologically supercharged team of crime-scene investigators, spins off this season into another wildly popular franchise, “CSI: Miami,” district attorneys increasingly worry that the shows taint the jury pool with impossibly high expectations of how easily and conclusively criminal cases can be solved using DNA analysis and other forensic science.

Left unchallenged, such expectations could undermine their cases, they say, and -- in the worst-case scenario -- translate into losses in the courtroom.

So far, no one has blamed “CSI” for a defeat. But to neutralize “CSI’s” pervasive influence -- together, the shows grab nearly 50 million viewers each week -- prosecutors nationally are pointedly questioning would-be jurors to make certain they can distinguish between real-life forensics that take time, luck and money and make-believe, where cases are irrefutably solved in 40 minutes.

The issue even created a little buzz at last month’s national prosecutors meeting in Austin, Texas.

“All we hear about is ‘CSI,’” said Christine Mascal, a deputy district attorney for Multnomah County, Ore., who initiated discussion of the show last month during a murder trial where she planned to present little physical evidence.

“People are fascinated with that show. So if you have physical evidence, (the show) may work to your advantage.” If not, it could mean trouble. “They may expect it,” Mascal said. “(‘CSI’ fans) think everything’s possible.”

Almost 50 years ago, “Perry Mason,” about a defense lawyer who almost never failed to get a midtrial confession from the real killer, was the first TV show to give prosecutors fits. In the 1970s and early 1980s, it was crime-fighting coroner “Quincy.”

But “CSI,” boasting DNA-age techniques that look authentic but sometimes miss the mark, appears to blur the line between make-believe and real life to a degree never seen before.

An enviable array of real and not-so-real technologies and gadgets are at the disposal of the carefully coifed “CSI” gumshoes as they investigate slain strippers, kidnaped wives of millionaires and maggot-covered bodies found in the Las Vegas desert: DNA analysis; mass spectrometers to test chemical compositions; Luminol, a chemical test causing invisible traces of blood to emit a telegenic blue glow.

There are no real-life budget constraints: Every case gets the full-court press of available tests. There are no time lags for DNA results. Almost no courtrooms or juries either.

Faced with the weight of trace evidence, suspects usually confess.

Case closed.

In one particularly improbable plotline, for example, the intrepid “CSI” investigators are able to find the man who slaughtered a black listed sex worker in a snuff video by proving through DNA analysis that her final spurts of blood infected him with HIV -- something local DNA experts say just isn’t done. That, however, was only after they’d used video enhancement of the motel room encounter to discern that the killer had a telltale mole on his neck and to make out a crucial landmark outside the motel room window that allowed them to pinpoint its location using triangulation. Analysis of dirt lodged in the tires of the killer’s car led them to the victim’s body.

It’s enough to give a real district attorney, with a real case to sell to a jury based on real evidence, undeniable concerns about being held to an artificial “CSI” standard, said Josh Marquis, Clatsop County district attorney and Oregon director of the National District Attorneys Association.

“I wouldn’t say prosecutors are wringing their hands,” Marquis said. But “CSI” does raise problems that require prosecutors to spend more time educating the jury pool about why certain tests are done, or aren’t, in the course of an investigation, he said.

“Many of us (prosecutors) have had the experience where the defense argues, ‘Why didn’t you do DNA?’ or, ‘Where are the fingerprints?’ “

Carol Mendelsohn, executive producer of “CSI” and “CSI: Miami,” appreciates the prosecutors’ dilemma.

“I understand that we skew people’s perception,” she said by phone last week. “We try to be as realistic as we can as a TV show.”

But she also pointed out that not every episode is neatly tied up at the end by the evidence. In a new plot, the team will come up short. And she credited her shows with giving many Americans -- and potential jurors -- a working forensic vocabulary that they might not have had otherwise.

“I think the audience and many potential jurors are a lot like me; they’ve been intimidated by science,” she said. “But they love it now. So, to that extent, I think we’ve opened minds.”

Be that as it may, Paul Logli, state’s attorney for Winnebago County in Rockford, Ill., thinks shows like “CSI” may actually drive up prosecutorial costs. About a year and a half ago, one of his prosecutors had to overcome the “CSI effect” to win a simple burglary case that offered no fiber, fingerprint or DNA evidence.

“Even though it was a crime where you wouldn’t expect that kind of evidence,” he said, “people who watch ‘CSI’ expect a magic bullet that will convince them who the perpetrator is.”

