RON SMITH & ASSOCIATES, INC.

Practical Answers to Challenging Questions in the Courtroom

TWO EXPERIENCED FINGERPRINT EXPERTS		ONE EXPERIENCED CRIMINAL DEFENSE ATTORNEY
Instructor 1: Glenn Langenburg	Instructor 2: Carey Hall	Instructor 3: Brendan Max

Course Description

This fingerprint testimony course provides practical answers to challenging questions in today's courtroom environment by delivering the material to you in a novel way. Students will gain practical information for improving their courtroom performance. They will also be better prepared for Frye and Daubert challenges.

This unique course is taught by three instructors. Two of the instructors are experienced fingerprint experts. These instructors take turns answering mock court questions asked by a third instructor, an experienced criminal defense attorney, who will dynamically attack the answers. The instructors will demonstrate the strengths and weaknesses of different responses—both "good" and "bad" answers. Students will be able to ask questions and get feedback on their own personal responses. The instructors will highlight what strategies a defense attorney might take depending on the answer.

The instructors will share court experiences, case law, and other court decisions so that students are aware of precedent cases and emerging legal trends. Lastly, the instructors will share published papers, data, or the reactions of lay people to court room responses. This approach will give the student valuable insight into the reactions and understanding of the most important people in the courtroom: the triers of fact.

Course materials will include summaries of the major class topics, examples of model answers, lists of relevant cases, and reference materials. The course also provides the rare opportunity to gain insight into the strategies and tactics of a criminal defense attorney in a safe learning environment.

Course Logistics

When:

Class Times:

Where:

Tuition:
$700.00

This course approved for I.A.I. Certification & Re-certification

Local Contact

Target Audience

All practicing friction ridge examiners who could be required to give expert witness testimony are greatly encouraged to participate in this thought provoking, completely unique, fact finding mission to provide better answers than what we all have been taught in the past. The material is aimed predominantly at latent print challenges and issues, although some issues are applicable to both tenprint and latent print examiners. Tenprint examiners should review the reading list prior to attendance and determine if they think the course content to be suitable. If your goal is to respectfully but confidently respond to the challenges presented in the modern courtroom, then join your peers and gain a better understanding of more contemporary concepts from these three skilled instructors in a format that has never been used in a classroom.

Note: this course is aimed at fingerprint practitioners and is not appropriate for attorneys to attend. The learning objectives are focused on improving examiners' responses, not a "how to" cross-exam an expert witness.

Students will not be required to participate in mock-testimony exercises as part of their participation in this training. We of course, welcome and encourage students to ask questions and share experiences with the class.

Recommended Reading List:

Students should generally be familiar with the following documents/research:

