

Rt. Hon. the Lord Hardie,
The Lord Advocate,
The Scottish Parliament,
Edinburgh EH99 1SP
SCOTLAND

February 4, 2000

Dear Lord Hardie,

Let me begin by saying that, as a scientist, the question of guilt or innocence is never a factor in any forensic examination I undertake. My only concern is to arrive at the correct interpretation of the evidence at hand. I care not whether the defendant did or did not commit the crime with which he or she has been charged. My responsibility is to the Court, to the Judge and jury, to make certain that they correctly understand the evidential value of the one small piece of evidence that I have been called upon to present. How that evidence fits into the overall case at trial is for them to decide. No fingerprint expert should ever approach any case with a bias.

I was asked a year ago to examine the crime scene mark identified by the SCRO as having been made by Shirley McKie. Ms. McKie herself believed that the mark must be hers, so strong was her faith in the infallibility of the SCRO and the science of fingerprints. She asked only that I examine the mark for signs of forgery. I conducted such an examination and determined that the mark was genuine, that is, that it represented the touch of skin on the surface where it was developed, and was not a "forged" print. I then glanced at Ms. McKie's inked fingerprints and discovered, much to my shock, that the mark was not her print at all.

You know "the rest of the story," at least to this point. It is my firm belief that the refusal of the SCRO to admit a mistake is indicative of a much more serious problem. Were the McKie case to be investigated thoroughly by an independent agency, I believe a conspiracy would be uncovered that was responsible for the intentional presentation in court of "bad" evidence. I cannot imagine the motive behind either perjured testimony or the on-going cover-up in this case, but there is more than enough going on to convince me beyond a doubt that this was no simple mistake that the SCRO has failed to recognize. Worse, I fear that other cases similar to Ms. McKie's would be found, should an independent outside expert be given access to the SCRO files in general.

I urge you to call for an open and independent review of all of the SCRO fingerprint files with special attention to the presentation of the evidence in the McKie case. Such an investigation should be conducted by a respected outside law enforcement agency or by a grand jury with no stake in the case except for an ethical obligation to determine the whole truth regarding the state of affairs at the SCRO. I gladly offer any and all documents, negatives, photographs, notes, or any other material that I have to you, should you deem such an investigation appropriate.

Respectfully,

Pat A. Wertheim
3392 Bluff Ave. SE
Salem, OR 97302-3363
USA