Fingerprint Technology Faces Test in Court

(This article was downloaded December 15, 2002 from the South Florida Sun-Sentinel, sun-sentinel.com. Thanks to Donna Brandelli and Steve Tillmann for sharing this story.)

By **PAULA MCMAHON**
Staff Writer

When detectives were investigating the 1996 shooting death of a Pompano Beach man, they found faint handprints on duct tape wrapped around the body. But, at the time, the prints were useless to identify the killer.

That changed last year, when the Broward County Sheriff's Office turned one of the smudges into valuable evidence by using two controversial forensic techniques that prosecutors say reveal hidden clues. Using digital photography and computer software, technicians uncovered a print that was almost invisible to the naked eye.

Some experts say the print implicates Victor Reyes, 33, who already had been charged in 1999 with the first-degree murder of Henry Guzman, based on other evidence.

But defense attorneys say the fingerprint technology crosses the line between uncovering evidence and creating it.

Both methods are on the cutting edge of new forensic tools that are just beginning to be tested in the nation's courts. They are so new that only two appellate courts, in Ohio and Washington state, have ruled that one of them -- digitally enhancing fingerprints -- is scientifically reliable enough to meet legal standards.

The other method, "dodge and burn," which is used to lighten or darken images digitally, has not yet been tested in the courts.

At Reyes' first-degree murder trial early next year in Broward Circuit Court, both new technologies will get their first serious challenge in Florida. Reyes' Fort Lauderdale attorney, Barbara Heyer, has launched the most aggressive attack yet, calling it "junk science." The trial judge has ruled it can be used.

"I think it's very suspicious that you have something that is of no value and suddenly you enhance it and it becomes of value," said Heyer. "It is very clear that this type of thing can be manipulated."

The software used to enhance the print is the same that some tabloid newspapers use to create seamless "photographs" of space aliens hanging out with celebrities. Time magazine used a similar program to alter a police mug shot of O.J. Simpson and make his complexion appear darker on its front page in 1994.

Heyer said that shows the software is not a scientific tool, but an unreliable art form that could be used to misrepresent reality or simply create things.

Added to the mix in the Reyes case is that the print on the duct tape has disappeared. It wore off the tape because it was processed and examined so many times.

The partial print from the duct tape, which experts say matched Reyes' palm, went from being useless, to a match for Reyes, to nothing but a digitally captured image.

"It's nonexistent because it's gone now," said Heyer.

Two FBI experts and one Broward examiner say the palm print matches Reyes'. Another Broward examiner says she will not identify it.

BSO forensic analyst David Knoerlein, who enhanced the print, was not allowed by his supervisors to discuss the specifics of the Reyes' case. But Knoerlein says that enhancement and "dodge and burn" are phenomenal forensic tools.

"There is a big difference between altering and enhancing," said Knoerlein, adding that BSO has strict rules about what can be done to an image. Only certain staff members can access the system and it automatically logs the user and length of use.

Starting with a digital image of a barely visible fingerprint on a check, the software creates a copy and then saves the original image and gives it an encryption code that Knoerlein says would detect if he made alterations.

He goes to work on the copy, which is saved in a separate computer folder and assigned its own encryption code when Knoerlein finishes his work. He uses Adobe Photoshop, a computer program for graphic artists and photographers, and another program, More Hits, developed for law enforcement by a forensic analyst in Tacoma, Wash.

Knoerlein says what he does is like adjusting the contrast on a TV set and trying to make the picture clearer.

The new methods have come in most useful in lifting fingerprints from surfaces such as bed sheets, duct tape and plastic garbage bags that, in the past, could not be dusted with powder. Using a digital camera, a crime scene technician can take a digital photograph of the print. Then Knoerlein uses the software to remove repetitive patterns like the weave of a fabric and make the print more visible.

Using "dodge and burn," Knoerlein can take parts of the image and make the ridges and valleys of a fingerprint appear darker in places where they are too light, or lighter in places where they are too dark. As if by

magic, print details appear and can be used by a fingerprint expert to compare against a suspect's prints to see if they match.

Some agencies, including the Broward Sheriff's Office, have guidelines on how the software can be used. Knoerlein says he never uses some of the program tools like the eraser, which he calls "a no-no, because that would be considered an alteration, not an enhancement."

