

PNWD/IAI

SUMMER 2008



EXAMINER

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MESSAGE FROM SARA TREJO 2008-2009 PNWD/IAI PRESIDENT



Many thanks to all the attendees, vendors, and presenters who made our Medford, conference in May a success! Please mark your calendars for May 12-22, 2008, when our conference will be held in Walla Walla, WA at the Marcus-Whitman Hotel.

For those of you who did not attend this year's annual training conference, the PNWD-IAI Outstanding Achievement Award was presented to Jon Stimac of the Oregon State Police. Jon was presented with the award at the annual PNWD-IAI banquet to a rousing standing ovation. Jon has been a member of PNWD for over 10 years, served several terms on the Board, is a Past President and always has innovative ideas for the organization. He is the editor of the IAI's Identification News and previously put out the electronic "DactyloGram" newsletter. He has authored several technical articles and currently serves as a member of SWGFAST. Congratulations to Jon for receiving this prestigious award.

Several individuals also participated in wine tasting at the RoxyAnn Winery one evening during our week in Medford. (continued on page 2)

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The winery opened its tasting room after hours to our group that traveled through the scenic Rogue Valley on a double decker bus to the winery on a very warm evening. We had a guided tasting paired with light hors d'oeuvres. This was a fun evening of socializing and gave us a chance to experience one of the premiere industries in Oregon's Rogue Valley.

Communication is the key to a successful organization. If any of you have concerns or questions, or new ideas on how we can improve the upcoming conference or the organization as a whole, please don't hesitate to call or email me or any other officer of the PNWD. Our next board meeting is scheduled for September 26th at the Marcus-Whitman Hotel in Walla Walla, WA. We will be taking a look at the surveys turned in by the attendees at the May conference and looking at how we can implement some of your ideas for a successful 2009 training conference.

Remember also to recruit any new members to this fine organization!

Sincerely,

Sara

**Micro-Stamping & Serialized
Ammunition: A Threat to Public Safety
and a Direct Path to Reasonable Doubt**

Editorial from *The Scene*

**Thomas W. Adair, CFWE, CSCSA,
Westminster Police Dept.**

In October of 2007 the California legislature signed into law AB1471 which, by 2010, will require new firearms to imprint the weapon's serial number on two places of the fired cartridge case. Proponents of this legislation argue that micro-stamping is an effective crime fighting tool (despite the fact that it has yet to be implemented, and thus, tested) and assist law enforcement investigators with quickly solving gun crimes. Unsurprisingly the company that holds the patent to this technology makes the same claims. At first glance this technology would appear to be the panacea of social order we have been searching for. Upon further inspection, however, those of us who are educated and experienced in criminal investigations see a much darker consequence of this dangerous legislation.

Proponents point to the benefits of database evidence such as DNA or fingerprints and argue that micro-stamping will yield similar information to law enforcement. No one can argue that DNA and fingerprint databases offer a powerful tool to investigators. But there are three main distinctions with the proposed micro-stamping legislation. First, DNA and fingerprint evidence creates a nexus to an individual not an object. Planting probative DNA or fingerprint evidence is much more difficult than planting cartridge casings. Imagine the logistics of planting DNA in the vaginal vault of a rape victim or a person's fingerprints on the window at a burglary scene. Second, while DNA databases contain genetic profiles of criminals, the loci have been carefully selected to exclude certain personal history of said criminals. On the other hand, the micro-stamping database will need to contain extensive personal information of all legal gun owners

to be useful (ex. How many John Smiths do you think will be in there). Third, while DNA and fingerprint evidence may be found on moveable evidence, micro-stamping will always be contained on movable evidence. This creates a potential disconnect between the source and the location of recovery. These points become critically important later in the discussion. More on that in a minute.

Aside from some basic issues related to crime scene reconstruction there are serious concerns about the technology. Several researchers have described that these numbers can easily be removed from the firing pin and frame by criminal and will not reduce criminals access to firearms and ammunition. Criminals already make efforts to circumvent the legal system, this is nothing new. In fact, thwarting the system will be easier than defacing a serial number on a frame. Criminals can simply use a brass catcher or revolver.

