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Review of *The Social Life of Forensic Evidence* by Corinna Kruse

Sameena A. Mulla

Marquette University, sameena.mulla@marquette.edu

The Social Life of Forensic Evidence, Corinna Kruse, University of California Press, Berkeley, California, USA, 2016, 196 pp., \$39.95 USD, ISBN: 9780520288393

The Social Life of Forensic Evidence is a sharp and focused ethnographic exploration of the production and circulation of forensic evidence through the adjoining sites of the court, the police investigation unit, the crime lab and the crime scene. Kruse argues that forensic evidence is marked by epistemological practices grounded in varying professional sensibilities. Based on field research in Sweden, Kruse accounts for the complementary and competing epistemic cultures of each interlocking site to trace the emergence of legal-storytelling, epistemic friction, and the management of uncertainty as the primary modalities characterizing the interpretation of forensic evidence throughout the process of criminal investigation and adjudication. By epistemic friction, Kruse refers to an infelicity between the modes of knowing and understanding forensic evidence between each professional space which are resolved through translational work. Kruse argues that this work is effected by means of a semi-transparent box, an object that she proposes in direct opposition to Bruno Latour's black box. As she traces the reverse trajectory of forensic evidence, she folds into her work a sense of the distinctive anticipatory structures that mark forensic evidence at each institutional site.

Kruse begins with the court of law, outlining the basic processes of the Swedish legal system. She introduces the lay assessors and judges who decide cases, the principle of freedom of evidence that does away with admissibility issues commonly emphasized in other legal settings, and the reliance of attorneys on written reports submitted by experts. These signposts are critical to the comparativist reader who may be familiar with scholarship on forensic evidence that emphasizes admissibility, and juror sensibilities, neither of which operate in the milieus Kruse describes. Kruse characterizes the prosecutor as the primary "legal storyteller" (19), on whose shoulders lie the responsibility for reconciling forensic evidence in the overall narrative of a case. Kruse notes that her interlocutors distinguish between "forensic evidence" and "verbal evidence" in this chapter, a distinction which the

judges and prosecutors seem committed to at first. The operating separation is posed as material/forensic evidence and testimonial/verbal evidence. This distinction grows increasingly murky as one follows the trajectory of evidence production throughout the book; distinctive forms of evidence become more closely mutually constitutive as material evidence has little meaning in the absence of testimony.

Before the forensic evidence is introduced at trial, the prosecutor directs an investigation, collaborating with police and crime lab professionals to build a strong case. In the pre-trial stage, the day-to-day temporality of legal story-telling shifts based on the introduction of new evidence, suspects, police reports and investigative work. The prosecutor and police are charged with investigating all sides of the case, and at this point in the investigation, the prosecutor develops narratives that fit both the emergent case, as well as broader legal narratives that may be effective at trial. Both Kruse and her interlocutors make little distinction between different types of crimes. Serious crimes are rare, therefore most of the cases discussed involve thefts. It becomes difficult to discern whether forensic evidence has a different social life and emotional valence in murder or sexual assault cases, although Kruse introduces particular moments later in the text that suggest as much. The prosecutor's narratives are further shaped by the potential denials, obfuscations, vagaries of memory, or other happenstances that create the conditions of possibility for the discovery and documentation of some forms of evidence, and the non-existence of others.

The police investigators of the criminal investigation division complicate the epistemic landscape of forensic evidence by emphasizing their expertise as knowledgeable assessors of people. It is through their familiarity with neighbourhoods, suspects, techniques, and crime victims (or plaintiffs in the Swedish system), that they are able to locate, interpret, and validate forensic evidence. Because this knowledge is gained through "real police work" (55), forensic evidence is rejected as a substitute for investigation, and is only valued within the context of a thorough police inquiry. The personal knowledge of criminal investigators also extends to their knowledge of particular prosecutors, who are gate-keepers to charging the cases. The anticipatory structure of the criminal investigator's world also takes into

account the preferences and habits of prosecutors, such that police are cognizant of what level of evidence must be assembled in order to compel the prosecutor with whom they are working to lay charges. Kruse often frames this relationship between police and prosecutor through professional conflict, the first instance of epistemic friction, the major theme of the second half of the book.

The crime scene analysts who undertake laboratory work must “turn the material form of the traces sent to them into meaningful symbolical form” (70). The analysts are trained in scientific paradigms, though it is not often clear which scientific disciplines they are trained in or whether different paradigms result in epistemological disagreement. It is equally unclear whether they promote this lack of distinction between scientific disciplines within their own professional culture, or whether this is simply the ethnographer’s omission as these distinctions are unimportant to Kruse’s overall argument. Disciplinary diversity aside, their work product is unified through the form of report writing they undertake, and Kruse outlines the challenges to transposing their results into a Bayesian analysis. This challenge is two-fold: the apparent numeric value of the Bayesian analysis suggests a precise metric for assessing the reliability of the evidence, even as crime scene analysts write forensic reports so as to leave the interpretation of the evidence to the court. Highlighting, again, epistemic friction, forensic analysts called to court find themselves resisting the court’s desire to have the analyst render the report’s legal interpretation.

The final substantial chapters, on crime scene work and the movement of evidence, demonstrate how crime scene investigators are often at odds with first responders who “disturb” crime scenes. The first responders contend that they may disturb the crime scene in the name of allaying the concerns of crime victims, whose emotional needs take priority in these interactions. The crime scene investigator, however, keeps the crime victims at a distance as they survey the crime scene. Economic and strategic in their evidence collection, they bring back evidence that best represents the possibility to learn more about the crime under investigation. They do not carry out an exhaustive and extensive investigation in most cases as this is beyond the capacity of the crime scene investigator (and the state) to resource.

By abstracting specific evidence into a general theory of the crime that has taken place, the crime scene investigator launches the translational project Kruse identifies as inimical to the social life of forensic evidence.

By rendering bare some of the processes by which forensic evidence is recovered, analysed, and made meaningful, Kruse argues that evidence emerges as a knowable scientific object, one that is still attended by many uncertainties. This allows the forensic evidence to flow from the crime scene, to the lab, criminal investigator, pre-trial prosecutorial investigation, and finally to the trial and the trier of fact. Kruse understands this translational work through an anthropological genealogy, though at one point she productively slips and seems to treat translation and mediation as equivalents (122). It is useful to think about the additional enriching of Kruse's analysis by thinking about mediation or even transfiguration across the institutional spaces that give forensic evidence its social life. Mediation may lend itself to a more explicit analysis of power. Finally, the anticipatory structures, durative temporalities, and recursive processes that characterize the production and trajectory of forensic evidence constitute one of the book's most compelling descriptive contributions.

Reviewed by Sameena Mulla, Associate Professor of Anthropology, Marquette University, Lalumiere Hall 340, Department of Social and Cultural Sciences, P.O. Box 1881, Milwaukee, WI 53201-1881, U.S.A., sameena.mulla@marquette.edu, 414-288-3441 phone, 414-288-6444 fax.