The software has some safeguards to identify if someone tampers with images. But Knoerlein and Erik Berg, who developed the More Hits program, acknowledge that just having procedures on the books is not enough to guarantee the system is not abused.

Like many aspects of law enforcement, it comes down to the integrity of the individuals involved, said Knoerlein. He only enhances the prints that are then sent on to a print examiner, who is qualified to decide if the print matches the suspect.

One of the biggest questions about the new technology is: Could a skillful technician create or copy a suspect's fingerprint and frame someone by making it look like that fingerprint was at a crime scene?

"I don't think I could recreate a fingerprint," said Knoerlein, pointing out that he never sees the suspect's fingerprints. The system might be more vulnerable where print examiners have both sets of prints and also are responsible for enhancing the prints, he said.

"Could it be done? Probably," said Knoerlein. "But it would take a lot of skill and a lot of time."

Berg says a person could be framed if someone in law enforcement took a legitimate fingerprint and claimed to have found it somewhere linked to a suspect.

But it was also possible to do that in the "old-fashioned" system, when police used powder, tape and Super Glue to capture fingerprints.

Technicians did similar things in the darkroom when they used black-and-white film, said Knoerlein. In fact, the term "dodge and burn" comes from the old days of darkroom developing when photographers would use their hands or a piece of paper to cast shadows on parts of a print and expose other areas of it to more light.

That was done under much less controlled circumstances, said Knoerlein. In the computer program, analysts note the changes they make and that documentation is saved with the evidence.

But Reyes' attorney, Heyer, says that's not good enough.

Because the dodge-and-burn process is so subjective -- like sweeping a paintbrush across a canvas -- no technician can exactly replicate the work of another technician, Heyer said.

"There are no proficiency tests, there are no independent studies to say that this works or that it's reliable," Heyer said.

Dr. Jim Ongley, a Broward assistant public defender and former assistant medical examiner, calls it pseudoscience.

"They call it science, but the hallmark of science is the ability to reproduce the same result. If a scientist in Fort Lauderdale and a scientist in California can get the same outcome from the same raw materials, that is science," said Ongley. "This is cosmetic fraud."

Broward Circuit Judge Stanton Kaplan has ruled the evidence can be used in Reyes' trial, so it will be up to a jury to decide whether it can be used to send Reyes to prison for life. If convicted, Reyes will appeal the use of those techniques to Florida's appellate courts.

Prosecutors Deborah Zimet and Tom Kern have other evidence -- the motive appears to be drug-related, the victim's blood was found at Reyes' home and a convicted criminal initially gave a statement that he saw the shooting.

That witness, now serving a federal prison sentence, has stopped cooperating with prosecutors. The victim also told his girlfriend during a cell phone call shortly before he died that he was going to Miami with Reyes, an acquaintance, Guzman's girlfriend said.

As forensic experts work to make the system invulnerable to attack, Knoerlein said he hopes that it will soon be standard to have software automatically record everything done to a print. He also wants crime scene technicians to use encrypted cameras that record when an image was captured and whether any alterations were made to it.

In Tacoma, Berg is enthusiastic about the strides made in digital enhancement of prints and how much time it saves law enforcement. It has cut processing time from six hours to 10 minutes, he said.

But in his day-to-day work for the Tacoma Police Department, Berg said he prefers to use the old-fashioned methods unless he's faced with a difficult surface for lifting a print.

"It's like my toolbox got bigger," said Berg. "If I come up with a fingerprint with powder and it's clear -- there's nothing better."

MINUTES OF OCTOBER MEETING

DATE: October 12, 2002
LOCATION: Embassy Suites, Covina, CA
HOST: Bill Leo and Steve Tillmann
SECRETARY: Dennis Uyeda
PROGRAM: Annual Forensic Training Seminar
Call to Order: 1310 hours by President Steve Tillmann

ATTENDANCE:

Past Presidents: Alan McRoberts (1991), Tim Golt (1992), Clark Fogg (1994), Bill Leo (1996), Clint Fullen (1998), Tom Lapisto (1999), Robert Goss (2001).

Executive Board: Bob Goss, Steve Tillmann, George Durgin, Ed Palma, Dennis Uyeda, Gina Russel-Durgin, Tom Washington, Jim Lawson, Bill Leo, Clint Fullen, and Alan McRoberts.

