

Misleading DNA Evidence

Reasons for Miscarriages of Justice

Peter Gill



Misleading Dna Evidence Reasons For Miscarriages Of Justice

Paul Roberts, Michael Stockdale



Misleading Dna Evidence Reasons For Miscarriages Of Justice:

Misleading DNA Evidence Peter Gill,2014-06-01 DNA has become the gold standard by which a person can be placed at the scene of a crime and the past decade has seen great advances in this powerful crime solving tool But the statistics that analysts can attach to DNA evidence often vary and in some cases the statistical weight assigned to that match can vary enormously The numbers provided to juries often overstate the evidence and can result in a wrongful conviction In addition to statistics the way the evidence is collected stored and analyzed can also result in a wrongful conviction due to contamination This book reviews high profile and somewhat contentious cases to illustrate these points including the death of Meredith Kercher It examines crucial topics such as characterization of errors and determination of error rates reporting DNA profiles and the source and sub source levels and the essentials of statement writing It is a concise readable resource that will help not only scientists but legal professionals with limited scientific backgrounds to understand the intricacies of DNA use in the justice system

Misleading DNA Evidence Peter Gill,2014-06-18 **Misleading DNA Evidence A Guide for Scientists Judges and Lawyers** presents the reasons miscarriages of justice can occur when dealing with DNA what the role of the forensic scientist is throughout the process and how judges and lawyers can educate themselves about all of the possibilities to consider when dealing with cases that involve DNA evidence DNA has become the gold standard by which a person can be placed at the scene of a crime and the past decade has seen great advances in this powerful crime solving tool But the statistics that analysts can attach to DNA evidence often vary and in some cases the statistical weight assigned to that match can vary enormously The numbers provided to juries often overstate the evidence and can result in a wrongful conviction In addition to statistics the way the evidence is collected stored and analyzed can also result in a wrongful conviction due to contamination This book reviews high profile and somewhat contentious cases to illustrate these points including the death of Meredith Kercher It examines crucial topics such as characterization of errors and determination of error rates reporting DNA profiles and the source and sub source levels and the essentials of statement writing It is a concise readable resource that will help not only scientists but legal professionals with limited scientific backgrounds to understand the intricacies of DNA use in the justice system Ideal reference for scientists and for those without extensive scientific backgrounds Written by one of the pioneers in forensic DNA typing and interpretation of DNA profiling results Ideal format for travel court environments or wherever easy access to reference material is vital

Miscarriages of Justice Sam Poyser,Angus Nurse,Rebecca Milne,2018-05-16 Miscarriages of justice occur far more frequently than we realise and have the power to ruin people s lives It is crucial for criminal justice practitioners to understand them given significant developments in recent years in law and police codes of practice This text part of the Key themes in policing textbook series is written by three highly experienced authors with expertise in the fields of criminal investigation forensic psychology and law and provides an up to date and comprehensive analysis of miscarriages of justice They highlight difficulties in defining

miscarriages of justice examine their dimensions forms scale and impact and explore key cases and their causes Discussing informal and formal remedies against miscarriages of justice such as campaigns and the role of the media and the Court of Appeal and the Criminal Cases Review Commission CCRC they highlight criticism of the activities and decision making of the latter and examine changes to police investigation in this area Designed to incorporate evidence based policing each chapter provides questions reflecting on the issues raised in the text and suggestions for further reading

Forensic DNA Transfer Jane Moira Taupin, 2023-10-10 Forensic DNA Transfer provides a guide to the recognition and current understanding of DNA transfer in forensic criminal investigations Increased improvements in technology mean that it is now routinely possible to obtain DNA profiles from non visible deposits How or when the DNA in question was deposited may be an issue in the context of the case especially if the donor of the DNA is not in dispute A DNA profile alone cannot reveal when or how that DNA was deposited at a crime scene nor can it reveal the body matter from which it originated Issues of transfer associated with activities may be debated which the traditional discrimination purpose of DNA profiling cannot address DNA may be everywhere and anywhere in homes at workplaces during transport and on personal items including clothing DNA from a person may be on an object they have never contacted or in a room they have never entered Concepts discussed in the book include non self DNA on hands through day to day activities the prevalence of background DNA in the environment and perhaps on the exhibit the persistence of any DNA transferred and that a DNA result will depend on these variables as well as recovery techniques Since DNA may be transferred to an exhibit a during the commission of a crime b before the crime and or c after the crime through handling examination and testing this book covers various transfer pathways and sources of DNA Documented cases of inadvertent transfer of DNA resulting in wrongful convictions or the misdirection of criminal investigations are discussed with an emphasis on contamination mitigation throughout the entire process Forensic DNA Transfer examines the additional complexity resulting from non visible deposits of DNA that impact on sampling and testing regimes The changing understanding of the composition of purported touch DNA deposits from the skin including extracellular DNA transported via body secretions is described Further the newer focus on interpreting DNA evidence using activity level propositions and the rationale and associated issues is also discussed