- Department of Justice. Uniform Language for Testimony and Reports for the Latent Print Discipline. Sep. 24, 2018. Washington, D.C.
- Dror IE, Charlton D, Peron AE. Contextual information renders experts vulnerable to make erroneous identifications. *Forensic Sci Int* **2006**;156(1):74–8.
- Dror IE, Charlton D. Why experts make errors. *J Forensic Ident* **2006**;56(4):600–16.
- Evett, I; Jackson, G; Lambert, J; McCrossan, S. The impact of the principles of evidence interpretation on the structure and content of statements. *Science & Justice* (2000); 40:233-239.
- Langenburg, G; Champod, C. The GYRO System – A Recommended Approach to More Transparent Documentation. *J of Forensic Identification* **2011**; 61(4):373-384.
- National Commission on Forensic Science. Testimony using the term "Reasonable Scientific Certainty". https://www.justice.gov/archives/ncfs/page/file/641331/download
- National Research Council. 2009. *Strengthening Forensic Science in the United States: A Path Forward*. Washington, DC: The National Academies Press. https://doi.org/10.17226/12589.
- Neumann, C., Champod, C., Yoo, M., Genessay, T., and Langenburg, G. (2013). Improving the Understanding and Reliability of the concept of "sufficiency" in Friction Ridge Examination. NIJ Report (Award 2010-DN-BX-K267).
- Office of the Inspector General (OIG). A Review of the FBI's Handling of the Brandon Mayfield Case. Dept. of Justice. March 2006.
- Pacheco, I., Cerchiai, B., and Stoiloff, S. (2014). Miami Dade Research Study for the Reliability of the ACEV Process: Accuracy & Precision in Latent Fingerprint Examinations. NIJ Report (2010-DN-BX-K268).
- PCAST (2016). Forensic Science in Criminal Courts: Ensuring Scientific Validity of Feature-Comparison Methods. Washington, DC.
- SWGFAST. Document #10 – Standards for Examining Friction Ridge Impressions and Resulting Conclusions. Version 2.0, Issued 04/27/13.
- Tangen, J.M., Thompson, M.B., and McCarthy, D.J. (2011). Identifying Fingerprint Expertise. *Psychological Science* 22 (8): 995-997.
- Taylor, M; et al. Latent Print Examination and Human Factors: Improving the Practice through a Systems Approach. NIST Report 7842; 2011. https://doi.org/10.6028/NIST.IR.7842
- Thompson, W; et al. Forensic Science Assessments – A Quality and Gap Analysis of Latent Fingerprint Examination. American Assoc. for the Adv. Of Science (AAAS), Report 2, Sept. 15, 2017; Washington, DC.
- Ulery, B.T., R.A. Hicklin, M.A. Roberts, J. Buscaglia, Measuring what latent fingerprint examiners consider sufficient information for individualization determinations. *PLoS ONE* 9(11): e110179. Nov 2014.
- Ulery, B.T., Hicklin, R.A., Buscaglia, J., Roberts, M. Repeatability and Reproducibility of Decisions by Latent Fingerprint Examiners. *PlosOne* (2012)
- Ulery, B.T., Hicklin, R.A., Buscaglia, J., Roberts, M. (2011). A Study of the Accuracy and Reliability of Forensic Latent Fingerprint Examiners. *Proceeding of the National Academies of Science*.

Daily Schedule

	DAY 1	DAY 2	DAY 3
8:00–9:30	Introductions, Course overview, & 1. Legal Issues	4. ACE-V, continued	8. Error Rates
9:30–9:50	Break	Break	Break
9:50–10:30	2. Voir Dire – Qualifications of the Analyst	4. ACE-V, continued	9. Documentation
10:30–10:40	Break	Break	Break
10:40–12:00	2. Voir Dire, continued	5. AFIS	9. Documentation, cont.
12:00–13:00	Lunch	Lunch	Lunch
13:00–14:00	3. Qualifications of the Laboratory	6. Identification Terminology	10. Activity Level Questions
14:00–14:15	Break	Break	Break
14:15–15:15	3. Qualifications of the Laboratory, continued	7. Bias/Blind Verification	11. Additional Issues for Discussion
15:15–15:30	Break	Break	Break
15:30–16:30	4. ACE-V	7. Bias, continued	12. Wrap up, course conclusion

Course Prerequisites

We wish to be clear that all students must either be practicing latent print or tenprint examiners as a requirement to register for this course. Your years of experience as an examiner is not a factor, simply the need to testify now or in the future.

Learning Objectives

Students attending this course will:
- Learn about key case law related to latent print evidence
- Learn about cross-examination during voir dire
- Learn about strategies for cross-examination related to accreditation
- Understand the current legal environment, issues, and strategies to challenging latent print evidence in the courtroom including:
- The strength and limitations of ACE-V
- AFIS examinations
- Bias and verification
- Documentation or the lack thereof
- Understand the current terminology and definitions of "identification"
- Learn about error rate testimony
- Learn about Activity Level testimony – do's and don'ts
- Have the opportunity to get feedback on their individual specific answers

Must Bring to Class

Dress is business casual as the course will be conducted in a professional environment and facility.

Helpful Lodging Information

Although we cannot endorse any particular hotel property, we have confirmed that the following lodging is within a reasonable commuting distance to the training site.

Online Class Registration

Visit us at: www.RonSmithandAssociates.com and register today!