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# Reality Bites - Demystifying Crime

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#### Abstract

Forensic dentistry is an essential part of Forensic science, mainly involves the identification of an assailant by comparing a record of their dentition (set of teeth) with a record of a bite mark left on a victim. Human bite-mark traditionally provides the forensic dentist with both physical and biological evidence. Bites have been found in cases of homicide, attempted suicide, sexual assault, and child abuse. Bite marks with high evidentiary value that can be used in comparisons with the suspects' teeth will include marks from specific teeth that accurately record distinct traits. The teeth may also be used as weapon and, under certain circumstances may leave information as to the identity of the biter. Analysis of bite marks is the second major responsibility of the forensic dentist. However, the advent of DNA and its recovery from bite-marks has offered an objective method of bite-mark analysis. Despite the strengths of DNA, the physical comparison of a suspect's dentition to bite-mark injuries is still commonplace. The article provides an update on the current context and status of bite-mark analysis.

**Keywords:** Forensic; Bite-marks; Dentition

# **Historical Background**

Forensic odontology has been with us since the beginning when, according to the Old Testament, Adam was convinced by Eve to put a 'bite mark' in apple [1]. Identification by teeth is not a new technique. It dates back as far as 66 A.D. at the times of Nero. As the story goes, Nero's mother Agrippina had her soldiers kill Lollia Paulina, with instructions to bring back her head as proof that she was dead. Agrippina, unable to positively identify the head, examined the front teeth and on finding the discoloured front tooth confirmed the identity of the victim. During the U.S. Revolutionary War, Paul Revere (a young dentist) helped to identify war casualties by his bridgework [2]. The first bite mark case in Colonial America occurred during the Salem Witch Trials in 1692, where the Rev. George Burroughs was convicted and hanged for witchcraft, including biting his victims [3]. The contemporary history of bite marks is thought to have started with Sorup. In 1924, Sorup used transparent paper upon which biting edges of a suspect's dentition were rendered to compare with life size photographs of a bite-mark [4]. The first case was reported in 1930 in Quebec, Canada where infant was murdered having bite-marks evidence on the skin.

## Introduction

A bite mark has been defined as 'a pattern produced by human or animal dentitions and associated structures in any substance capable of being marked by these mean's [5]. Human bite-marks are one among the most violent crimes tried in the criminal courts. Bites have been found in cases of homicide, attempted suicide, sexual assault, and child abuse. Bites can occur on both the victim and the suspect; teeth are used as weapon by the aggressor and in self-defence by the victim [6,7]. Increasingly though, bite-mark analysis is attracting attention from other quarters; criminal defence lawyers, researchers, national and international regulatory and advisory bodies, and those individuals interested in the prevention and rehabilitation of wrongful convictions [8]. The analysis of bite-marks attracts a vital interest within the judicial system. Forensic dentists are responsible for providing testimony that can have severe consequences for individuals, and this is particularly the case when assessing bite-mark evidence. It is not uncommon for a bite-mark to be the only physical evidence present on a body and the evidence provided by odontologists is compelling and easily understood by juries [9]. A review of the current status of bite-marks in the U.S. legal system revealed cases in which the behavioural aspects of a bite-mark were introduced as evidence. An example of the use of behavioural evidence pertaining to bite-marks can be found in the military legal literature. In United States v. Martin the prosecution offered a link between the appellant's habits of biting objects (such as pens, pencils, toothbrushes, etc.) under stressful situations to a bite-mark on his deceased wife's neck. Their argument was that, in the process of strangling his wife, Martin would have been stressed and therefore prone to biting. The Court ruled against the admission of this evidence In another Court case, a forensic dentist testified that he was able to distinguish lunatic and fighting bite-marks from attacking or sadistic bite-marks and from sexually oriented bitemarks. The Witness claimed that the essence of the distinction is "that fighting bite-marks are less well defined because they are done carelessly and quickly, whereas attacking or sadistic bite-marks are made slowly and produce a clearer pattern." The dentist stated that sadistic bites are well defined, while sexual bite-marks often have a red centre caused by sucking actions. The conclusion drawn in this case was that the bite was sadistic in nature. It must be stated that there is little support in the literature for these views. Indeed, much has been discounted, especially relating to the "suck mark" [10-12].

# **Examination of Bite-Marks**

A common method of comparing bite marks is to use transparent overlays to record the biting edges of a suspect's teeth and compare them with the crime scene sample [13].

# **Clinical History**

# Following type of homicides are prone to bite-marks

- The homicide victim indulged in sexual activity during the time of death.
- The battered-child homicide victim [14].

