E28 Military Forensic Science—From the Battlefield to the Courtroom

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Learning Overview: After attending this presentation, attendees will understand the principals of military battlefield forensic science and the practical application of military forensic science at level 1 (collection), level 2 (deployable laboratory), and level 3 (national laboratory facilities).

Impact on the Forensic Science Community: This presentation will impact the forensic science community by discussing the importance of a global forensic science under a unified system.

The changing nature of war in relation to global terrorism, foreign terrorist fighters, and length of conflict has resulted in a transformation of the strategic environment from previous conventional warfare. This has contributed to the blurring of the lines between military objectives and law enforcement. Forensic science has been employed beyond its traditional support of law enforcement investigations for the criminal justice system to also supporting military operations. Historically, forensic science in the military domain matured during the Iraq and Afghanistan conflicts when coalition partners were faced by an Improvised Explosive Device (IED) threat that required identification of threat actors. Terrorism does not respect international borders and IEDs collected on the battlefield can be used as evidence to prosecute returned foreign fighters in national criminal proceedings. This requires a unified approach to forensic science that integrates military operations with law enforcement investigations. In a unified approach to forensic science, military forensic science is conducted under a quality management system to ensure that the material collected and examined is done so in a forensically sound manner. This is to ensure support can be provided to forensic intelligence objects on the battlefield or rule of law objectives to support criminal prosecutions, if required.

Case studies have demonstrated the importance of applying a unified approach to forensic science. This presentation will outline the case study of the Crown prosecution of a British citizen for the extraterritorial murder of Sergeant First Class (SFC) Randy Johnson from the United States 2nd Cavalry Regiment. In 2007, SFC Johnson was murdered in an IED attack in Iraq. The IED fragments were analyzed at the Federal Bureau of Investigation (FBI), Terrorist Explosive Device Analytical Center (TEDAC) level 3 facility. In 2014, fingerprints and toolmarks from four devices were recovered from IEDs that were linked to a bomb-making cell that was operating in Iraq that involved a British citizen, Anis Abid Sardar. In 2007, Sardar travelled back to London from Iraq where he was stopped by officers at Heathrow Airport, and fingerprints and DNA samples were taken. The United Kingdom authorities had shared Sardar's fingerprints with the United States as a known or suspected terrorist file and thus a match between the fingermarks on the IED collected on the battlefield and the fingerprints collected at the UK border was able to be made. On September 23, Sardar was arrested in his home in London for the murder of SFC Johnston and prosecuted by the Crown Prosecution Service. Sardar was sentenced to 35 years for the murder of SFC Johnston.

The case study of the prosecution of Sardar by the Crown Prosecution Service demonstrates the importance of a unified model for forensic science as operations that originate on the battlefield could transition into criminal prosecutions. There is a need to ensure that military forensic science is conducted under appropriate quality management systems so that timely forensic intelligence objectives are met, but the forensic integrity is maintained. This presentation aims to increase the awareness of the unique aspects of military forensic science, which are often overlooked by traditional forensic science practitioners.

Military, Foreign Terrorist Fighters, Improvised Explosive Device

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