

Fingerprint Evidence

In this case you heard the testimony of a witness who claims special qualification in the field of latent print examination. This witness has offered an opinion about whether a partial print found [on the gun, at the scene] matches the defendant's [fingerprint, palm print].

When evaluating this testimony you should know that the method used in this case Analysis, Comparison, Evaluation and Verification or ACE-V "provides a broadly stated framework for conducting friction ridge analysis. However, this framework is not specific enough to qualify as a validated method for this type of analysis."¹ "For these reasons, merely following the steps of ACE-V does not imply that one is proceeding in a scientific manner or producing reliable results."²

You should know that the analyst employing the ACE-V method "must make subjective assessments throughout" the process.³

You should be aware that, regardless of what preconceptions you may have about the infallibility of fingerprinting, latent print identification is not infallible, as "errors can occur with any judgment-based method."⁴ Further, only limited information exists as to the accuracy of latent print analysis.⁵

Finally, you should be aware that although there is some scientific evidence that human fingerprint patterns are unique, the assertion remains unproven.⁶ Even if all human fingerprint patterns are unique, "uniqueness does not guarantee that prints from two different people are always sufficiently different that they cannot be confused, or that two impressions made by the same finger will also be sufficiently similar to be discerned as coming from the same source."⁷

As a result, because this method has not yet been validated and the error rate is unknown, the testimony presented based on the ACE-V method cannot be presented with any particular degree of accuracy.

¹ NAS Report p. 142

² *Id.*

³ NAS Report p. 139.

⁴ NAS Report p 87, 143.

⁵ NAS Report p. 142.

⁶ NAS Report pp. 143-144.

⁷ NAS Report p. 144.