



## **F8 An Evaluation of Expert Testimony on Secondary Transfer: Knowledge and Perceptions of Potential Jurors and Those Employed in the Criminal Justice System**

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**Learning Overview:** After attending this presentation, attendees will better understand how reporting statements and testimony are perceived by potential jurors as well as those working within the criminal justice system.

**Impact on the Forensic Science Community:** This presentation will impact the forensic science community by informing attendees who want a better understanding on the perception, knowledge, and impact of expert testimony pertaining to secondary transfer and activity level propositions from the perspective of those involved in criminal justice as well as potential jurors.

Peruse any literature on secondary transfer or activity level propositions and nearly all authors will state there is a need for additional research, that in court the question is no longer whose Deoxyribonucleic Acid (DNA) is this, but rather how did it get here, and that those in the industry need to be able to say more. Additionally, it has been stated numerous times in scientific literature that if the forensic expert cannot speak to the significance of evidence, how is the court supposed to be able to speak to it? While conducting a literature review of existing literature on secondary transfer and activity level proposition, the common themes were noted throughout most current literature; however, there was no reference to data that quantified why these themes are important. An important question to answer when considering any research project has always been, is there a need for this research?

A 15-question survey comprised of demographic and DNA-based questions was created and published. Approval from Griffith University Research Ethics was obtained prior to initiating this project.<sup>1</sup> Demographic questions sought to obtain data on the gender, age, level of education, ethnicity, occupation, court system, and past jury duty service of respondents. The DNA questions explored the respondents' opinions on the importance of DNA, of knowing the source of DNA on evidence and the activity level propositions as well as their knowledge of secondary DNA transfer and examined thoughts on hypothetical reporting statements from four different mock case scenarios. The overall responses, as well as the responses plotted against the occupations of respondents, were evaluated.

It should be noted, this respondent group was recruited via LinkedIn® and email and as such, the population set was skewed toward those involved in the criminal justice system but also those that could serve as potential jurors. The respondents were primarily White American females that had completed at least some degree in higher education. Overall, the survey confirmed what much of the peer-reviewed literature states: there is a need for additional research on secondary transfer and activity level propositions, and that expert testimony is critical in ensuring that jurors are educated during testimony and understand reporting statements. Furthermore, it is critical that the scientists explain the findings to the court so they may more accurately understand the significance of evidence without overestimating or underestimating the results. What was surprising was the quantity of forensic scientists that also demonstrated a need for greater understanding on the topics of secondary transfer, activity level propositions, and the evidentiary value of different statistics. This presentation will explore the survey results in more detail and the implications of these results.

### **Reference(s):**

<sup>1</sup>. Griffith University Research Ethics. Ethics reference number 2020/339.

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**Secondary Transfer, Activity Level Proposition, Expert Witness Testimony**