

To: CBA Criminal Law Committee
From: Shawn Dominy
Date: January 3, 2007
Re: **Committee Meeting Minutes**

Speaker: Paul Bivens
Latent Fingerprint Examiner
Columbus Division of Police

Subpoenas: If you send a subpoena to a fingerprint examiner, be sure to include the examiner's incident number.

Pretrial Conferences: He is willing to meet with prosecutors and defense counsel to discuss cases and recommends meeting at his office.

Qualifications: Counsel should learn the qualifications of the latent print examiner before the trial. The qualifications may include education, training, and experience.

A.C.E.V. Acronym: Analyze Compare Evaluate Verify

Manual Comparisons: A fingerprint examiner can make a comparison of prints on the stand in a trial, if the comparison is between two known samples.

A.F.I.S. Automated Fingerprint Identification System. When a print is entered into the computer, the computer generates a number of results that resemble the entered print. The number of results generated is determined by the fingerprint examiner. The A.F.I.S. computer can be programmed with different databases. C.P.D. has one computer that uses a database containing prints only from central Ohio and also has a computer that uses a database containing prints from across the nation. The databases contain prints from people who were not necessarily arrested, such as city employees and attorneys.

Palm Prints: C.P.D. is in the process of building a database of palm prints.

Fingerprint Facts: Fingerprints remain the same throughout a person's life, although they increase in size as a person grows.

* No two people have the same prints.

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- Certification: I.A.I. (International Association of Identification)
- * There are only nine examiners in the state Of Ohio that are certified by I.A.I.
- Classification: 1
- Identification: Comparing
- C.P.D. Procedure: A. C.S.S.U. officer (or other officer) lifts the latent print from the crime scene. A latent print examiner then does the manual comparison.
- Madrid Case: A train was bombed in Madrid. Four fingerprint examiners determined the print belonged to an attorney in Oregon. One of the examiners was hired by the defense team. It was later determined the print belonged to someone other than the defendant.
- Shirley McKie Case: She was a police officer in Scotland. The fingerprint was allegedly found at the crime scene, as determined by the examiner in the police department where she works. It was later determined by other examiners the print was not hers, and the person that committed the crime was found.
- Points of Comparison: Different law enforcement agencies have different requirements regarding the number of matching points of comparison required for considering two prints a match.
- Is There A Real Science? Fingerprint examiners say it is.
- Is It Subjective?
- Are Mistakes Made? Yes. If you are going to ask this question, it better be more specific... on the other hand ... if you ask Paul Bivens if he has ever made a misidentification, the answer will be "no."