

Case Study: The Mayfield Affair

Attorney Brandon Mayfield was arrested by the FBI on the morning of May 6, 2004 at his office near Portland, Oregon. He was arrested for his suspected involvement in the March 11, 2004 bombing of four commuter trains in Madrid, Spain that killed 191 people and injured over 2,000 others. Several senior fingerprint examiners from the FBI made a "100 % positive identification" to Brandon Mayfield after Spanish authorities recovered a partial print on a plastic bag that contained the same detonating devices used in the bombings. His prints were in AFIS because he was in the military for 8 years before being honorably discharged as a second lieutenant (see prints below).



Brandon Mayfield

In the weeks before his arrest, Mayfield's family was under the impression that their house had been broken into at least twice, although nothing was stolen. According to court documents, the FBI wire tapped his phones, bugged his house, and searched his house several times.

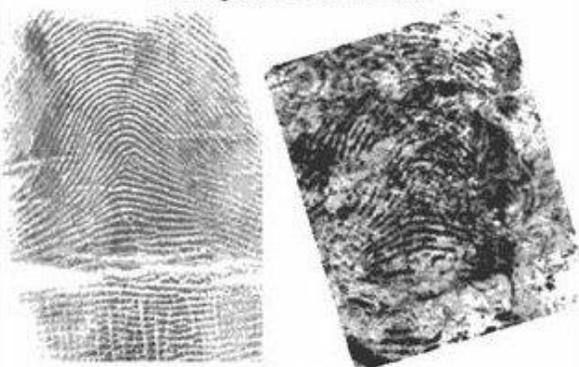
Mayfield, age 37 and a Muslim convert, was initially held with no access to family and limited access, if any, to legal counsel. The U.S. Attorney's Office came up with a list of Mayfield's potential ties to Muslim terrorists and also said that while no travel records were found for Mayfield, "It is believed that Mayfield may have traveled under a false or fictitious name."

After Mayfield's arrest, his wife Mona told reporters, "I think it's crazy. We haven't been outside the country for 10 years. They found only a part of one fingerprint. It could be anybody." Her words in defense of her husband were soon to prove prophetic.

On May 24, after the Spaniards had linked the print from the plastic bag to an Algerian national, Mayfield's case was thrown out. The FBI issued him a highly unusual official apology, and his ordeal became a stunning embarrassment to the U.S. government. He was awarded close to 2 million dollars by the US.

As was discovered during his court case, even the FBI's own records show that this fingerprint, despite the sworn testimony of FBI and DOJ agents, was in all reality not an exact match but only one of 20 "similar" prints to the ones retrieved from Madrid. Based on that list of people with "similar prints" the FBI launched an extensive investigation of all 20 individuals. The investigation included medical records, financial records, employment records, etc. on all 20 people and their families. It was during this time that Brandon Mayfield's name rose to the top of the list.

Compare The Prints



Mayfield's print (left) & picture of latent print taken from plastic bag (right).

As part of its corrective action process, the FBI formed an international committee of distinguished latent print examiners and forensic experts. Their task was to review the analysis performed by the FBI Laboratory and make recommendations that would help prevent this type of error in the future. The committee came up with some startling findings and observations.

The committee members agreed that "the quality of the images that were used to make the erroneous identification was not a factor. The identification is filled with dissimilarities that were easily observed when a detailed analysis of the latent print was conducted." They further stated the power of the AFIS hit, coupled with the pressure of working an extremely high profile case, and probably influenced the initial examiner's judgment and

examination. The mind-set is that the 7 matching minutiae points that triggered the AFIS hit isn't that far from the accepted number of 12-13 matching points, the standard for a fingerprint to be considered a "match".

Once the first examiner made the error, the follow-up examinations were also tainted because he had knowledge of the previous examiner's conclusions (especially since the initial examiner was a highly respected supervisor with many years of experience). To disagree was not an expected response.... When the individualization had been made by the examiner, it became increasingly difficult for others in the agency to disagree.

The committee went on to make a number of quality assurance recommendations to help avoid a recurrence of this type of error.

The impact of the Mayfield affair on fingerprint technology as currently practiced and the weight courts will assign to fingerprint matches remain open questions.

Edited from multiple sources including: Wikipedia & forejustice.org issue 25