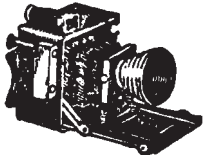




# THE PRINT

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

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## Judge Grants Motion to Exclude Latent Fingerprint Identification

by Steve Ostrowski, CLPE

NH State Police Forensic Lab, Concord, NH

*The following article first appeared in the January 29, 2007 issue of The Weekly Detail*

On Friday, January 19, 2007, the New Hampshire State Police Forensic Laboratory was informed that a ruling had occurred on their most recent Daubert hearing concerning the admissibility of fingerprint evidence. In the case of State v. Richard Langill, an almost yearlong ordeal was to determine if a single latent friction ridge impression identified as being deposited by the defendant in the victim's home during a burglary could be used at trial. Justice Patricia C. Coffey of the Rockingham County Superior Court granted the defendant's Motion to Exclude, precluding the latent print examiner's expert opinion from being presented to a jury.

The proceedings began with the depositions of the state examiner, Criminalist Lisa Corson and the defense expert, Professor James Starrs in mid-to-late January 2006. The hearing was actually conducted on two days nine months apart. The first day of the hearing was January 27, 2006 in which Ms. Corson offered evidence to support of the science of fingerprint identification. The deposition of state examiner Criminalist Stephen Ostrowski was then conducted in mid-February. Due to several continuations from both sides, the second day of the hearing did not take place until October 11, 2006. On this day, Prof. Starrs offered evidence stating that stricter guidelines and more documentation concerning latent comparisons were needed throughout the field. Mr. Ostrowski subsequently offered testimony that countered points brought forward by Prof. Starrs.

This is not the first time the New Hampshire State Police Forensic Lab has been challenged to prove the reliability of fingerprint evidence. In 2004, a Daubert hearing found fingerprints to be reliable and thus admissible in the case of State v. Uno Kim. In this case Stephen Meagher of the FBI and Marc Dupre of the NHSP Forensic Lab offered testimony for the state and the defense offered no expert. In 2005, a Daubert hearing again found fingerprint evidence to be reliable and admissible in the case of State v. William Sullivan. In this case Stephen Ostrowski offered testimony for the state while the defense offered Dr. Simon Cole as their expert. Both of these hearings were more "traditional" in that they provided evidence to support the prongs set out in Daubert v. Merrell Dow, being testability and standards, peer review, error rate, and general acceptance.

In this case of *State v. Richard Langill*, the court sided with many points taken from the decisions in *US v. Mitchell*, *US v. Sherwood*, *US v. Crisp*, *US v. Havvard*, *US v. Llera Plaza*, *State v. Kim*, and *State v. Sullivan*. This court ruled that: 1) Ms. Corson has sufficient training and experience to qualify as an expert and offer testimony; 2) the principles underlying fingerprint identification are generally reliable; 3) the underlying principles of permanence and uniqueness are a reliable basis for expert testimony; 4) the premise that an individualization can be made based on sufficient quality and quantity has been peer reviewed; 5) fingerprint identification is generally accepted within the forensic identification community.

The court refrained from commenting on error rate as it simply summarized the arguments set forth by each side.

After the court had determined that Ms. Corson's methodology was generally valid, it set out to determine whether the principles and methods were indeed properly applied to the facts of the case at hand. *Daubert* sets the focus of the courts solely on principles and methods, not the conclusions derived from their application. Rule 702 of the Federal Rules of Evidence focuses more on the actual application of the methodology and whether it was reliably applied.

In 2004, a new state law NH RSA 516:29-a, entitled *Testimony of Expert Witness*, integrated verbiage from Rule 702 and expanded on the traditional *Daubert* prongs providing additional criteria a judge must consider when finding an expert to be qualified and whether that expert's testimony would be reliable and relevant. The additional verbiage states:

A witness shall not be allowed to offer an expert testimony unless the court finds: a) such testimony is based upon sufficient facts or data; b) such testimony is the product of reliable principles and methods; and c) the witness has applied the principles and methods reliably to the facts of the case.