Seminar Attendance: 190 +

GIFTS: Provided by Cogent Systems and Bill Leo

OLD BUSINESS:

Second Reading:

Active:

Brenda Bass, Nicole Mobley, Kathleen Rosario,
Debra Schambra

Motion to Accept: George Durgin

Second: Ed Palma

Swear-Ins: by Past President Clark Fogg

Active:

Lomita Armendariz, San Diego Sheriff's Dept.
Donna Brandelli, Sheriff's Dept.
Po Wong, San Diego Police Dept.

NEW BUSINESS:

First Readings for Active Membership:

David Cole and Jan Poirier, West Covina Police Dept.

Recommended by Tom Lapisto

Lisa Craig, Orange County Sheriff's Dept.

Recommended by Sandy Abrams

Edward Delgado and Carmella Navarro, El Monte Police Dept.

Recommended by Nicole Salim

Calvin Fenner Jr., Palm Springs Police Dept.

Recommended by Yoland Perez

Erika George, Orange County Sheriff's Dept.

Recommended by Susan Cabrera

Kimberly Lankford, Oakland Police Dept.

Blossie Johnson, Los Angeles Sheriff's Dept.

Maria Sepulveda, Los Angeles Police Dept.

Recommended by Bill Leo

Graham Jeffrey, Ventura Police Dept.

Recommended by Debbi Pearson

Eric Morales, San Bernardino Sheriff's Dept.

Recommended by Mary Barrie

Lenora Pena-Sanchez, Orange County Sheriff's Dept.

Recommended by Martin Vaca

Allan Villacorte, Los Angeles Police Dept.

Recommended by Miguel Rivera

Serena Walsh, Ontario PD

Recommended by Adriana Darko

Introduction of new associate members

Jeannie Hardy, Vance Robinson and Laura Stephens

continued on page 7

MINUTES OF DECEMBER MEETING

DATE: December 7, 2002
LOCATION: Harbor Inn, San Diego
HOST: George and Gina Durgin
SECRETARY: Dennis Uyeda
SPECIAL GUEST: Joseph Wambaugh
PROGRAM: Installation of Officers

Call to Order: 1930 hours by President Steve Tillmann

ATTENDANCE:

Past Presidents: Jim Lawson (1995), Clint Fullen (1998), Robert Goss (2001).

Executive Board: Robert Goss, Steve Tillmann, George Durgin, Ed Palma, Dennis Uyeda, Gina Russel-Durgin, Tom Washington, Elaine Sena-Brown, Jim Lawson, and Clint Fullen.

Members and guests present - 78.

GIFTS: George and Gina Durgin

OLD BUSINESS:

Second Reading:

Active:

Calvin Fenner, Eric Morales, Maria Sepulveda

Motion to Accept: Gina Durgin

Second: Ed Palma

Swear-Ins: by Past President Clint Fullen

Brenda Bass, San Diego Sheriff's Dept.

Nicole Mobley, INS

Kathleen Rosario, San Diego DA's Office

NEW BUSINESS:

First Readings for Active Membership:

Celeste Madroga, INS

Recommended by Lisa DiMeo

Introduction of new associate members

Angela DiBartola, Jeannie Hardy, Coralina Huerta,

Laura Scott, Dana Marks, and Theresa McCargar.

Executive Board Swear-Ins: by Clint Fullen

Chairman: Steve Tillmann; President: George Durgin;

1st Vice President: Ed Palma; 2nd Vice President:

Dennis Uyeda; SGT-at-Arms: Gina Russell-Durgin;

Directors: Tom Washington, Lisa DiMeo, Elaine

Sena-Brown; Treasurer: James Lawson.

In absentia: Secretary: Susan Garcia; Director: Craig

Johnson; Historian: Bill Leo; Parliamentarian: Clark

Fogg; Editor: Alan McRoberts.

ANNOUNCEMENTS:

Next meeting

February 8, 2003, hosted by Elaine Sena-Brown

Executive Board meeting in January - hosted by Steve Tillmann

Attendance Drawing: Not won by Eileen Tan, Wendell Clements, or Sharon McHenry

Door Prizes: One person at each table won a plant.

Motion to Adjourn: Dennis Uyeda

Second: Bob Goss

Meeting Adjourned: 2000 hours

President's Message

As we welcome in 2003, SCAFO will strive to continue to grow. I trust this will be an exciting and successful year.

