

Standard Terminology for Expressing Conclusions of Forensic Footwear and Tire Impression Examinations

1. Scope

- 1.1 This terminology is intended to assist forensic footwear and tire examiners in expressing conclusions based on their examinations.

2. Terminology

- 2.1 **Identification (definite conclusion of identity)** – this is the highest degree of association expressed in footwear and tire impression examinations. This opinion means that the particular shoe or tire made the impression to the exclusion of all other shoes or tires.

Example –The Q1 questioned impression was made by the K1 known left shoe.

- 2.2 **Probably made (very high degree of association)** – this opinion means that the evidence is very persuasive that the shoe or tire made the impression, yet some critical feature or quality is lacking and/or missing so that an identification is not in order.

Example – The Q1 questioned impression corresponds in physical size, design, general wear, and some individual characteristics with the K1 known left shoe and was probably made by this shoe.

- 2.3 **Could have made (significant association of multiple class characteristics)** – this opinion means that the design and physical size correspond, and there may also be some correspondence of the general condition of wear.

Example – The Q1 questioned impression corresponds in design, physical size, and general condition of wear with the K1 left shoe and could have been made by that shoe or another shoe with the same characteristics.

- 2.4 **Inconclusive (limited association of some characteristics)** – this opinion means some similarities are noted; however, there are significant limiting factors in the questioned impression that do not permit a specific association between the questioned impression and the known shoe or tire.

Example – The Q1 questioned impression shares similar design features with the K1 left known shoe; however, due to the lack of sufficient detail and/or proper scale, a more conclusive association was not made.

- 2.5 Probably did not make (very high degree of non-association)** – this opinion means that the evidence is very persuasive that the shoe or tire did not make the impression, but the impression lacks sufficient quality or clarity for an elimination.

Example 1 – The Q1 questioned impression probably was not made by the K1 left shoe. The Q1 impression appears to exhibit some dissimilarities, however, certain details or features are not sufficiently clear to permit an elimination.

Example 2 - Although the Q1 questioned impression shares general design features with the K1 left shoe, some possible dissimilarities were noted which would indicate that this impression probably was not made by the K1 left shoe.

- 2.6 Elimination (definite exclusion)** – this is the highest degree of non association expressed in footwear and tire impression examinations. This opinion means that the particular shoe or tire did not make the impression.

Example – The Q1 questioned impression was not made by the K1 known left shoe.

- 2.7 Unsuitable (lacks sufficient detail for a meaningful comparison)** – this opinion means that insufficient detail was present in the questioned impression to enable any meaningful comparison with any known shoe or tire.

- 2.8 Discouraged expressions** Several expressions occasionally used by examiners are troublesome because their meaning may be unclear, misinterpreted, or misunderstood. The use of other terms is discouraged because they are incomplete or misused. These expressions include:

Consistent with - used as a conclusion. This terminology is appropriate when used to describe a similarity of characteristics.

Match / No Match

Responsible for / Not responsible for

Done by / Not done by

Caused with / Not caused with

3. Significance and Use

- 3.1** We, as examiners, must agree on and limit the terminology we use in expressing our opinions regarding the evidence to terms that are readily understandable to other footwear and tire examiners as well as to those who use our services such as investigators, attorneys, judges, and jury members.
- 3.2** The “Examples” used in Section 2 should not be regarded as the only ways to express opinions in reports and testimony. In following any guideline, the examiner should always bear in mind that sometimes the examination will lead into paths that cannot be anticipated and that no guidelines can cover exactly.

4. Interferences

5. Equipment and Requirements

6. Procedures

7. Report

8. Bibliography

Bodziak, W. J., *Footwear Impression Evidence*, 2nd ed.; CRC Press: Boca Raton, FL, 2000.

ENFSI EWG Marks, “Conclusion Scale for Shoeprint and Toolmarks Examinations”, *JFI*, 56 (2), 2006.