Based primarily on part "c" of the additional verbiage provided in NH RSA 516:29-a, the court ruled:

*Ms. Corson is qualified through training, experience, and proficiency testing to provide expert testimony at the defendant's trial. However, Ms. Corson's proffered testimony is inadmissible under Rule 702 because her application of the ACE-V (Analysis, Comparison, Evaluation, and Verification) methodology to the single latent print in this case was unreliable as a result of incomplete documentation and possibly biased verification.*

The defendant challenged that the absence of written contemporaneous bench notes for the analysis, comparison, evaluation, and verification (ACE-V) phases of the fingerprint examination illustrates that the application of the methodology of ACE-V was unreliable. Concerning documentation, the court stated:

*Friction ridge impressions are extremely detailed, and in this case, the expert opinion that the latent print found at the scene was matched to the defendant appears to*

*be the heart of the state's case against the defendant. Accordingly, the application of ACE-V warrants close scrutiny.*

*Commenting further on documentation, the court stated:*

*Contemporaneous documentation of the analysis will help alleviate the inherent risk of human error in the application of the ACE-V methodology.... Although the court recognized that the precise mental analysis engaged in by an examiner may be impossible to document, that is not to say that each examiner could not document his or her application of the ACE-V methodology as extensively as practicable.*

In addition to the issue of documentation via contemporaneous written bench notes during the ACE-V methodology by both the original examiner and verifying examiner, the court felt that certain aspects of the verification phase warranted commentary. The court was presented with testimony concerning confirmation bias and blind verification as the defense had introduced several works such as: the Office of the Inspector General's report, "A Review of the FBI's Handling of the Brandon Mayfield Case," Robert B. Stacey's article, "Report on the Erroneous Fingerprint Individualization in the Madrid Train Bombing Case," and Simon Cole's book *Suspect Identities: A History of Fingerprinting and Criminal Identification*. Referencing these works, the court stated that:

*The identification process used in this case was not independent in the true sense of the word because the verifying examiner was aware that an individualization had already been made.*

The court went on to state:

*Blind verifications would not necessitate...that every latent print be examined twice regardless of the outcome of the initial analysis. The court can envision possible methods of creating a plausible blind verification process, such as assigning verification cases without identifying them as such.*

In summary, the court found that 1) because the state's examiner did not record written contemporaneous notes during the application of the analysis phase of the ACE methodology and 2) the NHSP Forensic Lab does not employ a protocol calling for blind verification for single latent print identifications, there was insufficient basis to find that the ACE-V methodology was applied in a scientifically reliable fashion.

In the final sentence of her decision, Judge Coffey did state that the fingerprint identification is excluded "until such time that this court is satisfied that the (lab) has conducted a methodically reliable analysis on the latent print." Currently, transcripts are being procured, affidavits are being written and a strategy meeting is planned to determine how to proceed. It is anticipated that a Motion to Reconsider will be filed with the Rockingham County Superior Court with an appeal being a distinct possibility if warranted.

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## Posted: Wed Apr 11, 2007 Post subject: Coffey Rules on Reconsideration of Langill Decision

The New Hampshire State Police Forensic Laboratory has been notified that Justice Patricia C. Coffey has ruled on the Motion to Reconsider in the case of State v. Richard Langill. The Motion to Reconsider was filed following Coffey's decision to exclude fingerprint expert testimony after a Daubert hearing (--see "Judge Grants Motion To Exclude Latent Fingerprint Identification," The Weekly Detail, January 29, 2007).

\*\*\*\*\*

### Post-decision comment by Stephen Meagher:

After reviewing the Court's decision, special attention must be placed on the very last sentence which states "Accordingly, the defendant's Motion in Limine to Exclude the fingerprint identification is GRANTED until such time that this court is satisfied that the NHDSFL has conducted a methodically reliable analysis on the latent print found on Ms. Katz's bureau." This statement implies that the Judge will leave this matter open and provide the prosecution the opportunity to rectify what has been identified as inadequacies in the latent print examination in order to meet the legal requirements in N.H. Therefore, we must respect the on-going legal proceedings and not interfere or cause harm for either side.

Until this legal matter is resolved, we, the latent print community, need to 1) monitor this matter as it plays out, 2) not interfere with comments of speculation, criticism of NHDSFL, or legal debate, and 3) glean from it the concerns the court raises, regardless of the outcome. After all, the customer of our services is the court.

Discussion amongst latent print experts on the two matters raised by this court, case documentation of ACE-V and blind verification, is certainly worthy and encouraged. Neither of these topics are new and may best be addressed by SWGFAST through the establishment of more detailed guidelines for case documentation of ACE-V and for blind verification practices and procedures.

The Court's decision reflects well on NHDSFL as the record indicates they represented our discipline's scientific basis extremely well. Neither the scientific underpinnings to the fingerprint discipline nor the key Daubert issues were brought into question by the Court.

As this case evolves this website will provide updates in an effort to keep you informed of the latest activities.