Another significant problem with this technology is that complete serial numbers are not always produced. As anyone knows in this business, partial serial numbers create a larger pool of candidates which is exactly what this technology is supposed to avoid. This of course doesn't begin to address questions about re-loaded ammunition, replaceable firing pins, QA problems with the manufacturer, or the very simple fact that the trace data would likely only lead to the original purchaser of the ammunition. As with traditional ammunition this technology still will not be able to answer the very basic question of **"who"** pulled the trigger. Even if the technology worked correctly there is a very real possibility that innocent people will be convicted of crimes they did not commit. The old saying of "It's better that 100 guilty people go free than one innocent person goes to prison" is still very important. If micro-stamping takes hold I believe both of these scenarios will come true. **(continued on pg. 9)**

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MEET YOUR NEW PNWD/IAI BOARD MEMBERS

MELISSA GIRARDELLI

I am a Forensic Scientist with the Oregon State Police assigned to the Latent Print Unit of the Portland Metro Forensic Laboratory. I have been employed with the State Police for 10 years, first hired as a Laboratory Technician working in the Latent Print Unit. During the beginning of my employment I was also attending Western Oregon University and completed my undergraduate degree in Biology in 2001. Besides my daily duties as a latent analyst, I am the current AFIS representative for the Laboratory and a trainer/coach of new analysts to the unit. I recently passed the IAI Latent Print Certification test and am in the final stages of becoming certified. I have been a member of the PNWD-IAI and parent body since 2001 and look forward to my new involvement on the Board and with other members. On a personal aside, I recently became married and am in the process of changing my last name to Lyman.



DAVE ZROWKA

I was raised in Northeastern Pennsylvania and enlisted in the US Air Force in 1986 where I worked as a Security/Law Enforcement Specialist in the United Kingdom, New Mexico, Panama and Montana. In 1995 I completed my enlistment and was then employed by the Cascade County Sheriff's Office in Great Falls, Montana. I started in the role of a Detention Officer and Reserve Deputy. In 1997 I was hired as a full time sworn officer and received specialized training in various aspects of Law Enforcement (drug interdiction, interview interrogations, patrol intervention techniques crime scene investigations, etc.) In 1998 I took on the additional duties of becoming a Deputy Coroner.

I have taught classes at the Montana Law Enforcement Academy and Local and State Law Enforcement Agencies on the topics of Basic Photography, Initial Response to Crime Scenes, Property Room and Evidence Management and Impression Evidence Collection and Preservation. Through the Montana POST Council I hold Basic Certificates in Detention/ Corrections, and Coroner Basic. I currently hold an Intermediate Certificate, and have applied for my Advanced Certificate, in Law Enforcement Operations. Since 2005 I have been employed by the Montana State Crime Lab in Missoula, Montana as a Forensic Scientist in the Impression Evidence Section. I will be applying for my IAI certification in Latent Prints within the next few months.

PNWIAI 2008 Conference



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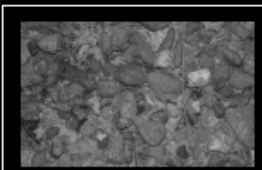
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Due to the intensity of these lights, however, certain applications may require a less intense, softer light. For this purpose, we have engineered a diffuser to slip on and off the visible lights.

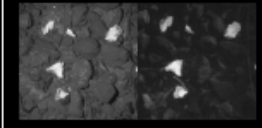
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Undetectable bone fragments above are made visible in the bottom left photo using the 395nm UV Light and 455nm bottom right. (Orange barrier filter goggles used to view 455nm.)



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UPCOMING IAI SPONSORED TRAINING

Course Title	Advanced Palm Print Comparison Techniques
Location	Fresno Convention and Entertainment Center, Fresno, CA
Instructor	Ron Smith
Dates	September 3 - 5, 2008
Cost	\$400.00
Course Title	Collection, Documentation & Preservation of Footwear & Tire Track Evidence
Location	Rio Rancho, NM
Instructor	Dwane Hilderbrand
Dates	September 8 - 10, 2008
Cost	\$400.00
Course Title	Forensic Examination of Violent Crime Scenes
Location	Michigan State Police Academy, Lansing, MI
Instructor	John Black
Dates	September 9 - 11, 2008
Cost	\$400.00
Comments	This training seminar has approval for use of Michigan 302 training funds.
Course Title	Courtroom Testimony Techniques "Success Instead of Survival"
Location	Rio Rancho, NM
Instructor	Dwane Hilderbrand
Dates	September 11 - 12, 2008
Cost	\$300.00
Course Title	Advanced Palm Print Comparison Techniques
Location	Dearborn Police Department, Dearborn, MI
Instructor	Ron Smith
Dates	September 16 - 18, 2008
Cost	\$400.00
Course Title	Advanced Friction Ridge Examination for Tenprint Examiners
Location	County of Alameda Conference Center, Oakland, CA
Instructor	Debbie Benningfield and Charles Richardson
Dates	September 29 - October 3, 2008
Cost	\$600.00

