



FORENSIC SCIENCE

Basic Overview



What is a crime?

- **CRIME:** An offense against the public at large, proclaimed in a law and punishable by a governing body.
- **CRIMINAL LAW:** The body of law that, for the purpose of preventing harm to society, defines **what behavior is criminal** and prescribes the **punishment to be imposed** for such behavior.

COURT ROLES

Plaintiff

- Accuser
- Could be the gov't, or a person, or a business

Defendant

- Accused party
- Could be the gov't, or a person, or a business

Prosecutor

- Lawyer for accuser



Defender

- Lawyer for the accused



BODIES OF LAW

- COMMON LAW
- STATUTORY LAW
- CASE LAW
- ADMINISTRATIVE LAW



COMMON LAW

Principles and rules of action based on usage and custom in ancient England and incorporated into colonial American laws and subsequent state statutes.

STATUTORY LAW

The body of laws passed by legislative bodies, including the U.S. Congress, state legislature, and local governing bodies (county, city, school district...)

CASE LAW

The sum total of all reported cases that interpret previous decisions, statutes, regulations, and constitutional provisions that then become part of a nation's or a state's common law.

ADMINISTRATIVE LAW

The body of law created by administrative agencies in the form of rules, regulations, orders, and decisions, sometimes with criminal penalties for violations.

CLASSIFICATION OF CRIMES

- **FELONY:** A relatively serious criminal offense punishable by death or imprisonment for more than a year in a state or federal prison
- **MISDEMEANOR:** A less serious crime that is generally punishable by a prison sentence of not more than one year in a county or city jail.

CRIMINAL INVESTIGATION

The lawful search for people and things to reconstruct the circumstances of an illegal act, apprehend or determine the guilty party, and aid in the state's prosecution of the offender(s.)