Forensic DNA Trace Evidence

Interpretation Duncan Taylor, Bas Kokshoorn, 2023-05-30 Forensic DNA Trace Evidence Interpretation Activity Level Propositions and Likelihood Ratios provides all foundational information required for a reader to understand the practice of evaluating forensic biology evidence given activity level propositions and to implement the practice into active casework within a forensic institution The book begins by explaining basic concepts and foundational theory pulling together research and studies that have accumulated in forensic journal literature over the last 20 years The book explains the laws of probability showing how they can be used to derive from first principles the likelihood ratio used throughout the book to express the strength of evidence for any evaluation Concepts such as the hierarchy of propositions the difference between

experts working in an investigative or evaluative mode and the practice of case assessment and interpretation are explained to provide the reader with a broad grounding in the topics that are important to understanding evaluation of evidence. Activity level evaluations are discussed in relation to biological material transferred from one object to another, the ability for biological material to persist on an item for a period of time or through an event, the ability to recover the biological material from the object when sampled for forensic testing, and the expectations of the prevalence of biological material on objects in our environment. These concepts of transfer, persistence, prevalence, and recovery are discussed in detail in addition to the factors that affect each of them. The authors go on to explain the evaluation process, how to structure case information, and formulate propositions. This includes how a likelihood ratio formula can be derived to evaluate the forensic findings, introducing Bayesian networks and explaining what they represent and how they can be used in evaluations, and showing how evaluation can be tested for robustness. Using these tools, the authors also demonstrate the ways that the methods used in activity level evaluations are applied to questions about body fluids. There are also chapters dedicated to reporting of results and implementation of activity level evaluation in a working forensic laboratory. Throughout the book, four cases are used as examples to demonstrate how to relate the theory to practice and detail how laboratories can integrate and implement activity level evaluation into their active casework.

Forensic Science Evidence and Expert Witness

Testimony Paul Roberts, Michael Stockdale, 2018-11-30 Forensic science evidence plays a pivotal role in modern criminal proceedings. Yet such evidence poses intense practical and theoretical challenges. It can be unreliable or misleading and has been associated with miscarriages of justice. In this original and insightful book, a global team of prominent scholars and practitioners explore the contemporary challenges of forensic science evidence and expert witness testimony from a variety of theoretical, practical, and jurisdictional perspectives. Chapters encompass the institutional organisation of forensic science, its procedural regulation, evaluation, and reform, and brim with comparative insight.

Three False Convictions, Many Lessons David C Anderson, Nigel P Scott, 2016-09-21 A new perspective on the roles of psychopathology, confirmation bias, false confessions, the media, and internet amongst other causes of unjust accusations. Putting lack of empathy at the fore in terms of police, prosecutors, and others, it considers a wide range of other psychopathological aspects of miscarriages of justice. By looking at three high profile cases—those of Amanda Knox and Raffaele Sollecito (Italy), Stefan Kiszko (UK), and Darlie Routier (USA)—the authors show that motive forces are a mind set in which psychopathy, what they term constitutional negative empathy, may be present, and the need to reinforce existing supposition or lose face plays a large part.

Techniques of Crime Scene Investigation Barry A. J. Fisher, David R. Fisher, 2022-07-05 Techniques of Crime Scene Investigation is a staple for any forensic science library and is routinely referenced by professional organizations as a study guide for certifications. It is professionally written and provides updated theoretical and practical applications using real casework. This text is a must have for any CSI Unit or course teaching Crime Scene Investigation. Kevin Parmelee PhD, Detective ret Somerset County NJ