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Now you might ask yourself what does this have to do with crime scene reconstruction? It's a good question and I am going to tell you. Part of our investigation includes the analysis of physical evidence from the crime scene which may include fired cartridge casings. Now you might say "criminals can plant evidence today" and in fact they can. The question is, do we really want to make that deception easier? Today, if the criminal were to plant non-stamped cartridge casings from the weapon of a law abiding citizen the police would likely have no lead to follow. Even if a stolen gun had been used in several crimes by an offender it may not lead directly to John Q. Public. So just as with CODIS, if the criminal were to plant DNA evidence of a law abiding citizen (who is not in the database) the police would not find a link to follow up on.

Even if a criminal wanted to do a convincing job of planting fired cases today they would likely have to have surveilled a shooter at a public or private range, recover the brass, and get a vehicle description and license plate. All without getting reported as a suspicious party. Without that information, the suspect could not make an effective phone tip to investigators. That is one clear reason why we don't see a lot of planted cartridge casings at crime scenes today. But with micro-stamping they could get fired brass from any location, and at any time, to plant. And therein lies the problem. This silent witness might be providing convincing, yet false, testimony.

Imagine a criminal who fired frangible ammunition and planted fired micro-stamped cases from an innocent individual. There would be no ballistic evidence to examine except the fired casing. Imagine further if the police knocked on the door of John Q. Public asking for an alibi that the bachelor didn't have or was unverifiable? What if the cases didn't trace back to John Q. Public, but instead lead to the law abiding

relative of a known gang member? Now imagine if the victim was a 9 year old blonde haired beauty queen who's unsolved murder was generating immense public pressure and interest? What would happen? Unfortunately there have been some prosecutors who have sought convictions with less evidence. Even if the falsely accused prevail in criminal court how much will it cost them? What will it do to their reputation? How much will it cost for the civil trial? Do we want people to lose their livelihoods on what may be very loose associations? To say nothing of the hours spent by law enforcement chasing false leads while others may grow cold. Our system (US) is supposed to operate under the premise "innocent until proven guilty". Fired ammunition, by its very nature, suggests guilt at a shooting crime scene. Whether we want to admit it or not, micro-stamped ammunition will put a face and name to the "shooter" and may unduly suggest the guilt of an innocent party.

Assume further that other evidence is recovered from the scene implicating the real offender. Will the presence of the traceable cartridge cases provide enough reasonable doubt to acquit the guilty? If it does, don't you think we see this planting as a routine event (an insurance policy if you will) for all criminal acts involving fired shots? Without micro-stamping and a gun to trace it to, the lack of the specific gun responsible for firing the round is not grounds enough for acquittal. After all, most jurors don't have a problem imagining that the criminal disposed of the weapon prior to getting caught. Some may argue that laws like these are presented with good intentions. Efforts to keep career criminals from intruding on our lives as productive members of society. But there is a better way. We have all seen career criminals offered plea deals for reduced sentences, shortened prison sentences for "good behavior" (which usually means they just

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didn't rape or kill anyone in prison), and in some cases clemency when it was politically profitable. Interestingly, the same politicians that seem intent on gun control seem to be the same ones preaching for lighter criminal sentences. With the burden of proof placed squarely on the prosecution these laws hinder our efforts.

I have a suggestion to deal with career criminals who use guns while simultaneously protecting the law abiding citizen. It involves the use of mandatory minimum federal sentences that would be used in every gun offense. I suggest a sliding scale to be used for previously convicted felons who use guns during the commission of a new crime. These sentences would be in addition to the time sentenced for the underlying crimes. It would look something like this.