Despite: 1) the State's Motion to Reconsider, 2) a sworn affidavit from the case examiner and, 3) a sworn affidavit from the lab's QA/QC Manager, Coffey ruled that there was "insufficient information to support a finding that the application (emphasis by Coffey) of the ACE-V methodology to the single latent print in this case was reliable." Thus, Coffey has affirmed her original decision and denied the State's Motion to Reconsider.

In her decision, Coffey describes the court's role as gatekeeper as assessing the reliability of the technique used by an expert to reach a given conclusion. She explains that the level of scrutiny the court applies in the reliability inquiry depends upon the complexity of the evidence involved and the impact the evidence will likely have on the trial itself (this identification of a single latent impression is the only evidence in the case). She states that fingerprint analysis is complex and the conclusion of individualization carries enormous weight. Furthermore, she writes that while the scientific reliability of the ACE-V methodology itself should not vary according to the circumstances of each case, whether the proffered witness has applied the principles and methods reliably to the facts of the case will change and requires a case by case assessment, and therefore, the court has strictly scrutinized the principles and methods in the case-at-hand.

In her ruling, Coffey outlined the administrative portion of the case examiner's notes, but it is unclear whether she considered the remaining four pages of technical notes (latent print worksheets and photographs) in the case file. Also, Coffey seemingly ruled without regard of certain facts such as: the NHSPFL is an ASCLD-LAB accredited laboratory, our SOP's are based on ASCLD and SWGFAST guidelines, our SOP's were reviewed and approved by the ASCLD inspection team, the case examiner and the verifying examiner are both IAI CLPEs, and the lab's QA/QC Manager conducted an audit of the Langill case file and found that all procedures were adhered to. Despite all of this, Coffey made the following arguments:

- There is nothing in the case notes that permits the court to assess whether the ACE-V methodology itself was conducted properly.
- The fact that the documentation submitted in support of the individualization is sufficient to satisfy the NHSPFL internal requirements, it does not assist this

court in evaluating whether the principles and methods of ACE-V were reliably applied in this case.

- Without contemporaneous bench notes on the application of the ACE-V methodology, neither legal counsel nor the court can determine that a reliable comparison has actually been made.

- The examiner should have documented the application of the ACE-V methodology as extensively as practicable.

So basically, Coffey has ruled that even though 1) the lab is accredited, 2) the examiners are certified, 3) the SOPs were followed, 4) written and photographic notes were taken, and 5) the ACE-V methodology was indeed applied in this case; the court cannot determine if the ACE-V methodology was applied reliably.

In my opinion, the fact that defense counsel believes that the examiner's notes were insufficient should go towards the weight and credibility of the evidence and not the admissibility. Obviously Coffey disagrees. I am not saying that more notes could not have been taken, but rather the notes that were taken did meet the minimum requirements set forth in our protocols and generally accepted in the field (the IDU Affidavit included results from a telephone survey of forty-two forensic science laboratories representing 38 states and Canada conducted by the NHSPFL IDU). Coffey wanted to see notes that went above and beyond the minimum requirements, but is not clear on what would satiate herself.

Coffey also addressed blind verification by stating that the court would be satisfied that the analysis was reliably conducted if blind verification processes were in place. This contradicts her claim that the written case notes were insufficient. Coffey further stated that she views blind verification not as a means of assuring the credibility of the result, but rather as a check and balance on the application of the methodology.

This ruling supports Coffey's previous decision to exclude fingerprint expert testimony and was fully expected by all legal parties. The New Hampshire Attorney General's Office now has the case and is preparing an appeal to the State Supreme Court. Optimistically, a final decision will be reached by the end of the year.

**Written by:**

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## One Experts Opinion

### Testifying to Bench Notes and Verification

**William Leo, M.S., C.L.P.E.**

#### Background Case History

Judge Patricia Coffey, a judge with the Rockingham Superior Court in the State of New Hampshire ruled to exclude the expert witness testimony of a fingerprint examiner during a burglary trial after a two (2) day Daubert Hearing. (State of New Hampshire v. Richard Langill, 05-S-1129, 2007) The ruling was based on two issues: first, the sufficiency of the notes made during the examination and secondly; the possibility of "confirmation bias" during the verification process.

The Judge ruled that the bench notes taken were insufficient to establish that the examiner properly applied ACE/V methodology. The Judge stated in her written ruling that:

"Contemporaneous documentation of the analysis will help alleviate the inherent risk of human error in the application of the ACE/V methodology. Documentation is particularly important in cases such as the present, where Ms. Corson's application of ACE/V led to the individualization of a single latent print."