As some of you recall, after September 11, 2001, I was called to active Army duty and stepped aside to have my friend Steve Tillmann run for President. At the same time and during these unfortunate times, SCAFO had to cancel our 2001 training conference.

We were all so lucky that Steve stepped up to the plate and continued a smooth year of SCAFO meetings. Our membership grew. We also had the most successful training conference so far. With Steve at the helm and with Bill Leo's initiative we were able to develop a collegiate partnership, which helped bring in additional funds for the training conference. Our speakers were by far exceptional.

A high bar was set in 2002. With a dedicated SCAFO Board, I am sure we will meet this standard and help inch that expectation bar a little higher. This will only be done with your help. Please think about how you can assist in getting speakers for our meetings and training conference and do not hesitate to let a Board Member know. You can also talk to our Board Members and ask them how you can help at a meeting. Consider what you can do to make SCAFO a better organization, to include becoming a Director and eventually working your way up the Board.

SCAFO is only as good as its members. We have terrific members. "The future belongs to those who believe in the beauty of the dream."

(Eleanor Roosevelt). DREAM BIG!

Enjoy this New Year. I look forward to working with all of you in 2003.

Fraternally,
George A. Durgin Jr.

continuation of October Minutes

Elections for 2003:

Chairman - Steve Tillmann
President - George Durgin
1st Vice President - Ed Palma
2nd Vice President - Dennis Uyeda
Sergeant-at-Arms - Gina Russell-Durgin,
Secretary - Susan Garcia
Treasurer - James Lawson.

Directors:

Tom Washington
Lisa DiMeo
Elaine Sena-Brown
Craig Johnson
Historian - Bill Leo
Editor - Alan McRoberts

Vote on proposed change in bylaws:

Article 2 - passed, Article 7 - passed.

ANNOUNCEMENTS:

Next meeting - December 7, 2002

Door Prizes: Won by many in attendance.

Motion to Adjourn: George Durgin
Second: Gina Persons

Business Meeting Adjourned: 1337 hours

"Every man owes a part of his time and money to the business or industry in which he is engaged. No man has a moral right to withhold his support from an organization that is striving to improve conditions within his sphere."

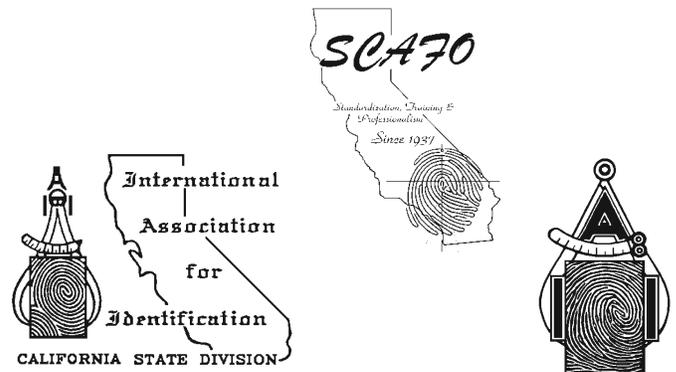
- President Theodore Roosevelt, 1908

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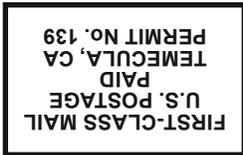
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In This Issue

pg.

- 1 Officer Remembered for Keen Crime Work
- 2 'CSI' Effect on Potential Jurors has some Prosecutors Worried
- 4 Fingerprint Technology Faces Test in Court
- 6 October Meeting Minutes
- 6 December Meeting Minutes
- 7 President's Message

SCAFO Members
get "yourname@scafo.org"
See instructions on the
website's email page.

-- Upcoming Events/Schools/Seminars--

- February 8, 2003 *S.C.A.F.O. Meeting*
Elaine Sena-Brown
Santa Monica Police Department
- February 17-22, 2003 AAFS Annual Meeting
Chicago, IL
- May 4-8, 2003 C.S.D.I.A.I. 87th Annual Training Seminar
Palm Sprints, CA
Marvin Spreyne
- July 6-11, 2003 International Association for Identification
Ottawa, ON, Canada
- May 10-13, 2004 C.S.D.I.A.I. 88th Annual Training Seminar
Sacramento, CA
Jeanne Clark

Southern California Association of Fingerprint Officers
An Association for Scientific Investigation and Identification Since 1937