

# STICK IT TO THE BAD GUYS: A HUMOROUS LOOK AT A CHALLENGING PROCESS

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As in many other states, Maryland has enacted several laws that specify mandatory sentencing guidelines. One such example is the five years of incarceration for the use of a handgun in the commission of a crime.

Often, judges are personally disturbed by the fact that the authority to sentence, based upon the facts of the individual case, has been taken away from them. But it is the public and law enforcement agencies that have demanded such harsh actions. The history of criminals smiling as they walk out of the courtroom with what appears to be nothing more than a slap on the wrist has become all too common and frustrating.

It is this term “frustrating” that has led to the writing of this article. From a forensic science perspective there are many types of cases that we regularly face that cause us to shudder when they come to our attention. For an expert working in latent prints, one of the most dreaded pieces of evidence requiring examination is duct tape.

Duct Tape: that staple product considered by many to be equivalent to an elixir of the gods. It can hold a race car together as it runs at speeds up to 200 mph for hours on end. For anyone living in Alaska it seems to be more important to survival than any food in the cupboard. Entire books, calendars, and television shows have been produced to tout the many uses for duct tape.

Unfortunately, many criminals have also found ways to use duct tape in their trade. It can be found wrapped around tools, weapons, drug packages, victims’ bodies, and any number of items that come to the attention of law enforcement.

Over the years forensic professionals have been successful in recovering valuable evidence from this tape. That recovery has certainly led to guilty verdicts for some criminals who decided to use it. Of course, from a law enforcement perspective, this is a very good thing. What isn’t good is the intense amount of time, labor, materials, failure, and utter FRUSTRATION that

such examinations frequently involve.

A single balled up wad of duct tape removed from around the wrist of a robbery victim will, at a minimum, require:

1. Examination for visible friction ridge detail
2. Examination for inherent fluorescent luminescence
3. Processing with cyanoacrylate fuming
4. Examination for visible friction ridge detail
5. Application of a dye stain
6. Examination for fluorescent luminescence
7. Marking of any observable ends
8. **ATTEMPTED** separation of the tape which can involve:
  - a. Pulling
  - b. Cryogenics - freezing in what appears to be a witch’s brew of liquid nitrogen - a process which causes the adhesive to become brittle and lose its tackiness, therefore making it (in theory) easier to separate, but possibly leading to shattering of the tape
  - c. Tearing
  - d. Cutting(All while attempting to prevent the contamination of areas that have yet to be processed and preventing new areas from sticking together)
9. Cursing and throwing the wad against the wall (oops, that one isn’t really supposed to happen)
10. Repeating this sequential process as often as necessary until all of the surfaces that can be exposed have been processed

At any time during the processing there is also the

1. Extraction, recording, and packaging of trace evidence
2. Photographic recovery of any developed latent prints

Then, all of the adhesive areas must also be processed with a powder (such as Sticky-Side Powder®) or stain (such as gentian violet) used specifically for those articles.

Did we mention that prints left on tape can be readily transferred between the adhesive and non-adhesive surfaces? This means that each photograph must be printed in both the position as developed and then laterally reversed. Of course, this will also require multiple comparison examinations, possible AFIS entries, and verifications for each recovered print. In addition, because of some of the processing techniques used (cyanoacrylate and dye stains), many of the prints will be white or light ridges with dark furrows (always a treat to compare).

All of this leads to **FRUSTRATION** at a level which we feel justifies consideration of instituting mandatory sentencing guidelines for the use of duct tape in the commission of a crime. While our personal feelings are that its use warrants incarceration for life without the opportunity for parole, we will concede that many may find this to be just a bit too harsh. We hope that you

agree that it is time to bring this nemesis to the attention of our legislators who may introduce the necessary bills to implement such laws to *stick it* to the bad guys.

All kidding aside, it is true that any examiner in our office would prefer to never be faced with the challenge of processing duct tape. When, however, that effort is rewarded by the successful recovery of that lone piece of physical evidence that leads to the identification and prosecution of the perpetrator, it is time well spent.

Good luck with your next case involving the examination of duct tape. We're sorry to say that we don't know of any expert to refer you to for help in doing your work.

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