Guide for Using the Strength of Evidence Scale® (Amendola & Slipka, 2009)
Police Foundation
www.policefoundation.org

The attached rating scale was developed via an iterative process with judges, defense attorneys, prosecutors, police investigators, and scholars from criminal justice and psychology. Evidence for the reliability and validity of the instrument in predicting judicial outcomes has been demonstrated in recent research (see e.g., Amendola & Wixted, 2015a; Amendola & Wixted, 2015b; Gould, Carrano, Leo, & Hail-Jares, 2013a; Gould, Carrano, Leo, & Young, 2013b).

The instrument is designed to be used by criminal justice professionals and researchers interested in establishing the strength of the evidence in a case, regardless of admissibility of evidence or other extra-legal factors (e.g., whether individuals will testify, etc.). The goal is to examine each individual category of evidence independently to assess the likelihood that a specific suspect committed a crime or was party to a crime. According to Gould, et al. (2013b), “the Police Foundation scale improves upon [prior scales] by generating exemplars that serve as objective anchors, engaging experts in a process of content-oriented validity, and expanding the scale to include five categories of evidential strength. The result is a more nuanced, objective, and applicable tool” (page 51, footnote 9).

Training for raters has been provided in all past research cited herein, and that has ranged from three hours (for the American University researchers) to twelve hours in length, depending on whether practice case ratings were conducted. Each category of evidence is considered when evaluating a case, and the instrument’s rating scale anchors serve as exemplars of what would constitute weak to strong evidence, making it difficult to assign a higher or lower rating than should be considered for the efficacy of the evidence in establishing a connection between the suspect and the crime.

References


1. **PHYSICAL EVIDENCE**: Tangible items that directly link the suspect to the crime.

   - **Evidence and/or information that is weak**
     - DNA sample is contaminated (1.40)
     - Fluid sample lacks sufficient quantity of DNA for testing (1.35)
   - **Evidence and/or information that is strong**
     - Fluids from the crime scene prove joint presence of DNA for both victim AND suspect (4.48)
     - Multiple DNA tests with consistent findings (4.69)
   - **Factor rating**

2. **Surveillance**
   - Parts of surveillance tape are clear and parts are not (2.21)
   - Tape provides a profile view of the suspect (3.64)
   - Video captures the entire crime in real time (4.83)
   - Videotape footage is within close proximity of the suspect committing the crime (3.69)

3. **Fingerprints**
   - Full fingerprint is smudged (1.70)
   - Portion of fingerprint is smudged (3.51)
   - Suspect's fingerprint found at the crime scene (4.37)
   - Suspect print found on weapon used in commission of crime (4.89)

4. **Wire Taps/ Audio Tapes**
   - No identifying information is provided on the tape (1.47)
   - Volume of audio tape is loud (3.42)
   - Audio tape has intermittent background noise (3.04)
   - Name of suspect is identified in audio taped conversation (3.59)

5. **Trace Evidence**
   - Indistinguishable bite marks found on victim (1.22)
   - Tool owned by suspect matches marks on victim's door (3.43)
   - Tire marks at crime scene are consistent with suspect's car (3.24)
   - Casing from crime scene matches the casings from suspect's gun (4.34)

6. **Recovery of Items**
   - Perp's high school class ring is recovered at crime scene and is from suspect's class, school, & year (3.48)
   - Recovered bullet matches suspect's gun (4.46)
   - No shell casings found (1.50)
   - Stolen item found in suspect's girlfriend's car (3.60)
   - Victim's driver's license is on the suspect (4.36)

7. **Other Miscellaneous Evidence**
   - Suspect's home and crime scene fall in the same cell tower radius (1.95)
   - Suspect writing sample matches writing sample on a robbery note (3.77)
   - Charges made on stolen card are made near the crime scene (3.55)
   - Items are purchased online using the victim's card and are shipped to suspect's home (4.40)

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**RATER ID**: [______]

**Case #:** [_____]

**PHYSICAL EVIDENCE OVERALL RATING**
II. SUSPECT STATEMENT INFORMATION: Details provided by the suspect to the police that link/fail to link the suspect to the particular crime being charged.

1. Confessions - a confession to the crime being charged:
   - Confession is given after 12-14 hours of uninterrupted interrogation (2.37)
   - Confession includes unique details of the crime (4.53)
   - Evidence and/or information that is weak
   - Evidence and/or information that is strong

2. Admissions & Spontaneous Utterances - information given by the suspect but not a part of a formal statement:
   - Suspect claims "It was self defense" (3.24)
   - Suspect states "I didn't mean to do it" (3.97)
   - Suspect exclaims "I just shot into the air" (9.46)
   - Suspect signs "I know I shouldn't have" (3.36)

3. Suspect Statement - formal statement that addresses information and involvement in the crime:
   - Suspect gives general information about the crime (2.53)
   - Suspect admits to owning the specific gun type in question (3.36)
   - Suspect admits to buying drugs at the crime scene, but not to the actual offense under investigation (1.32)
   - Details of suspect's statement match the physical evidence (4.30)

4. Alibi - information relating to the suspect's alibi:
   - Suspect's alibi is a close friend or family member (2.38)
   - Suspect's alibi is that she/he was playing pool at a friend's house (2.56)

5. Context of Statement - relates to the process of obtaining suspect statement:
   - The written statement in case file uses words or language the suspect would never use (2.10)
   - Statement is videotaped from Miranda to confession (6.56)
   - Suspect gives oral confession only (3.48)

RATER #__________

SUSPECT STATEMENT OVERALL RATING
III. SUSPECT HISTORY: Suspect's law enforcement history and/or group/gang affiliation that speaks to the likelihood that the suspect committed the crime.

