HPD fingerprinting trouble not unique

Incorrect results at labs across the nation produce doubts about a discipline once thought of as an exact science

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HOUSTON CHRONICLE

Dec. 13, 2009, 4:23PM

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A consultant works at the Houston Police Department fingerprint lab at 1200 Travis. Officials plan to again check the prints from 6,000 violent crime cases over the past two years

For years fingerprinting has been viewed by the public as a practically infallible crime-fighting t ool with accuracy rates approaching 100 percent.

But revelations like those in the Houston Police Department, where a recent audit showed analysts failing to analyze or missing fingerprints completely, are exposing hard truths about a discipline that's not as exact as it appears.

Problems at fingerprint labs have often been traced back to common themes such as inadequate supervision or training and a lack of standards for analyzing fingerprints. Houston, in fact, didn't even have a manual outlining standard procedures for analyzing prints, according to an audit that was released last week.

But some experts say the situation in Houston is just an example of fingerprinting's deep-rooted woes, which extend across the country.

“Everything needs to change,” said Jennifer Mnookin, a law professor at UCLA who has studied fingerprint issues.

In fact, large fingerprint units have been repeatedly accused of botching their work over the last few years.

Examples include:

Last year the Los Angeles Police Department acknowledged that its fingerprint analysis unit was a sloppy operation where files were left lying around, prints sometimes lost and at least two people had been wrongly identified as criminal suspects because of botched fingerprint analysis.

In 2007, the Seminole County Sheriff's Office in Florida disciplined multiple employees after it discovered analysts cutting corners and pegging fingerprints to the wrong suspects.

Experts say fingerprinting is far from an exact science. Unlike many other forensic disciplines, there are few standards for confirming fingerprints.

That means an analyst in Houston could conceivably come to different conclusions from an analyst in Dallas about whether prints are usable, or even whether they belong to the same person.

Lack of regulation

For instance, one lab may decide that a set of prints with six similar fingerprint ridge characteristics is a match. A different lab may require 12 similar points. Plus, there's been little research into the likelihood of different people having similar fingerprints.

“There hasn't been adequate research or validation,” Mnookin said. “So there's no quantitative standard for deciding how much information is necessary in order to do a comparison.”

And despite the key role they play in criminal cases, fingerprint labs in Texas are specifically excluded from accrediting requirements that apply to labs analyzing other evidence, such as DNA, in order for the evidence to be admissible in court proceedings.

State Sen. John Whitmire, who is chairman of the Senate Criminal Justice Committee, said many people think accreditation is unnecessary because fingerprinting isn't viewed as complex or scientific.

Only 10 fingerprint labs statewide, including ones in Corpus Christi and Austin, have been certified as meeting the strict standards of ASCLD-LAB, considered the gold standard in accrediting fingerprint analysis units.

Oversight problems

Fingerprint advocates and critics alike acknowledge that prints can be useful tools if analyzed with care.

But lax oversight means it's almost impossible to truly know how well fingerprint labs are doing. Most fingerprinting work is done by law enforcement in unaccredited facilities where assessments aren't required unless the facility wants them.

It's often only if an agency seeks to become accredited — such as in the case of the Houston Police Department — that the full extent of problems becomes known.

In Houston, consultants hired by officials in an effort to gain national accreditation said examiners had missed or failed to analyzed more than half of all fingerprint cases among a random sampling of 548 reviewed this fall.

One part-time examiner resigned under pressure. Two full-time examiners and a supervisor are on administrative leave and under investigation as a result of an incident having to do with “handling evidence” at the end of the audit.

A team of consultants has taken over day-to-day operations at the fingerprint comparison unit, and officials plan to review 6,000 violent crime cases from the last two years looking for missing fingerprints or misidentifications.

Police officials have said they're researching ways to fix their problems, hopefully within the next two years.

Though local authorities haven't determined whether suspects were wrongly identified by fingerprints in Houston, the problems here have broad similarities with other scandals.

Boston's example

So could the solutions. Some point to the Boston Police Department as a possible model.

In 2004 the department's lab had to be shut down after officials discovered that poor analysis had contributed to the wrongful conviction of Stephan Cowans on a shooting charge. The lab, which reopened two years later, began hiring civilians for its analysis positions, revamped its protocols and training programs and this year achieved national accreditation.

Tim Oettmeier, an executive assistant chief with the Houston Police Department, told the City Council last week that he wants to do the same.

“We would like to become one of the few that has attained this level of certification,” Oettmeier said, saying he wanted to recruit only the “best” employees to staff a new fingerprint unit.

Others have said Houston should farm out its fingerprint analysis to a unit independent of the Police Department, possibly a regional crime lab that has been discussed for years.

But that too has drawbacks, said Timothy Fallon, the director of Bexar County's crime laboratory, which doesn't process fingerprints but deals with evidence like DNA and is independent of law enforcement.

“You can't overestimate the value of synergy between the lab and the investigating agency,” Fallon said.

But the broader solution may involve reforming the entire fingerprinting industry, said Simon Cole, a criminology professor at the University of

California-Irvine.

He pointed to a February report by the National Academy of Sciences which described the forensic sciences as “badly fragmented” and called for a national organization that would help standardize disciplines, including fingerprinting.

“Until something like this happens everyone assumes that things are fine,” he said. “The question is to what extent is this going on in other places?”