Prosecutor's Office Since the first English language edition of *Techniques of Crime Scene Investigation* was published in 1964 the book has continued to be a seminal work in the field of forensic science serving as a foundational textbook and reference title for professionals This Ninth Edition includes several new chapters and has been fully updated and organized to present the effective use of science and technology in support of justice New coverage to this edition addresses the debunking of a few forensic science disciplines long thought to have been based on sound science The book provides students crime scene investigators forensic scientists and attorneys the proper ways to examine crime scenes and collect a wide variety of physical evidence that may be encountered While it is not possible to cover every imaginable situation this book is a comprehensive guide that details and promotes best practices and recommendations In today's challenging environment it is essential that law enforcement personnel thoroughly understand and meticulously comply with the forensic evidence procedures that apply to their function in the investigation process Criminal investigations remain as complex as ever and require professionals from many disciplines to work cooperatively toward the fair and impartial delivery of justice Practitioners and students alike need to be aware of the increased scrutiny that they will face in the judicial system Judges are taking a more involved role than ever before as far as the evidence and testimony that they allow into their courtrooms No longer will substandard forensic science or crime scene investigation be acceptable Key features Newly reorganized contents including 4 brand new chapters reflects a more logical flow of crime scene processes and procedures Provides an overview of the crime scene investigation process and procedures from the first officer on the scene through the adjudication of the case Includes several new cases photos and updates in technological advances in both digital evidence and DNA in particular Science and technology applied to CSI solves crimes and saves lives Investigators prosecutors and defense attorneys must be able to use forensic tools and resources to their fullest potential and *Techniques of Crime Scene Investigation* serves as an invaluable resource to further this cause

Interpreting Complex Forensic DNA Evidence

Jane Moira Taupin, 2019-11-14 *Interpreting Complex Forensic DNA Evidence* is a handy guide to recent advances and emerging issues in interpreting complex DNA evidence and profiles for use in criminal investigations In certain cases DNA cannot be connected to a specific biological material such as blood semen or saliva How or when the DNA was deposited may be an issue The possibility of generating DNA profiles from touched objects where there may not be a visible deposit has expanded the scope and number of exhibits submitted for DNA analysis With such advances and increasing improvements in technological capabilities in testing samples this means it is possible to detect ever smaller amounts of DNA There are also many efforts underway to seek ways to interpret DNA profiles that are sub optimal either relative to the amount required by the testing kit and potentially the quality of the obtained sample Laboratories often use enhancements in order to obtain a readable DNA profile The broad reaching implications of improving DNA sensitivity have led to this next emerging generation of more complex profiles Examples partial profiles that do not faithfully reflect the proposed donor or mixtures of

partial DNA from multiple people A complexity threshold has been proposed to limit interpretation of poor quality data Research is now addressing the interpretation of transfer of trace amounts of DNA Complex issues are arising in trial that need to be reconciled as such complexity has added challenges to the interpretation of evidence and its introduction or dismissal in certain cases in the courts Key Features Addresses DNA transfer from person to person as well as to objects Outlines each stage required to produce a DNA profile from an exhibit including collection handling storage and analysis Discusses ethics subjectivity and bias including cognitive dissonance as they relate specifically to complex DNA evidence Highlights current techniques and the latest advances in DNA analysis including advances in familial DNA searches Interpreting Complex Forensic DNA Evidence provides tools to assist the criminal investigator forensic expert and legal professional when posed with a DNA result in a forensic report or testimony The result and any associated statistic may not reveal any ambiguity complexity or the assumptions involved in deriving it Questions from resolved criminal cases are posed and the relevant forensic literature provided for the reader to assess a DNA result and any associated statistic Case studies throughout illustrate concepts and emphasize the need for conclusions in the forensic report that are supported by the data

Forensic Genetics in the Governance of Crime Helena Machado,Rafaela Granja,2020-01-28 This open access book uses a critical sociological perspective to explore contemporary ways of reformulating the governance of crime through genetics Through the lens of scientific knowledge and genetic technology Machado and Granja offer a unique perspective on current trends in crime governance They explore the place and role of genetics in criminal justice systems and show how classical and contemporary social theory can help address challenges posed by social processes and interactions generated by the uses meanings and expectations attributed to genetics in the governance of crime Cutting edge methods and research techniques are also integrated to address crucial aspects of this social reality Finally the authors examine new challenges emerging from recent paradigm shifts within forensic genetics moving away from the construction of evidence as presented in court to the production of intelligence guiding criminal investigations