10 years mandatory minimum for the possession of a gun by a felon during the commission of a crime (whether the gun is displayed or not)

20 years mandatory minimum for the display of a gun by a felon during the commission of a crime (with no shots fired)

30 years mandatory minimum for the firing of a gun by a felon during the commission of a crime (when no injuries are sustained)

40 years mandatory minimum for the firing of a gun by a felon during the commission of a crime resulting in the injury to another party (regardless of their association).

Database evidence suggesting such probative relationships should be carefully guarded and restricted to those items which link directly to a person, not an item. Biological evidence like DNA or

fingerprints that can not "change hands" like inanimate objects. Databases of this sort should not contain the profiles of law abiding citizens. I have heard all the arguments such as fingerprints are collected from school teachers and we have databases of car registrations. These are very weak arguments at best. Persons in a position of trust (like teachers) must be monitored and verified to ensure that they can serve in that capacity (i.e. not a previously registered sex offender) and are the person they are purporting to be. The intent of these fingerprint records is to verify identity, not to create a link to a crime scene. Vehicles do not inherently possess the connotations of a fired cartridge casing found five feet from a homicide victim. Additionally, it is nearly impossible to convincingly plant fingerprint and blood evidence without the knowledge or consent of the owner or detection by a qualified examiner.

I know that every country has it's own constitution and that I am speaking to an international audience that does not have the benefit of our bill of rights. Not every country in the world affords such protections to the accused as the United States. In some countries the defendant has fewer protections and the prosecution has greater power. But as practitioners in this field we should be ever vigilant to protect the citizenry from encroachments to their civil liberties, especially when veiled under the dark cloud of "public safety". Legislation like this, I believe, will weaken our efforts to identify the guilty not strengthen them. We have a responsibility to discover evidence which both identifies the perpetrator and shields the innocent. After all, if we are not an advocate for the innocent, who will be?

Special thanks to Tom Adair for permission to reprint this editorial.

**Pacific Northwest Division
International Association for
Identification
General Business Meeting – May 15,
2008
Red Lion Hotel, Medford, Oregon**

President Betty Newlin called the meeting to order at 3:05 PM.

Minutes: Secretary Kathy Saviers read the minutes from the 2007 General Business Meeting. There was one correction: a member of the Audit Committee was Jennifer Delaney. Dave Cotton moved to approve the report as read with the one correction. Sherrie Wraspir seconded it and the motion carried.

Treasurer's Report: Lori gave a summary of the Treasurer's report from her laptop computer and will mail a printed copy to the Secretary. Linda Grass moved to approve the report pending the Audit Committee Report. Jennifer Delaney seconded it and the motion carried.

Audit Committee: The committee, consisting of Bridget Kinney, Kathryn Quackenbush and Jeffrey Broderson found the books in proper order. Dave Cotton moved to approve the report. Linda Grass seconded the motion and the motion carried.

COMMITTEE REPORTS

Latent Print Certification Committee: Darla Shaver reported that nine new applications were processed and ten applications for recertification were processed. Randy Parker moved to

approve the report. Jeff Broderson seconded the motion and the motion carried.

Crime Scene Certification Report: Gary John reported that five new applications were processed and five applications for recertification were processed. He also asked to be replaced as Chair of this committee. Linda Grass moved to approve the report. Deena Chavez seconded the motion and the motion carried. Gary John was thanked for so many years of excellent service.

Ten Print Certification Committee: Megan Crook is the chair of this newly appointed committee. Stacy Dobson and Lorca Dargis will also be on the committee and they will now review the applications. Darla Shaver moved to approve the report. Jennifer Delaney seconded the motion and the motion carried.

Science and Practices Committee: Mary Brandon reported her involvement with SWGFAST (www.swgfast.org) and that she has now resigned her position. Jon Stimac and Jeri Eaton continue to serve. Kim Yadda was elected to the ten-print sub-committee. Publications: Jon Stimac is the new editor of Identification News for the IAI. Mike Brandon moved to approve the report. Randy Parker seconded the motion and the motion carried.

ELECTION OF OFFICERS

Sara Trejo succeeded to President and Darla Shaver succeeded to 1st Vice President.

