



F42 How Bitemark Analysis Can Assist the Courts

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After attending this presentation, attendees will understand the value of bitemark analysis as it impacts the legal system.

This presentation will impact the forensic science community by supporting the continued relevance of bitemark analysis in the courts despite calls for bitemark analysis to be deemed unscientific and invalid.

Bitemark testimony has been questioned by those in both the dental and legal professions. Some have stated that bitemark analysis is unscientific and should be excluded from legal proceedings and/or the courtroom. Two cases will be presented where bitemark analysis resulted in the accused admitting guilt when presented with the results of the analysis. The “confessions” saved considerable time and expense for the legal and law enforcement agencies.

Case 1: When a mother picked her daughter up from afternoon day-care, a bitemark on the child’s shoulder was noted. The child said one of the day-care workers bit her. The worker stated one of the other children made the bite. A photograph of the injury and models of the worker’s teeth were provided for analysis. The bite had few individual characteristics and no scale was present. The bitemark was consistent with an adult dentition, and all the children in the day care had only primary dentition. When confronted with the evidence, the worker admitted biting the child. She stated that the child was biting other children and she wanted to show her that it hurt. A plea was worked out and court time and costs were avoided.

Case 2: A 1½-year-old child, in joint custody, was left with the mother and her boyfriend. When the father picked up the child later in the day, injuries; including head trauma, a burn, and a bitemark were observed. The child was taken to the Emergency Room (ER) and examined. Photographs of the bite with a scale were taken. During the time the child was with the mom, the mother, boyfriend, and a 2-year-old child had access to the victim. The child was excluded due to arch size. Models and photos were taken of the two adults. A marked resemblance between the alignment of the boyfriend’s teeth and the tooth marks on the child’s shoulder was evident. Presented with the evidence, the man admitted biting the child and pled to the abuse. He received a ten- year sentence due to the severity of the other injuries.

These cases illustrate how bitemark analysis can assist the courts and law enforcement. Specifically, these cases allowed a plea to be entered that reduced court time and public expense.

Bitemarks, Jurisprudence, Odontology