Handbook of Forensic Statistics David L. Banks,Karen Kafadar,David H. Kaye,Maria Tackett,2020-11-05 Handbook of Forensic Statistics is a collection of chapters by leading authorities in forensic statistics Written for statisticians scientists and legal professionals having a broad range of statistical expertise it summarizes and compares basic methods of statistical inference frequentist likelihoodist and Bayesian for trace and other evidence that links individuals to crimes the modern history and key controversies in the field and the psychological and legal aspects of such scientific evidence Specific topics include uncertainty in measurements and conclusions statistically valid statements of weight of evidence or source conclusions admissibility and presentation of statistical findings and the state of the art of methods including problems and pitfalls for collecting analyzing and interpreting data in such areas as forensic biology chemistry and pattern and impression evidence The particular types of evidence that are discussed include DNA latent fingerprints firearms and toolmarks glass handwriting shoeprints and voice

exemplars **Criminal Justice and Corruption** Graham Brooks, 2019-05-04 This book highlights and examines the level reach and consequences of corruption in international criminal justice systems The book argues that corruption in and of criminal justice is an international problem regardless of the jurisdiction and type of political system democratic dictatorship or absolute monarchy It argues that state power combined with the privatization of criminal justice and its policing custodial institutions and community rehabilitation services is a vast industry within and across international jurisdictions that are worth substantial state fund Criminal Justice and Corruption explains how different theoretical approaches highlight the problem of preventing corruption discusses the problem of measuring criminal justice corruption and focuses on individual criminal justice institutions For each institution Brooks covers key literature and discusses the issues that they face with a conclusion that reflects on the level and reach of corruption in criminal justice and whether it can maintain its legitimacy particularly in democratic states

Forensic Practitioner's Guide to the Interpretation of Complex DNA Profiles Peter Gill, Øyvind Bleka, Oskar Hansson, Corina Benschop, Hinda Haned, 2020-06-10 Over the past twenty years there s been a gradual shift in the way forensic scientists approach the evaluation of DNA profiling evidence that is taken to court Many laboratories are now adopting probabilistic genotyping to interpret complex DNA mixtures However current practice is very diverse where a whole range of technologies are used to interpret DNA profiles and the software approaches advocated are commonly used throughout the world Forensic Practitioner s Guide to the Interpretation of Complex DNA Profiles places the main concepts of DNA profiling into context and fills a niche that is unoccupied in current literature The book begins with an introduction to basic forensic genetics covering a brief historical description of the development and harmonization of STR markers and national DNA databases The laws of statistics are described along with the likelihood ratio based on Hardy Weinberg equilibrium and alternative models considering sub structuring and relatedness The historical development of low template mixture analysis theory and practice is also described so the reader has a full understanding of rationale and progression Evaluation of evidence and statement writing is described in detail along with common pitfalls and their avoidance The authors have been at the forefront of the revolution having made substantial contributions to theory and practice over the past two decades All methods described are open source and freely available supported by sets of test data and links to web sites with further information This book is written primarily for the biologist with little or no statistical training However sufficient information will also be provided for the experienced statistician Consequently the book appeals to a diverse audience Covers short tandem repeat STR analysis including database searching and massive parallel sequencing both STRs and SNPs Encourages dissemination and understanding of probabilistic genotyping by including practical examples of varying complexity Written by authors intimately involved with software development training at international workshops and reporting cases worldwide using the methods described in this book **Law and Mind** Bartosz Brożek, Jacob Cornelis Hage, Jaap Hage, Nicole Vincent, 2021-04-29 This volume offers a novel look at the intricate relationship