The Court also ruled that there may have been "confirmation bias". This decision was based solely on the fact that "blind verification" was not used. The Judge compared the current case with the now infamous Mayfield case. The Judge's comparison with the Mayfield case was based only on the fact that the identification involved a single latent print. There was no indication that an error of any kind had occurred in this case as in the Mayfield case. The defense did not call any expert to dispute the identification, rather they attacked the process.

It is important for latent print examiners to understand that this was a ruling at the trial court level and applies only to that specific case before that court. This ruling is not binding on any other court and it establishes no legal precedence. There are many thousands of judges in the United States and it is not uncommon for one to make a poor (being kind) decision now and then. There is no reason to modify or change your procedures based on this ruling. But rest assured, adversaries of latent print identification will attempt to gain as much mileage out of this ruling as possible. Also, because of this ruling, expect more aggressive questioning during testimony about note taking and verification. The purpose of this paper is to discuss how to respond to such questioning.

## Discussion on note taking during comparison

Most latent print examiners make notes as to the area of friction skin identified and the date it was done. Some examiners, usually examiners with agencies that are ASCLD Accredited, require additional notes to comply with accreditation requirements.

Some examiners complete drawings of the ridge formations as part of their examination documentation. It has been acknowledged by ASCLD that drawings, diagrams, and narrative descriptions alone are not sufficient to support the conclusions of a latent print examination. The original print or a copy of the print suitable for comparison must be retained. (ASCLD/LAB Manual, pp 32-33, 2005)

The most exhaustive notes and drawings will not prove that a correct identification decision was made. The only way to verify that the conclusion reached by one latent print examiner is correct is to have another competent examiner review the actual print comparison.

When I am asked what notations I make during the comparison process, I respond that I make notations as to the area of friction skin identified and I retain the print itself or a copy suitable for comparison. If asked why I did not make additional notes as to what I compared, I respond that I kept the best notes and the most detailed information available – I kept the actual prints that I compared.

In many other areas of forensic science, during the analysis of something, the sample can be changed, used up, or destroyed. Notes as to reactions, temporary color changes, and other observations made during the analysis are critical. This is not the case with a latent print comparison. Therefore, the BEST EVIDENCE, the actual impressions compared are kept for review. This is not only the best evidence, but also the only way to verify or check that the original analysis, comparison, and evaluation was done correctly. Notes are insufficient for the comparative analysis of friction skin impressions. Remember, the old saying – a latent print or a photo of it is worth a thousand words, or something like that.

## Discussion of Blind Verification

Verification of any kind for expert opinion evidence is not a legal requirement. Verification of latent print identifications is a self imposed requirement used by most latent print examiners and many agencies. Verification is a quality control, a double check to ensure that only accurate results are reported, nothing more, nothing less. Verification has become a standard procedure for latent print examiners because latent print examiners realized many years ago the importance of being accurate and the loss of credibility that will occur with incorrect identifications.

What the good judge in the above case does not understand is that latent print identifications are not made by consensus, but by individual examiners. When testifying to an individualization, the examiner is not testi-

fying to the verifier's conclusions, but to his/her own conclusions. Many judges have ruled that a latent print examiner witness cannot even talk about the conclusions reached by the verifying examiner, because it is hearsay testimony. Some areas of forensic science do not have or require verification. For this judge to suggest that blind verification is the only way to ensure the elimination of "confirmation bias" is outrageous. The judge chose to ignore that the examiners involved in this case are all trained to competency, certified, and in their examination, were in compliance with their agency and ASCLD standards.

Everyday, thousands of correct identifications are made without blind verification, even with single prints. Identification errors are a rare occurrence. Incorrect identifications, followed by incorrect verifications are almost non-existent. To point to an exception to the rule, like Mayfield, and ignore the millions, if not billions of correct identifications made over one hundred years is foolish.

## Keeping it Simple

I was purchasing some new tires the other day and on the wall in the service bay was the protocols (methodology) listed that the tire changers are required to follow. The last one was:

"Before the vehicle is released to the customer, a second technician is to recheck all the lug nuts using a torque wrench." Ah, verification! The last few years, some latent print examiners, sometimes in response to criticisms, create new ways to make the simple, complex. ACE/V is a great way to standardize language and explain the processes that we go through. However, prior to and even after I learned about ACE/V, what I compare and how I compare prints remains the same. ACE/V only enabled me and other latent print examiners to speak the same or consistent language. ACE/V can be explained simply as:

**A = I looked at the prints to see what detail was available.**

**C = I compared the prints to determine if they were the same or different.**

**E = Based on the comparison, I formed a conclusion.**

**V = I had my results double checked.**

That's one expert's opinion.