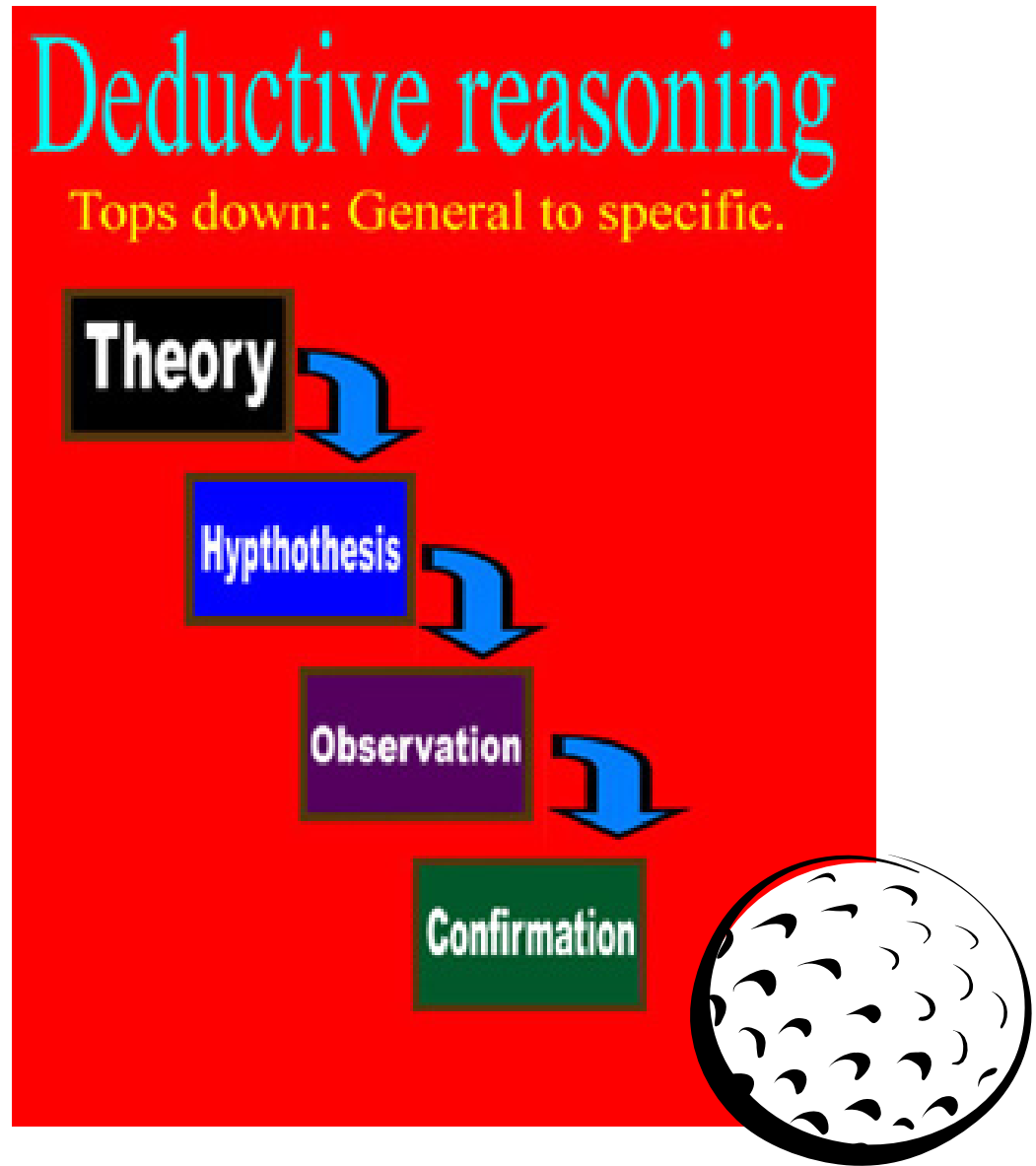
CRIMINAL INVESTIGATION

1. Deal with emergencies
2. Determine if a crime has been committed and, if so, what crime.
3. Establish crime scene priorities
4. Identify suspects
5. Apprehend the suspects
6. Gather and preserve evidence
7. Recover stolen property
8. Assist in the prosecution and conviction of the defendant (s.)

Deductive vs. Inductive Reasoning

DEDUCTIVE REASONING

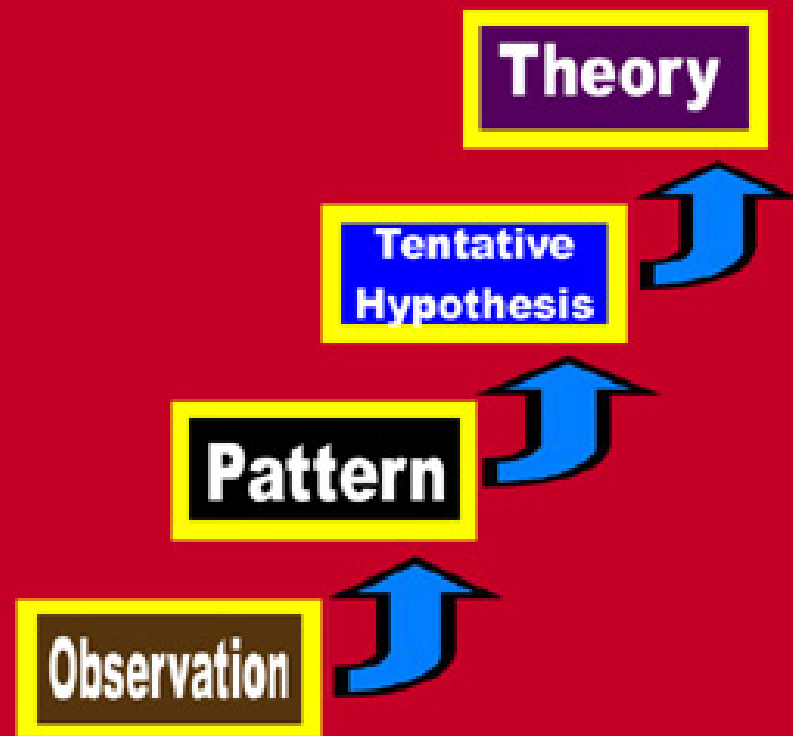
The drawing of
conclusions from
logically related
events or
observations



Deductive vs. Inductive Reasoning

Inductive Reasoning

Bottoms up: From specific observations to generalizations



INDUCTIVE REASONING

The making of inferences from apparently separate observations or pieces of evidence.



