



## Jurisprudence Section – 2008

### E7 Coping With the CSI Effect: From the Perspective of a Career CSI

Thomas L. Martin, BA\*, *Crime Scene Forensics, LLC, P.O. Box 515, Red Hook, NY 12571*

After attending this presentation, attendees will understand the legal and investigative issues created by the Hollywood portrayals of forensic science and crime scene investigations. This presentation will put forensic crime scene investigations back in perspective, and will re-focus attendees to the practical aspects of conducting a criminal investigation, and presenting evidence in court.

This presentation will impact the forensic community by explaining the objectives of collecting physical evidence to support or refute information as it develops during the course of an investigation.

Every crime scene tells a story, and every person at the center of a criminal investigation tells a story. At times that story can be quite detailed and complex, at other times, the story can be quite simple. The job of the crime scene investigator is to collect and document physical evidence. The role of the criminal investigator is to compile information in any form in which it is presented. At the end of the day, in a properly conducted investigation, the crime scene investigator and the case investigator should sit down and compare notes in an effort to determine whether or not the physical evidence corroborates the story behind the case.

As the field of forensic science, continues to progress, we see science taking center stage in more and more criminal cases. Science and technology have their appropriate place in criminal investigations and subsequent court proceedings, but should not replace the basic common sense and logic that has solved cases for many years.

The inception of the CSI fad has notably caused a change in the expectations of jurors who constantly watch forensics related programming. This realization is somewhat understandable, given the fact that most people know about forensic science what they've learned from their favorite television show. The cause for greater concern is the effect that forensic science is having on the criminal justice community. Most criminal cases are solved with hard work and perseverance; compiling information, documenting and collecting physical evidence, tracking persons of interest, and interviewing anyone and everyone with viable information. Investigations should not be *limited to* forensic science, but should rather be *supported by* forensic science. The basic observations made at a given crime scene and the subsequent documentation of those observations will corroborate or refute the "story", or the information being gathered. In analyzing the physical and informational evidence together, a just and reasonable conclusion can be drawn. Forensic science techniques should be added as additional information from which the conclusion should be drawn; hence, the "story" should never be ignored.

The term "CSI Effect" has become common place in the criminal justice community; however, the term "Tech Effect" may be more appropriate given the suggestion behind the term. The expectation of jurors to see something scientific presented as evidence may be satisfied through demonstrative evidence which accurately and collectively displays the physical and informational evidence collected during the investigation. Furthermore, the crime scene today no longer ends at the four walls in which it is encompassed. The crime scene today extends to such lengths as phone records, e-mails, financial transaction records, travel records, etc... These records can number in the thousands, and need to be properly displayed and organized to first be interpreted by the investigator, and later be demonstrated to a jury. Modern technology allows for the analysis and display of such records to paint a vivid and accurate picture of one's activities.

This presentation will further explain the pertinent observations that should be made and documented by the crime scene investigator, as well as the technology available to display the information normally used to track the activities of principles in the case.

#### **Forensic Evidence, CSI, Technology**