

Attempts to Malign the Legitimacy of Friction Ridge Evidence: Reasons and Remedies

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ABSTRACT

The science of fingerprints is an infallible tool for personal identification. But in the recent past there have been attempts to malign the legitimacy of friction ridge evidence. A set of minimum number of identical ridge characteristics in their relative position are required to give a positive opinion in the courts. Surprisingly number of points needed for identification testimony vary from nation to nation. Such a situation certainly gives enough scope for doubt, amongst all those who are not aware of uniqueness and permanency of a fingerprint. The emphasis of this paper is to analyse the reasons for attack on sanctity of friction ridge evidence, and also to suggest the damage control strategy.

Fingerprints (visible or latent) left behind at the scene of crime or the place of occurrence have been observed as one of the most reliable / vital tools for identification of individuals. Friction ridge evidence has always been considered as an infallible in crime investigation and conviction of those involved. Traditionally, latent print examiners have presented identification testimony in courts with an explanation of identification or with a charted enlargement of matching and latent print⁽¹⁾. Fingerprints have a long history as tool for identification for both civil and forensic purpose. Their reliability are proverbial and are often used as yard stick and a reference model for other (new) forensic techniques mainly to profit from their widespread image.⁽²⁾

But in the last few years the legitimacy of friction ridge evidence based on Dr. Francis Galton's principles of uniqueness and permanency has been most severely attacked. It is extremely painful to know that the reputed science of personal identification has even been called unreliable. In a ruling on January 07, 2002 Louis Pollak, a federal judge in Pennsylvania, decided that fingerprint evidence was unreliable. This is the first ruling in the American courts, although

fingerprint evidence has been open to such challenges for years.⁽³⁾ The court's validity to establish the scientific validity was challenged in the Supreme Court also ^(4,5).

People say whatever pleases them in maligning this unique and effective tool of individualization. If we, the fingerprints fraternity want to check or counteract against such biased attempts, then first of all we will have to critically analyze the reasons for such mischief, only then the remedies can be discussed.

ANALYSIS OF REASONS FOR ATTACK ON THE FRICTION RIDGE EVIDENCE

Whenever there is hue and cry and an established system, then the first and foremost step anyone should take is to look into details of complaints, or the reasons for resentment, until we diagnose the cause meticulously, I think the remedy cannot be fool proof or effective.

To prove that the chance print belonged to a certain individual, the expert has to show the court sufficient number of identical ridge characteristics in their relative positions, in the questioned and the scene of crime print.⁽⁶⁾ Most often the subjective nature of the opinion of individualization comes under attack

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by lawyers \ counsels in the courts of law. Fingerprint examiners do not possess uniform objective standards to guide them in their comparisons. To the contrary, there is complete disagreement amongst the fingerprint examiners as to how many points of comparison are necessary to make an identification, and many examiners now take the position that there should be no objective standards at all ⁽⁷⁾. As such different countries have developed their minimum number of points for opinion of identity on fingerprints based on their experience for presentation before the courts.

A list of countries and the minimum number of points required by them for opinion of identity is given below:

Table 1
Minimum number of points required for opinion of identity

S.No.	Name of the country	Number of identical Points
1.	Australia	12
2.	Austria	10-12
3.	Belgium	8-12
4.	Canada	10 (16 for court)
5.	Denmark	16
6.	France	17
7.	Interpol	12
8.	Israel	10-12
9.	Japan	12-14
10.	New Zealand	8-12
11.	Spain	10-12
12.	Switzerland	No fixed number
13.	U.K.	16
14.	U.S.A	7-12
15.	India	8

Sources: Chatterjee, S.K. Hague, Richard V. *Fingerprint or Dactyloscopy and Ridgeoscopy*, 1988, Srijib Chatterjee, 17, Lake. Calcutta - 700 026 (India).

Readers will be surprised to know that prior to 1973 different states (regions) of India had no uniformity on minimum number of identical points/ridge characteristics for giving opinion on fingerprints, it ranged from 5-17. In 1973 the first All India Conference held at Shrinagar adopted the following resolution:

“The minimum number of points for establishing the identity beyond doubt in case of fingerprint examination has been fixed at eight. However where there are six or more points of identity, a qualified opinion can be offered by the expert on his responsibility.”

In 1970, the International Association for Identification had formed a Standardization Committee for the purpose of determining the minimum number of ridge characteristics for establishing positive identification⁽⁸⁾. The resolution stated that - no valid basis exist at this time for requiring that a predetermined minimum number of friction ridge characteristics must be present in two impression in order to establish positive identity.

Ne'urim Declaration (1995) taken in Israel had stated that - no specific basis exist for requiring that a predetermined number of friction ridge features must be present in two impression in order to establish positive identification.

ANALYSIS

If we critically analyze the resolutions, there is sufficient scope for the perception of doubt, in establishing the identity of two prints on the basis of varied number of identical points (a system which has not as yet been universalised on the issue of minimum number of identical points for establishing positive identity), at least amongst the people who do not have thorough

knowledge of as we know fraternity along the law of judiciary, with about all the because of lack to place, nat.

CONCLUSION

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as we know it is not the fingerprint
fraternity alone that assists in upholding
the law of state or a nation, we have
judiciary, which might have doubts
about ~~all~~ the point system, especially
because of lack of uniformity from place
to place, nation to nation.

CONCLUSION

All the different countries have set
their own standards in terms of number
of ridge characteristics required to prove
positive identity. This sort of difference

still exist from country to country, that
too in the changing world order when
we set our plans for global acceptance
or see no boundaries for trade or fighting
crime/terrorism. Most certainly need
of the hour is to have a universally
recognized or acceptable standard in
terms of ridge characteristics. I wish
Interpol and IAI to make a joint effort
to come out with a strategy for univer-
salization of minimum number of
ridge details for establishing positive
identification in the courts of law world
over.

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