Bill

EDITOR'S NOTE

I want to thank Bill for this timely article for the kick off of our new feature "**One Expert's Opinion**". I would like to challenge our members to contribute articles to One Expert's Opinion. Another way to contribute to the Association and The Print is to write up your interesting cases for the new "I Had a Case Column".

# Past Presidents Dinner Meeting and 70th Anniversary of S.C.A.F.O

On April 28, 2007, the Southern California Association of Fingerprint Officers held it's Annual Past President Dinner meeting, where we also celebrated the 70th Anniversary of SCAFO. We enjoyed a great dinner, dancing and socializing with our fellow SCAFO members. The following Past Presidents were in attendance:



1972  
Clarence Bales



1986  
Steve Evans



1991  
Alan McRoberts



1992  
Tim Golt



1994  
Clark Fogg



1996  
William Leo



1998  
Clint Fullen



1999  
Tom LaPisto



2001  
Bob Goss



2002  
Steven Tillmann



2004  
Ed Palma



2006  
Susan Garcia

# Southern California Association of Fingerprint Officers

An Association for Scientific Investigation and Identification Since 1937

Craig Johnson, President

Next Training Meeting:

Saturday, June 2, 2007

**11:30 am: Registration / Social Hour**

**12:15 pm: Luncheon \$25.00 per person (includes tax & tip)**

**1:15 pm: Training / Business Meeting**

**SPEAKER:** Lt. Jon Perkins, Bureau Commander for the Glendale Police Department's Investigative Services Division.

## ***TOPIC: DOMINO'S PIZZA SERIAL MURDERS***

Come hear the intriguing story of Mitchell Sims' killing spree. Sims dubbed himself "The Human Ashtray" for his habit of stubbing out cigarettes on his bare chest. He and his girlfriend Ruby Padgett had a hatred for Domino's pizza restaurants. On December 3, 1985, Sims invaded the Domino's in Hanahan, South Carolina, where he had recently worked, and tortured the two on-duty employees before shooting them execution-style. On December 10, 1985, in Glendale, California, Sims and Padgett lured a Domino's delivery man, John Harrigan, to their motel room where he was hog-tied, gagged with a washcloth, and drowned in the bathtub. The hotel room was completely wiped down by Sims and Padgett so that no evidence of their prints could be found (at least that's what Sims and Padgett thought). In the least expected areas, physical evidence proved them wrong. Sims donned the dead man's uniform, stole his truck, and returned to Domino's Pizza. There, he and Padgett looted the safe, then bound the two remaining employees and hung them in the freezer. Several landmark court decisions were made in this case, one including the admissibility of video into court. The video will be shown at the meeting.

**RSVP to Debbie Stivers at either [dstivers@ci.glendale.ca.us](mailto:dstivers@ci.glendale.ca.us) or 818-548-3149**

**RSVP Deadline is Wednesday, May 30th, 5:00 pm**

**Meeting Will Be Held At: Stevens Steak and Seafood House**

**5332 Stevens Place, City of Commerce, CA.**

**323-723-9856**

**(Located at the 5 Freeway and Eastern Ave.) [www.stevenssteakhouse.com](http://www.stevenssteakhouse.com)**

**Menu:** Buffet consisting of Sautéed Breast of Chicken, Beef Bourguignonne, Rice Pilaf, Mixed Green Salad, Seafood Salad, Three-Bean Salad, Italian Pasta Salad, Relish Tray, Fruit Tray, & Sherbet for desert. Coffee, tea, and milk provided. Vegetarian meal provided upon request.

**Note:** *Reservations cannot be cancelled after May 30th. If you are unable to keep your reservation you will still be charged the \$25.00 fee.*

## SECRETARY'S CORNER

Hello all,

Wasn't the February 3<sup>rd</sup> meeting amazing? It was wonderful to see so many members present (92 members and guests) and we had 6 new readings for membership. I just wanted to give this a try so that I can get some information out to everyone. So if anyone has any feedback, please let me know.

The Past Presidents' Meeting is going to be SCAFO's 70<sup>th</sup> Anniversary. Bill Leo and Steve Tillmann wanted to put this meeting together and are doing an awesome job. Normally the April meeting would be at the beginning of the month, but this year the meeting will be held on Saturday April 28 and will be a dinner. The location is the March Air Force Base in Riverside. So are you ready for a party? Get your formal wear to the cleaners.

