

Fingerprint Evidence in Court



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So what is an assistant district attorney?



Scientific Evidence

- The judge is the gate keeper of what evidence is admitted during trial
- The judge must determine whether scientific evidence is generally accepted in the scientific community before it is allowed into evidence
- Fingerprint evidence is scientific evidence
- Generally speaking, fingerprint evidence has been found to be admissible



Expert Witness

- It is not enough that the type of evidence is admissible
- The person who conducted the analysis must have been qualified
- The judge will hold a hearing to determine whether the witness is qualified to testify about the scientific evidence
- This hearing can be for both the officer who collects the fingerprints from a crime scene as well as the analyst who compares them



How is the Evidence Used?

- Detective can talk about the steps he or she took to collect the evidence
- Expert can talk about the examination they did
- Expert can give their opinions as to a match or exclusion
- Expert cannot give an opinion as to the ultimate issue – the defendant is guilty of...



What if the Fingerprints Match?

- It depends...
- Where was the fingerprint found
- Who would have access to the item
- Was the defendant a stranger



What if the Defense Expert says the Prints Do Not Match?

- An expert can only testify about their opinion
- If experts disagree, it is up to the jury to figure out who they believe
- The jury must also determine how much weight to give the evidence they believe



What if no Fingerprints are Found?

- CSI effect
- If testing was not done, then it can go against the government
- Not all surfaces are good for finding fingerprints



The Jury Cannot Speculate

- It is the government's job to answer any unanswered questions
- Fingerprint evidence of one crime does not necessary prove other crimes committed