between the cognitive sciences and various dimensions of the law *International Criminal Evidence at the International Criminal Court* Geert-Jan Alexander Knoop, 2024-08-19 This book aims to provide readers with an overview of the rules of evidence within the International Criminal Court ICC and offers guidance for both prosecution and defense counsel It emphasizes the pivotal role of defense counsel in shaping case law particularly concerning the admissibility of documentary and forensic evidence in a system still evolving Drawing from academic research and practical experience the book provides practical inside information for defense counsel on evidence *Inside the Cell* Erin E Murphy, 2015-10-06 Josiah Sutton was convicted of rape He was five inches shorter and 65 pounds lighter than the suspect described by the victim but at trial a lab analyst testified that his DNA was found at the crime scene His case looked like many others arrest swab match conviction But there was just one problem Sutton was innocent We think of DNA forensics as an infallible science that catches the bad guys and exonerates the innocent But when the science goes rogue it can lead to a gross miscarriage of justice Erin Murphy exposes the dark side of forensic DNA testing crime labs that receive little oversight and produce inconsistent results prosecutors who push to test smaller and poorer quality samples inviting error and bias law enforcement officers who compile massive unregulated and racially skewed DNA databases and industry lobbyists who push policies of stop and spit DNA testing is rightly seen as a transformative technological breakthrough but we should be wary of placing such a powerful weapon in the hands of the same broken criminal justice system that has produced mass incarceration privileged government interests over personal privacy and all too often enforced the law in a biased or unjust manner Inside the Cell exposes the truth about forensic DNA and shows us what it will take to harness the power of genetic identification in service of accuracy and fairness **Relationship Inference with Familias and R** Thore Egeland, Daniel Kling, Petter Mostad, 2015-12-24 Relationship Inference in Familias and R discusses the use of Familias and R software to understand genetic kinship of two or more DNA samples This software is commonly used for forensic cases to establish paternity identify victims or analyze genetic evidence at crime scenes when kinship is involved The book explores utilizing Familias software and R packages for difficult situations including inbred families mutations and missing data from degraded DNA The book additionally addresses identification following mass disasters familial searching non autosomal marker analysis and relationship inference using linked markers The second part of the book focuses on more statistical issues such as estimation and uncertainty of model parameters Although written for use with human DNA the principles can be applied to non human genetics for animal pedigrees and or analysis of plants for agriculture purposes The book contains necessary tools to evaluate any type of forensic case where kinship is an issue This volume focuses on the core material and omits most general background material on probability statistics and forensic genetics Each chapter includes exercises with available solutions The web page familias name contains supporting material *Clinical Forensic Medicine* Margaret M. Stark, 2020-01-01 This updated volume on clinical forensic medicine covers the topics required for forensic healthcare professionals working in general forensic

medicine and sexual offence medicine All chapters have been reviewed and revised to reflect how the provision of forensic medical services has changed since the previous edition with multidisciplinary teams working in the custodial environment comprising doctors nurses and paramedics and those practitioners providing sexual offence examinations New and updated topics include the increasing importance of photo documentation by health care professionals updated information on strangulation torture a review of bite mark injuries the explosion of Novel Psychoactive Substances worldwide the changing patterns of deaths in custody and deaths following police contact and the introduction in various jurisdictions of legal limits for drugs based on zero tolerance or a risk based approach Written by a team of experts the new edition of this book is a valuable resource for forensic healthcare professionals including doctors nurses and paramedics working in general forensic medicine and sexual offence medicine as well as emergency physicians pediatricians and gynaecologists

The Age of Genomes Steven Monroe Lipkin, Jon Luoma, 2017-05-16 A leading geneticist explores what promises to be one of the most transformative advances in health and medicine in history Almost every week another exciting headline appears about new advances in the field of genetics Genetic testing is experiencing the kind of exponential growth once seen with the birth of the Internet while the plummeting cost of DNA sequencing makes it increasingly accessible for individuals and families Steven Lipkin and Jon Luoma posit that today's genomics is like the last century's nuclear physics a powerful tool for good if used correctly but potentially dangerous nonetheless DNA testing is likely the most exciting advance in a long time for treating serious disease but sequencing errors complex biology and problems properly interpreting genetic data can also cause life threatening misdiagnoses of patients with debilitating and fatal genetic diseases DNA testing can also lead to unnecessary procedures and significantly higher health care costs And just around the corner is the ability to cure genetic diseases using powerful gene editing technologies that are already being used in human embryo research Welcome to the Age of Genomes The Age of Genomes immerses readers in true stories of patients on the frontier of genomic medicine and explores both the transformative potential and risks of genetic technology It will inform anxious parents increasingly bombarded by offers of costly new prenatal testing products and demonstrate how genetic technology when deployed properly can significantly improve the lives of patients who have devastating neurological diseases cancer and other maladies Dr Lipkin explains the science in depth but in terms a layperson can follow

The Dialogue Between Forensic Scientists, Statisticians and Lawyers about Complex Scientific Issues for Court Sue Pope, Alex Biedermann, 2020-10-08 This eBook is a collection of articles from a Frontiers Research Topic Frontiers Research Topics are very popular trademarks of the Frontiers Journals Series they are collections of at least ten articles all centered on a particular subject With their unique mix of varied contributions from Original Research to Review Articles Frontiers Research Topics unify the most influential researchers the latest key findings and historical advances in a hot research area Find out more on how to host your own Frontiers Research Topic or contribute to one as an author by contacting the Frontiers

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