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Mr. Jim Wallace QC, Minister for Justice
The Scottish Executive
St. Andrews's House
Regent Road
Edinburgh EH1 3DG

Reference: Shirley McKie

Dear Mr. Wallace,

Either the print alleged by the SCRO to have been made by Shirley McKie was made by her or it was not. The SCRO says it was. Every other examiner who has made a public statement has determined it had not been made by her. One of the determinations has got to be wrong, either the SCRO or the rest of the public world.

It goes beyond just being an opinion. Since they are saying this about the rest of the public world, the rest of the world needs to address this SCRO inquiry decision.

There are only three options for an examination opinion: 1) The print was made by Shirley McKie, 2) the print was not made by Shirley McKie, 3) or something is insufficient, that could be: a) the unknown print, b) the known print, c) both prints, or d) the examiner's ability to determine sufficiency of agreement or disagreement of detail.

David Grieve showed me three court style charts in the summer of 1999 at the IAI seminar in Milwaukee. He said these were from the Shirley McKie case. My first comment was 'why are these photos of the latent print out of focus?' He had not prepared the images. My next question was 'why are they cropped differently and cropped so much?' He had not prepared these images for court presentation. I started to analyze the unknown or latent image. Then I analyzed the inked known print from Shirley McKie. The comparison followed. And followed. In a short amount of time I asked David, 'how did they even start this comparison to lead to an identification?' The detail was different. David Grieve showed me an image that Pat Wertheim had photographed. This image was in focus and not severely cropped. This friction ridge image had not been made by Shirley McKie.

The SCRO inquiry that supports the SCRO examination has determined, by default at least, that the rest of the public world is wrong. That conflict needs to be worked out with the rest of the world. The details in the images do not correspond. Since this SCRO report is not being made

public, I do not know why the SCRO inquiry is saying the results are just an opinion. I do not know why they support the SCRO opinion. I do not know why they are saying the rest of us are wrong. An examination opinion has to be based on the detail in the images. The rest of the public world has determined the detail does not correspond.

The worldwide science of friction ridge examination can not support 'was made by' and 'was not made by' result determinations concerning the SAME examination. The only different result could be insufficient. No examiner that I know has determined the latent print is insufficient.

I am confused by the decision not to make the SCRO inquiry public. Forensic science is a worldwide concern. I support the forensic science of image examination and source determination. This image has only one correct determination from a competent examiner. This image had not been made by Shirley McKie.

I write this with complete concern for the forensic science community and the harm that could be done to people by erroneous determinations. We are experiencing the harm. If there is anything you can do to correct that harm, I would truly appreciate it.

Sincerely,

John R. Vanderkolk