



POLICE PHOTOGRAPHY

SEVENTH EDITION

LARRY S. MILLER | NORMAN MARIN

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Police Photography

Seventh Edition

Larry S. Miller
Norman Marin



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Police Photography

Seventh Edition

Dedication

This seventh edition is dedicated to Ruth, Ryan, Casey, Christopher, and Cole.

- Larry S. Miller

I would like to dedicate this book to Michael, Bruni and Maryury Marin.

- Norman Marin

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Digital Assets

Thank you for selecting Anderson's *Police Photography*. To complement the learning experience, we have provided a number of online tools to accompany this edition.

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FOR THE INSTRUCTOR

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Preface

The year 1971 was the beginning of a new age for the law enforcement profession. The Law Enforcement Assistance Administration was operating in full resplendence, providing financial assistance to local law enforcement agencies. Criminal Justice programs were emerging in institutions of higher learning across the country. 1971 was also the year Sam J. Sansone's *Modern Photography for Police and Firemen* was first published. As a young Crime Scene Technician, I remember my excitement in obtaining a copy of Mr. Sansone's book. I would never have imagined that, years later, I would be updating his classic work.

This seventh edition of *Police Photography* is designed, as was the original, to teach the fundamentals of photography and their application to police work. Toward that end, this book is organized into two main themes: (1) the photographic process; and (2) the application of photography to police work. Mr. Sansone's original material has been updated and new material has been added. New material on cameras, digital imaging, equipment and computer application techniques have been included. Of particular mention is the addition of Norman Marin as co-author. Norm has many years of experience as a forensic photographer and has been instrumental in updating several chapters.

We have attempted to maintain Mr. Sansone's proven style of presentation in this edition. We believe we have transformed the book into a current text that Sam would be proud of.

LSM

NM

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ABSTRACT

Police have been using photography to document and capture details about crimes for many decades. Generally, the courts have upheld the use of photographic images as evidence at trial. The most widely used system of photography in today's law enforcement community is the digital camera. Digital cameras pose new methods and better technology than traditional film systems to assist police in their duties.

KEY TERMS

- Bertillon system
- Digital imaging
- Digital-single-lens-reflex (DSLR)
- Eastman Kodak
- Florida v. Victor Reyes
- Green v. County of Denver
- Luco v. United States
- People v. Jennings
- Photomacrography

Photomicrography
Polaroid
Reddin v. Gates
State v. Thorp
Will West–William West Case

INTRODUCTION

During a routine patrol of a suburban neighborhood, Officer Black receives a call instructing him to investigate a two-car collision a few blocks away. He drives to the scene and, before leaving his patrol car, he notes that, although one of the vehicles has sustained severe damage, no one seems to be injured.

The drivers of the two cars are arguing heatedly (neither driver, Officer Black observes, seems to have been clearly in the wrong), and nearby a passenger is sobbing. Officer Black ensures no one is injured, calms the drivers, soothes the passenger, records each person's description of the accident (there were no witnesses outside the two cars involved), and radios for a tow truck to remove the damaged vehicle. Before the tow truck arrives and the automobiles are moved, he takes a few measurements, sketches the scene, reaches into his pocket and takes out his cell phone, and snaps four photographs of the accident.

In addition to being a calmer of nerves, an investigator, a law enforcer, an impartial witness (although after the fact), an artist, and an agent for the immediate conclusion of a minor catastrophe in the lives of three people, Officer Black is a police photographer. That is not his job description, but neither is his role as a street psychologist. He may never use PhotoShop or hold a digital single-lens reflex camera in his hands. But his function as a police photographer is every bit as important as that of the head of the crime laboratory in his department who takes photographs in his spare time that could vie with the best of those seen in *National Geographic*.

Both Officer Black and the head of his department's crime laboratory are police photographers; this book is for both of them.

POLICE PHOTOGRAPHY: A SHORT HISTORY

Photography is most obviously useful in police work when photographs serve as evidence that may prove invaluable to investigators, attorneys, judges, witnesses, juries, and defendants. Often, a good photograph can be the deciding factor in a conviction or acquittal when no other form of real evidence is available.

Photographs were used in court as early as the mid-1800s. In 1859, a photograph was used in the case of *Luco v. United States* (64 U.S. (23 HOW.) 515.16

L.Ed. 545 [1859]) to prove that a document of title for a land grant was, in fact, a forgery. The first recorded use of accident photography was in 1875: "Plaintiff, in a horse and buggy, was injured when, in attempting to go around a mud hole in the center of a road he drove off an unguarded embankment" (*Blair v. Inhabitants of Pelham*, 118 Mass 420 [1875]). The photograph was admitted in evidence to assist the jury in understanding the case. Two years later, photographs were admitted as evidence in a civil suit involving a train wreck (*Lock v. The Souix City & P.R.R.*, 46 Iowa 210 [1879]).

Although neither of these early photographs used in evidence was taken by a police photographer, the use of photography in police work is well established in the early annals of photography. In 1841, 18 years before *Luco v. United States*, the French police were making daguerreotypes (an early form of photograph) of known criminals for purposes of identification.

One of the first cases to hold that a relevant photograph of an injured person was admissible in evidence was *Redden v. Gates* in 1879 (52 Iowa 210, 1879). The photograph was a tintype, a photograph made on a thin iron plate by the collodion process. It showed whip marks on the plaintiff's back 3 days after the assault. In 1907, in Denver, Colorado, all intoxicated persons were photographed at the police station.

Speeding motorists were being detected with photographic speed recorders by 1910. The state of Massachusetts approved the use of such devices and gave a full description of their operation. Although radar is a more popular device for this operation today, there has been a resurgence in the use of photo-enforced traffic laws and devices in the past decade.

The use of fingerprint photographs for identification purposes was approved in 1911 in *People v. Jennings* (96 N.E. 1077, 252 Ill. 534, 1911), although 1882 was the year in which fingerprints were first officially used for identification purposes in the United States. Gilbert Thompson of the US Geological Survey in New Mexico used his own fingerprint on commissary orders to prevent their forgery. In 1902, New York Civil Service began fingerprinting applicants to discourage the criminal element from entering civil service, and also to prevent applicants from having better-qualified persons take the test for them.

The famous Will West case took place at Leavenworth Prison in 1903. When he was received at Leavenworth, Will West denied ever having been imprisoned there before. Clerks at the prison insisted that West had been there and ran the Bertillon instrument (used for identification purposes) over him to verify measurements. When the clerk referred to the formula derived from West's measurements, they were practically identical, and the photograph appeared to be that of Will West. When the clerk turned over the William West record card,