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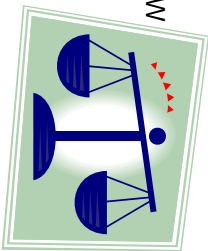
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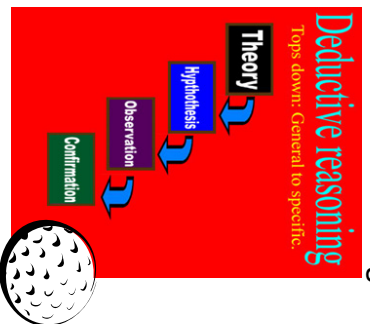
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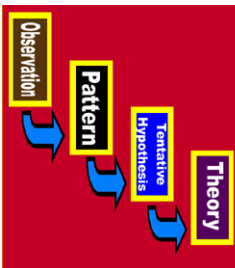
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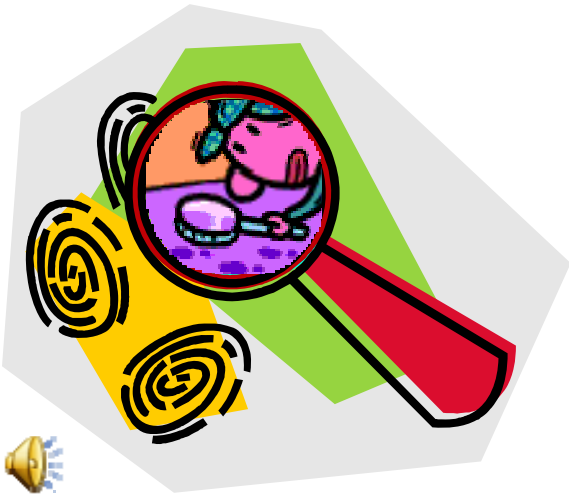
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FORENSIC SCIENCE

EVIDENCE



The Legal Significance of Evidence

If the Responding Officer's findings upon arriving on a scene of an incident show that a criminal law has been broken, then **proof** must be established.



Corpus delicti



(Latin for **“body of the crime”**) –
is the material facts
showing that a crime has
been committed.

The Legal Significance of Evidence

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You can't have

Corpus
delicti

Crime

one without

the other





The Legal Significance of Evidence

Corpus delicti

In the case of a death, the dead body is NOT the Corpus delicti. Instead, it is **the evidence that indicates criminal wrong-doing** that is the Corpus delicti.

Cut break lines, a bullet hole in the window, etc. are the pieces of evidence needed to prove that a crime has been committed.



The Legal Significance of Evidence

Corpus delicti

CAN BE


prima facie
evidence

“On the surface” evidence that is sufficient on its own to establish a given fact or guilt of committing a crime.

The Legal Significance of Evidence

Corpus delicti

CAN BE



***circumstantial
evidence***

Seemingly disconnected facts from which proof of a crime being committed can be deducted.

The Legal Significance of Evidence

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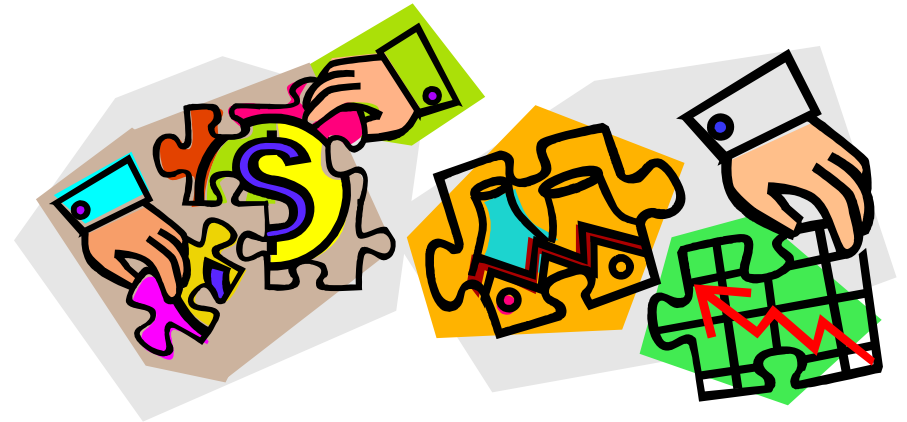
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Rules of Evidence

- Guidelines that ensure that evidence collected will be admissible in court.

U.S. Constitution



The *Fourth Amendment* of the U.S. Constitution protects citizens from **illegal searches and seizures.**

Rules of Evidence

- Guidelines that ensure that evidence collected will be admissible in court.

Exclusionary Rule



Evidence obtained **in violation** of the U.S. Constitution is **inadmissible** in court.



Rules of Evidence

- Guidelines that ensure that evidence collected will be admissible in court.

Relevancy



Evidence used in court must **relate to, or bear directly on**, the fact at issue – if not ... admissibility in court may be **denied**.

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Materiality



Evidence used in court must be **important enough to influence** the court's opinion – if not ... admissibility in court may be **denied**.

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Competency



The piece of **evidence** OR of a **witness** offering testimony must be **credible** – if not ... admissibility in court may be **denied**.

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