Normally we would call and put our names on the list if attending and pay at the door. For this event I will be sending out a registration form and you will have to pay through the mail. Upon receipt of your registration I will mail you your tickets. There will be no money taken at the door. So I hope to see many of you there. There will be entertainment instead of a traditional speaker.

Just a reminder, your 2007 membership dues are due by March 31, 2007. There will be a \$5.00 late fee after the March deadline. I know a lot of your agencies pay for your membership dues. So if you're not sure your agency paid your membership yet and want to find out, please contact me. I'll start sending out reminder e-mails to those that have not paid their membership dues around March 1<sup>st</sup>. In the past we have published the names of the membership that are late on their dues in the Print.

This year I got an email address for the SCAFO Secretary. This address is in addition to the SCAFO email addresses that the board members have. So if you have a question and you're not sure who to ask you can send your question to scafosecretary@yahoo.com. This address will be handled by the current Secretary and he/she will be able to either answer your question or forward it to the proper person.

I just want to congratulate Jo Anne Jacobs on her 25 years of consecutive membership. She made Life Member in 2006, which means that she doesn't have to pay membership dues anymore. See it can be done!

Until next time,

Mari Johnson  
SCAFO Secretary  
scafosecretary@yahoo.com

## President's Message

Greetings all SCAFO members.

I hope this message finds you all in good spirits and good health. SCAFO has had a great start this year. Our first meeting in February out in the fine county of Riverside was a great success. Bill Leo, as always, was very entertaining and the topic was well received with good information. Thank you Bill for the training.

Your SCAFO board is working very hard in arranging the annual training seminar. The training seminar committee, headed by our own Second V.P. Amy Hines, has been working exhaustively to put together a fantastic two days of training in Riverside. Look for the flyers and encourage your respective departments to allow you to attend. Bring a colleague as well and earn your credit for the membership drive.

The membership drive is off on a good foot. I would like to welcome Sandra Cyr, Bruce O'Donnell, Rachel Minick, Regina Gualtieri, Matthew Remender and Anna Bell, I look forward to meeting more and more new applicants at our next meetings. Remember for every new applicant, that meets SCAFO's standards, you bring in earns you one point towards the grand prize at the end of the year. So get out there and bring in new recruits.

I recently attended some training down in San Diego and spoke to SCAFO members down there. The members mentioned that they would like to see some lunches /dinner and possibly even the training seminar down their way. This sounds great. If you have an idea for a lunch / dinner, a good speaker, a hot topic, contact any board member and ask how we can help you put it together. I love San Diego and any excuse I can use to spend some time down there and be able to write it off, I welcome.

I have said many times that an organization is only as good as its membership. I encourage you all to get involved. Host a lunch or dinner. Be a speaker. Post a paper in the "Print". I have spoken to many of you and I know you are an opinionated group. Get your opinions heard in a broad forum through SCAFO.

I look forward to seeing you all soon. God bless and take care.

Respectfully yours

Craig L. Johnson, President



## President Craig Johnson Commissions Association Coin

For those who attended the 70th Anniversary celebration at the March Air Force Base Museum, one of the many highlight of the evening was that each member attending received a commemorative coin marking the event.

One side of the coin contains the original SCAFO logo that was created in 1937. The SCAFO history page at our web site describes the original logo as:



“A portion of the artwork on the original charter membership cards has served as the association logo for many years. The Association’s name, adorned with wings atop an ornately bordered shield containing a fingerprint and camera, reflected the styling and taste of the era in which it was originally drawn. The fingerprint portion of the design was included on the Association’s banner created in 1962.”

The other side of the coin has the current logo that was unveiled at the 60th Anniversary celebration aboard the Queen Mary in April 1997. The history page describes the new logo and the events that lead to its creation:



“Many board discussions about the logo have been held in recent years. The board recognized the need for a contemporary logo with a design which can be reproduced completely on a banner and replicated in print. In anticipation of the Diamond Anniversary, the association leadership elected to have a new design created as our logo. A number of designs were submitted and ultimately our new logo was selected. This new logo reflects the association’s commitment to “Standardization, Training, & Professionalism.” The “sight picture” is targeting a fingerprint in Southern California. The print is the mirror image of the print on our past banner. This use reflects the association’s determination to continue building on the success of the past. The reversal gives a forward direction to the pattern and converts the often misunderstood “12” to “21”, a widely used short-form for the (imminent) 21st Century.

The statement “Since 1937” establishes the maturity of the organization without fixing the logo in time. The use of the familiar traced print and core/axis markings, which will shortly become obsolete, provide historical value from the current era.

