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## THE IMPORANCE OF CLOTHING EXAMINATION

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# THE IMPORTANCE OF CLOTHING EXAMINATION

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## Abstract

*Clothing and other textiles are part of everyday life; so it is not surprising that when a crime or other incident takes place, clothing items are present and often directly involved. Items of clothing are thus one of the most common types of exhibit examined. Clothing can provide valuable information in cases of violent crimes, such as homicide or rape, and in burglary, robbery, arson, vehicular accidents, and other crimes and infractions. Clothing items often contain crucial evidence. In some cases, the garment itself may be considered a crime scene.*

## Keywords:

*Clothing, the clothing examiner, DNA profiling, violent crimes, a crime scene.*

## JEL classification: K14

The construction of clothing means that it can be a repository for a wide variety of useful information. Garments may retain various types of evidence that have been deposited onto them in a wide variety of ways, most importantly during the crime event.

Clothing items are one of the most commonly encountered exhibits in crimes of violence. Generally, crimes are committed while the participants are clothed (although not always, notably some sexual offenses). Consequently, that clothing may reflect the nature, the location, or the participants in the crime. Clothing cannot literally speak to the examiner, so clothing is not “direct” evidence. [2: 111]

However, garments may contain physical evidence relating to the crime and in an indirect way provide information relating to the circumstances. In this manner, we can consider that clothing “speaks” to the examiner.

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The following information should be obtained by the clothing examiner: [1: 23]

People involved in the incident under investigation;

Location(s) of the incident and any related sites or vehicles;

Sequence of events before and after the incident;

Time relationships;

Clothing worn by participants, which may include the victim(s), suspect(s), or witness(es), or even miscellaneous clothing from the scene;

Injuries to participants, including autopsy reports and sexual offense medical

reports and relevant photographs;

Scene reports and photographs.

Physical evidence must be detectable, whether by the human senses alone or aided by instrumentation or chemical means. It is tangible, so it can be analyzed and compared.

The most critical aspects of any physical evidence analysis are its physical detection

and its recognition as evidence relevant to the case .

Physical evidence from clothing includes most of the physical evidence that can be encountered in a crime. Blood, semen, fibers, hair, paint, glass, flammable liquids, and firearm discharges are examples. The material of the clothing item holds this physical evidence.

Biological evidence obtained from garments may be the most relevant evidence obtained in serious violent crimes, due to the innovation of DNA profiling. Semen from the offender may be found on the victim's underpants or other clothing and may be vitally important to identifying the offender if there is no medical examination of the complainant within a certain time frame. The presence of semen also indicates a sexual event. [2: 114]

Blood may be transferred in a violent physical assault between the victim and the offender. Either of the participants' clothing may contain relevant evidence, such as the DNA profile of the blood, which may identify a person, or particular patterns of the blood (blood pattern analysis), which may assist in determination of the actions in the crime event. Clothing, if stored appropriately and not altered, may retain this evidence for many years and thus is extremely valuable.

Crimes such as robbery and burglary, which traditionally allowed for little biological evidence, may now provide evidence that links the offender to the crime. Due to the advances in DNA profiling, clothing

found at a crime scene may be analyzed for “wearer” DNA. Areas of a garment in constant contact with the skin, such as the neckband and cuffs of a sweater or the nose and mouth areas of a mask, may yield DNA profiles that identify the wearer. This exciting DNA innovation is applicable to other crimes and illustrates another example of the importance of clothing examination. The following case study (*Queen v. Pike*, 2006), in which one of the authors was a scientific witness, shows how clothing may be used to identify an offender. [4: 31]

Father and son Chinese restaurateurs in Liverpool, were severely assaulted in their home by three masked intruders. Video security cameras on the home captured footage of the stolen getaway car, and the car was found abandoned some miles away. On the back seat of the car, authorities found a balaclava similar to that seen in the video footage.

The balaclava was analyzed for DNA and yielded a profile that matched a young convicted offender on the national DNA database. This person was wanted in two counties for other offenses and was eventually located and charged. At the beginning of the trial, the defense requested the DNA evidence not be admitted as they believed the case reporting scientist was not in the country and thus could not be cross-examined on the DNA evidence.

When informed that the biologist who did the analysis had just arrived, the accused pleaded guilty. [1: 27]

Although not as specific to a particular individual as DNA, other physical evidence may also provide relevant information about the crime event and can provide strong evidence of contact or other activity. Hairs and fibers, fingerprints, footwear impressions, and even tire mark impressions may provide evidence of contact. Paint, glass, pollen, and soil may provide evidence of location. Gunshot residue may assist in shooting reconstruction.

The presence and stage of growth of insects or larvae from the clothing of a deceased person may assist in the determination of time of death.

The examination of damage to clothing may provide information as to the possible implement causing the damage, the manner in which it was caused, and whether it was recent. Damage analysis may corroborate or disprove a particular crime scenario. [3: 11]

The first person who examines the clothing, regardless of specialty, should be aware of evidence types other than that of his or her own expertise. Every time a garment is handled, some evidence is inevitably altered or dislodged. Thus, it is incumbent on the first

examiner to document and safeguard the stains, deposits, debris, DNA-bearing tissue, and firearms residue for further examination.

Every examiner should be alert to the significance of touch DNA and firearms residues as traces that may have transferred via indirect contact, and to traces of controlled substances, explosives residues, or a population of mold or insects on an item of clothing. Evaluation of traces and debris may require a study of the context in which they are deposited and include examinations of companion deposits. [3: 15]

In addition to physical crimes between persons, any damage to the clothing may also assist in firearm-related events or fire scenes.

However, the most difficult challenge when presented with clothing is the recognition of the relevant physical evidence. We hope to describe in the following pages some tools and techniques for recognizing the physical evidence.

In addition to containing physical evidence, the appearance of the clothing may assist in the investigation of the crime. [2: 113] The form, color, style, or damage to the garment may support the observations of other professionals such as pathologists. The information may also support (or refute) the observations from the victim, the accused, or witnesses.

Data from additional observations, such as patterns of debris or blood deposits on clothing, may assist in determining if someone was wearing the clothing when it was in contact with other items, or if transfer was direct or indirect.

The examination of clothing may not only provide associative evidence with persons or locations, but also tell the examiner a “story” as to what happened during the crime event.

We can even consider a garment or a number of garments from a crime as a “crime scene,” albeit one that is transportable. [4: 32]

Reconstruction of events from clothing examination may be considered similar to crime scene reconstruction. A crime scene may be cleaned once it is thought that all evidence has been obtained, and one cannot expect evidence to remain intact at that scene if it has been overlooked and examiners return days or even hours later.

Clothing, however, can retain important evidence for years, even centuries. Many cold casemhomicides from decades ago have been solved by examining the stored clothing (or stored extracts from the clothing) and performing newer techniques, such as DNA profiling, that were not dreamed about in the days of the crime event. [4: 36]

## The importance of clothing examination

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Contamination of clothing items has severe consequences to the integrity of the evidence, to the examinations, and thus to the case itself. Contaminants may be introduced at the scene, during transportation, at the autopsy or hospital, or in the laboratory. Cross-contamination of clothing items from the victim and the suspect would be devastating to the case.

The clothing examiner should always approach garment with due big caution because the information obtained from clothing examination have great evidential value in process, can sometimes be the most important piece in solving the case.

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