1. MO/Signature - characteristics of the crime unique to the perpetrator
   - Suspect's MO slightly deviates from past criminal activity (2.39)
   - Suspect's means for gaining entry are similar to past crimes in area (3.01)
   - Suspect's MO always says "you know what time it is" at outset (3.46)
   - Suspect's MO includes a unique identifying weapon (4.04)

2. Suspect History - history affiliated with crime
   - Suspect was arrested for an unrelated crime (2.24)
   - Suspect's criminal history includes recent activity similar to the case (3.57)
   - Suspect was convicted of a misdemeanor (2.11)
   - Suspect was convicted of a felony (2.69)

3. Gang/Extremist Group Affiliation - suspect's affiliation with a group or gang
   - Suspect is a "wannabe" gang member with no actual affiliation (2.39)
   - Suspect is a known or self-admitted gang member (2.78)
   - The incident was a signature crime of the suspect's gang affiliation (3.51)

RATER #_____________ SUSPECT CHARACTERISTICS OVERALL RATING _______________
IV. VICTIM CHARACTERISTICS: Information that speaks to the veracity of the victim(s) involved in the crime.

**Factor**

1. Reliability - factors that influence the accuracy of information provided by victim

   - Victim claims to have "caught a glimpse of the suspect" (1.63)
   - Victim observes perpetrator after working a 20-hour shift (2.86)
   - Victim is impaired by injuries obtained during the crime (2.95)
   - Victim observed crime during the day (3.53)
   - The victim is five years old (2.27)
   - Victim appears to be traumatised and non-responsive at scene (2.19)
   - Photo ID was made by a victim of a different race than the perpetrator (3.13)
   - Suspect is in plain view of the victim at a crime for 20 minutes (4.99)

2. Credibility - factors that influence the likelihood that the victim is giving truthful information

   - Victim has been influenced by threats, intimidations, and/or fear (2.56)
   - The victim is a law abiding citizen (3.32)
   - A convicted felon is the victim (2.63)
   - The victim is a nun, priest, religious leader (2.11)

3. Knowledge of/or Familiarity with Suspect

   - The suspect has been seen around the victim's neighborhood (3.66)
   - Victim was a childhood friend of suspect (3.70)
   - Victim has previous knowledge of the suspect (3.51)

**RATER #______________**

**VICTIM CHARACTERISTICS OVERALL RATING**
V. WITNESS CHARACTERISTICS: Information that speaks to the veracity of any witness whether or not they observed the incident.
VI. IDENTIFICATION INFORMATION: Independent corroboration of information linking the suspect to the particular incident, regardless of source.

<table>
<thead>
<tr>
<th>FACTOR</th>
<th>FACTOR RATING</th>
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<tbody>
<tr>
<td>1. Unique ID Information - clothing, tattoo, hair, line-ups, etc. identifying the suspect</td>
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<tr>
<td>Perpetrator was wearing a non-descript T-shirt and jeans (1.56)</td>
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<tr>
<td>Perpetrator is described as having brown hair and brown eyes (1.92)</td>
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<tr>
<td>Perpetrator is described as a white male, 6'0&quot; tall, 200 lbs. with mustache/braces (3.26)</td>
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<tr>
<td>Witness fails to describe unique characteristics of suspect (1.92)</td>
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<tr>
<td>Perpetrator wore thick glasses (2.91)</td>
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<tr>
<td>Victim names suspect by name (4.27)</td>
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<tr>
<td>2. Details of Crime - details obtained through the investigation</td>
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<tr>
<td>Vehicle was stolen and suspect was observed in the vehicle close to the crime scene (3.87)</td>
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<td>Suspect leaves personal property at crime scene (4.28)</td>
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<td>3. Witness ID Information - account of incident is given</td>
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<td>Witness describes the weapon as a black gun (1.85)</td>
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<td>Witness statement is consistent with details of the crime (4.29)</td>
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<td>Variations and/or inconsistencies in witness account (2.04)</td>
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<td>Multiple corroborating witness statements (4.41)</td>
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<td>4. 3rd Party/Complaint Information</td>
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<td>Co-conspirator implicates a person unrelated to the crime (2.20)</td>
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<td>Pawn shop owner states suspect came in wanting to sell jewelry (3.62)</td>
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<td>Third party verbal statement implicates the suspect (2.86)</td>
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<tr>
<td>5. Circumstances Surrounding Arrest - factors regarding the arrest</td>
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<tr>
<td>Multiple parties near stolen object or weapon (2.13)</td>
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<tr>
<td>Suspect is arrested 2 or 3 blocks from crime scene and within minutes of crime (3.72)</td>
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<tr>
<td>Suspect is calm, collected &amp; cooperative during arrest (2.22)</td>
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<td>Suspect is hiding near crime scene (3.99)</td>
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<tr>
<td>6. Flipping the Suspect - Information from a co-conspirator</td>
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<tr>
<td>Co-conspirator reveals information about crime involving other person/suspect (3.28)</td>
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<tr>
<td>7. Anonymously Provided Information</td>
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<tr>
<td>Receive vague tip from an anonymous person (1.44)</td>
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<tr>
<td>Receive detailed tip from an anonymous person (2.81)</td>
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<tr>
<td>Anonymous tip corroborated by other evidence (3.40)</td>
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RATER #__________  IDENTIFICATION INFORMATION OVERALL RATING