The concept, design and artwork provided by Thomas W. Jones exceeds the original desires and provides great meaning and historical significance to our logo. This new trademark shall become the recognized symbol of what SCAFO represents, as we move forward into the twenty-first century.”

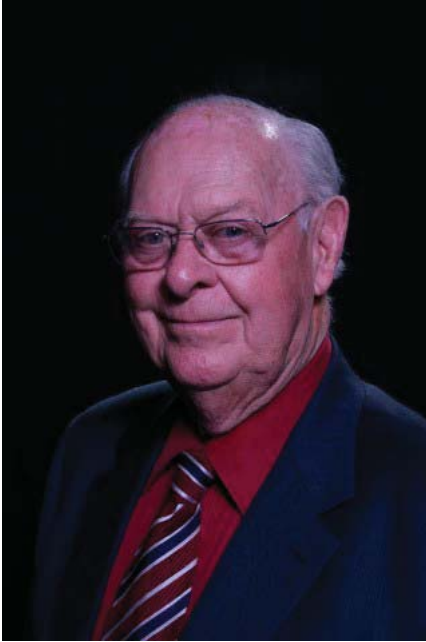
The edge of the coin is engraved; SCAFO 1937-2007 70th Anniversary.

President Johnson commissioned a limit of 150 of these commemorate coins. For our members who were unable to attend the celebration, the remaining coins will be available for purchase at SCAFO functions and will given as gifts to friends of the Association.

Bill Leo

SCAFO Historian

## Past-President Clarence Bales Addresses 70th Anniversary Celebration



One of the more stirring moments at the 70th Anniversary Dinner was when Clarence Bales, who served as our 35th President in 1972, addressed the membership. President Bales was the most senior President at the dinner. Clarence spoke about his years in SCAFO, the value of the Association to the forensic identification community, and the importance of keeping the Association strong. Clarence joined SCAFO in 1956 and had a 40 year career with the Riverside Sheriff's Department. For many years he was the only forensic investigator for the entire Riverside County.

The meeting at the March Air Base Museum had special meaning to Clarence because March Field is where he took his gunner training in 1944, before going to war. He went to war with his ten member bomber crew. Only four members of the crew returned home. Clarence also served in Korea, with the Army at the 38th parallel. At the conclusion of Clarence's talk, he received a standing ovation.

During Clarence's tenure as President in 1972, the International Association for Identification was researching numerical standards for fingerprint identifications. At their February meeting, the membership voted to send a letter to the IAI opposing any minimum number standard for identifications.

Clarence is just one excellent example of the rich heritage of our great Association.

Bill Leo

SCAFO Historian



LOS ANGELES, California (AP) -- Sheriff's crime lab specialists are trying to avoid TV exposure in the slaying trial of music producer Phil Spector, saying in court filings they fear for their safety if their faces are broadcast.

An attorney representing the news media countered in filings Thursday that "speculative" risks do not justify restricting public access to the trial.

Superior Court Judge Larry Paul Fidler has already ruled he will allow gavel-to-gavel TV coverage once testimony begins, but said he would consider individual requests from those who don't want to be seen on TV.

It was not clear when he will issue a decision on the dueling motions.

Spector is accused of murdering actress Lana Clarkson in 2003 after taking her to his suburban Alhambra home from a Sunset Strip club where she was working as a hostess.

The Los Angeles County counsel filed a motion March 22 on behalf of the sheriff's department, outlining the crime lab employees' concerns.

The motion said argued the safety of the crime lab specialists -- who "often are assigned to work on extremely sensitive cases regarding violent individuals and violent criminal street gangs" -- could be compromised if they are recognized in public.

Media attorney Kelli Sager said in her response that such an argument could be extended to all law enforcement personnel and those who work on sensitive cases.

"Such a generalized fear is so speculative and broad that it could be used to shield the identity of every law enforcement witness in every case," said Sager, who represents a coalition of news media, including The Associated Press, the Los Angeles Times, CNN and Court TV.

"There simply is no ground for restricting coverage of this trial based on such speculative concerns," she said.

The sheriff's motion suggested that cameras focus on another area of the courtroom while the criminalists testify, allowing witnesses' voices to be recorded and broadcast later; asked that the names of crime lab workers who sit at the counsel table be kept secret; and that they not be photographed outside the courtroom.

Sager opposed the restrictions as "flatly unconstitutional." She urged the judge to reject the request "to promote public confidence in and understanding of the judicial system."