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There were nominations for 2nd Vice President: Shawn Naccarato, Jeff Broderson, Linda Grass and Jennifer Delaney. Shawn, Jeff and Linda declined the nomination. Dave Cotton moved that Jennifer Delaney be elected by acclamation. Linda Grass seconded the motion and it was carried.

There was one nomination for Secretary: Kathy Saviers. Dave Cotton moved that Kathy Saviers be elected by acclamation. Jeff Broderson seconded the motion and the motion was carried.

The position of Treasurer will continue to be held by Lori Moore as it is a two-year office and this is the end of her first year.

Because Jennifer Delaney was elected to the position of 2nd Vice President, the position of Sergeant-at-Arms is vacant for the second year of its term. There was one nomination for this one-year term of Sergeant-at-Arms: Amanda Clough. Dave Cotton moved that Amanda Clough be elected by acclamation. Gary John seconded the motion and the motion carried.

Elections of Directors: Three two-year terms for Director were open. Ballots were distributed to the members with the instructions. Melissa Girardelli, Bridget Kinney and Dave Zrowka were elected to these positions. Dave Cotton moved to destroy the ballots and Linda seconded the motion. The ballots were destroyed. The continuing directors are Megan Crook, Linda Grass and Shawn Naccarato.

NEW BUSINESS

2009 Conference: The conference will be held at the Marcus Whitman Hotel in Walla Walla, Washington, May 18-22, 2009. Walla Walla Police Department will be the host agency.

2010 Conference: This will be a joint conference with the parent body. It will be held at the Double Tree Hotel in Spokane, Washington, July 11-17, 2010. Linda Grass will be the division liaison to the IAI.

Editor: Natasha Wheatley from the Idaho State Police has accepted the position of Editor of the newsletter.

Silent Auction: Darla Shaver announced the winners of the silent auction items.

Dave Cotton made a motion that the meeting be adjourned. Linda Grass seconded it and the motion carried.

The meeting was adjourned at 4:10 PM.

Respectfully submitted,

Kathy Saviers
Secretary



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- Protection of swabs from cross contamination
- Compact design

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September 15 - 19, 2008
Canyon County Idaho
Sheriff's Office

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For more information email Captain Gary John
(GJohn@canyonco.org)

**Congratulations to the
following new PNWD/IAI
members!**

Member #1094
LIZOTTE, David
Latent Print Examiners
Seattle Police Department

Member #1095
REDHEAD, Scott
Latent Print Examiner
Seattle Police Department

Member #1096
CLOUGH, Amanda
Crime Scene Specialist
City of Boise

Member #1097
JONES, Thomas Jr
Forensic Scientist
State of Oregon

Member #1098
LARSEN, Nika
Forensic Scientist
State of Oregon

JOB ANNOUNCEMENTS

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\$25.41-\$32.40 / Hour (*salary
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A Master's degree in a related field may substitute for a Bachelor's degree. See job posting for additional requirements. **Closing Date: 10/10/08. Apply online:** www.eugene-or.gov/jobs. Questions? Contact Human Resources, 777 Pearl Street, Room 101, Eugene OR 97401, (541) 682-5061, or email application.requests@ci.eugene.or.us. The City of Eugene values diversity in its work force and is committed to affirmative action.



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The views expressed in articles contained in this publication do not necessarily represent the views of the Pacific Northwest Division of the International Association for Identification. The Association neither guarantees, warrants, nor endorses these views or techniques but offers these articles as information to the membership. Some articles may contain descriptions of processes utilizing chemicals or combinations of chemicals that may be hazardous to the user's health. It is strongly recommended that proper precautions be taken when using known hazardous chemicals or a combination thereof. The Association assumes no responsibility for the use of chemicals or combinations thereof as set forth in any article.

MESSAGE FROM THE EDITOR

I am excited about this new opportunity to be involved in the PNWD/IAI as the editor. I look forward to serving the purpose of this organization by disseminating useful and professional information. My hope for future editions of this newsletter is to incorporate more articles and reviews. This being said, I would love any material that may be thought provoking or educational to share. Also, any comments or suggestions would be greatly appreciated.

Sincerely,

Natasha Wheatley
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FOR MEMBERSHIP INFORMATION PLEASE VISIT OUR WEBSITE AT

[http://www.pnwdiai.org/membership
.php](http://www.pnwdiai.org/membership.php)

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