Jury selection resumes

# MINUTES OF DECEMBER MEETING

**DATE:** February 3, 2007  
**LOCATION:** Cask 'n Cleaver, Riverside  
**HOST:** Marvin Spreyne  
**SECRETARY:** Mari Johnson  
**PROGRAM:** LASD Case Review  
**CALL TO ORDER:** General meeting, 1438 hours by President Craig Johnson  
**PLEDGE OF ALLEGIANCE** Lead by Past President Susan Garcia  
**ATTENDANCE:**

**PAST PRESIDENTS:** Dell Freeman (1973), Alan McRoberts (1991), Bill Leo (1996), Steve Tillmann (2002), Ed Palma (2004), and Susan Garcia (2006).

**EXECUTIVE BOARD:** Susan Garcia, Craig Johnson, Marvin Spreyne, Amy Hines, Lisa DiMeo, Mari Johnson, Lisa Jackson, Amy Adams, Mariah ODonnell, Bill Leo, and Steve Tillmann.

**EXECUTIVE BOARD Absent:** Teri Eklund, Debbie Stivers and Clark Fogg

**Members and guests present: 92**

## OLD BUSINESS:

### Second Readings:

Terry Ybarra, Active Mewmber  
Motin to Accept: Susan Garcia  
Second: Bill Leo

**Swear Ins: None**

## NEW BUSINESS:

### First Readings

Sandra Cyr of Riverside County Sheriff's  
Recommended by: Roxanne McClean  
Bruce O'Donnell of San Diego Police Dept.  
Recommended by: Ed Palma  
Rachel Minick of Orange County Sheriff's Dept.  
Recommended by: Sandy Abrams  
Regina Gualtieri of Ventura Police Dept.  
Recommended by: Graham Jeffrey

Matthew Remender of Orange Co. Sheriff's Dept.  
Recommended by Linda Rodriguez  
Anna Bell of San Bernardino Co. Sheriff's Dept.  
Recommended by Amber Utley

## OTHER:

Amy Hines passed out a flyer for the 2007 Training Seminar, which will be held at the Riverside Convention Center. As soon as the registration form is completed it will be sent out to everyone. SCAFO is having a membership drive this year, which Craig Johnson presented. The member that brings in the most potential members will be awarded the grand prize at the training seminar.

## ANNOUNCEMENTS:

The Orange County Sheriff's Department is going to have a Latent Print examiner spot opening

## ATTENDANCE DRAWING \$25.00:

Kurt Camp

## DOOR PRIZES:

Provided by SCAFO, DJ Designs, Mari Johnson, Amy Adams, Marvin Spreyne, Mariah ODonnell, Craig Johnson, Clark Fogg

## MOTION TO ADJOURN:

Amy Adams  
Second: Brenda Busch

**MEETING ADJOURNED:** 1513 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."*

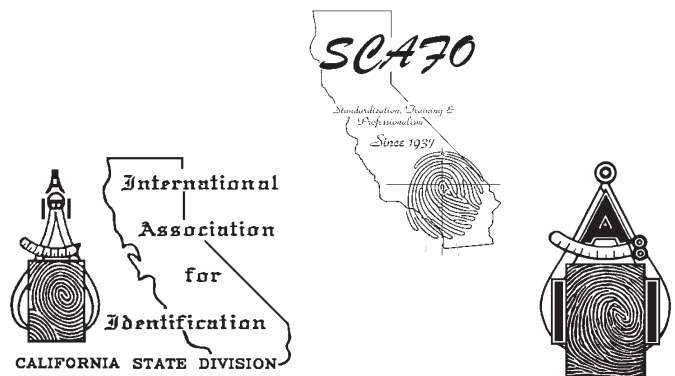
*- President Theodore Roosevelt, 1908*

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**SCAFO ANNUAL TRAINING SEMINAR**

**OCTOBER 1ST AND 2ND, 2007**

**RIVERSIDE CONVENTION CENTER  
3443 ORANGE STREET  
RIVERSIDE, CALIF.**

**CONFERENCE HOST HOTEL  
RIVERSIDE MARRIOTT  
(951) 784-8000**

**REGISTRATION CHAIR: AMY HINES  
2ND VICE PRESIDENT  
AHINES@RIVCODA.ORG**

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

*-- Upcoming Events/Schools/Seminars--*

June 2, 2007

S.C.A.F.O. Meeting  
Commerce, Calif.

July 22 -27, 2007

International Association for Identification  
San Diego, CA

October 1 - 2, 2007

S.C.A.F.O. Annual Training Seminar  
Riverside, Calif.



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