**Anatomic locations of bite-marks:** Breasts arms, legs, face, head, abdomen, back, shoulder, buttocks, female genitalia, hands/fingers, chest, ears/nose, neck and male genitalia [15]. A history of the bite/ assault should be ascertained as follows

- Which part (s) of the body was bitten?
- Which position (s) were the bitten parts in at the time?
- Did the bite take place through clothing? Has this clothing been submitted for examination already?
- Has the skin been washed since the assault?
- Does the person suffer from any condition liable to have influenced the appearance of a bite mark/bruise?

Injuries observed with bite marks include abrasion, lacerations, contusions/bruises, petechial, indentations, erythema and punctures [16-20] (Table 1).

•	When	was	the	bite	inflicted?
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• When was the ble inneced.				
Artefact	Where a piece of flesh or body part is completely removed or bitten off piece of body			
Abrasion	Undamaging mark on the skin or bruise without damage to the skin			
Avulsion	Removal of the skin			
Contusion	Ruptured or broken blood vessels			
Hemorrhage	A small bleeding spot			
Incision	Neat puncture of the skin			
Laceration	Torn or Punctured skin			

 Table 1: Bite-marks have been divided into seven classifications.

# **Presentation of Bite-mark Injuries**

Bite-marks will typically present as a semi-circular injury which comprises two separate arcs (one from the upper teeth, the other from the lower) with either a central area absent of injury, or with a diffuse bruise present. It is not unusual to see only one arch of teeth on an injury and, if this is the case, it is most often the lower teeth that are present which relates to the mechanics of biting, i.e. the maxilla remains stable while the mandible moves until the teeth meet [21]. There are three main factors that influence the severity of a bite-mark injury:

- The force by which the original injury was inflicted;
- The anatomical location bitten; and
- The time elapsed between infliction of the injury and the presentation to the odontologist [22].

#### Guidelines for the analysis of the bite-marks

To standardize the analysis of bite marks the American Board of Forensic Odontostomatology (ABFO) [23] established the following guidelines in 1986:

- **History**: Obtain history of any dental treatment subsequent to, or in proximity to, the date of the bite-mark.
- **Photography**: Extra-oral photo-graphs including full face and profile views, intraoral should include frontal views, two lateral views and an occlusal view of each arch. Often it's useful to include a photograph of maximal mouth opening. If inanimate materials, such as food stuffs, are used for test bites the results should be preserved photographically. Place a scale beside the bite mark and make a note of distance at which photograph was taken. UV light photographs can see the damage deeper into the tissue and can capture the spacing, size and shape of teeth. A blood group

determination is possible in bite marks in human tissue as well as in food stuffs on account of saliva left in bite mark.

- **Extra-oral examination**: It includes observation and recording of soft and hard tissue factor that may influence biting dynamics. Measurements of maximal opening and any deviations on opening or closing should be made. The presence of facial scars or evidence of surgery should be noted, as well as the presence of facial hair.
- **Intra-oral examination**: Salivary swabs should be taken. The tongue should be examined to assess size and function. The periodontal status should be noted with particular reference to mobility. Prepare a dental chart if possible.
- **Impressions**: Take two impressions of each arch using materials that meet the American Dental Association specifications. The occlusal relationship should be recorded.
- **Sample bites**: Whenever possible, sample bites should be made into an appropriate material, simulating the type of bite under study.
- **Study casts**: Casts should be prepared using Type II stone according to manufacturer's specifications, using accepted dental techniques. Additional casts should be made by duplicating the master casts.

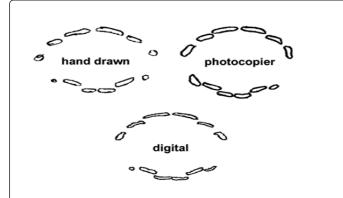
### Methods of Bite-marks Analysis

#### **Physical comparisons**

An essential component of the determination of the validity of bitemark analysis is that the techniques used in the physical comparison between suspect dentition and physical injury have been assessed and found valid [24]. One of the fundamental problems with this task is the wide variety of techniques that have been described in the literature [25]. Techniques using confocal [26], reflex and scanning electron microscopes [27-29], complex computer systems [30,31], special light sources [32,33], fingerprint dusting powder [34] and overlays have all been reported [35-41]. Indeed a new technique involving the 3D laser scanning of dental casts has recently been described by two research groups, adding a further technique to the plethora of possible approaches to bite mark analysis [42,43]. Despite this overabundance of methods a recent survey of 72 odontologists found that over 90% used some form of overlay as their sole method of pattern analysis [44].

There are a number of methods for producing bite-mark overlays and, again, these methods have been the subject of numerous research projects [45]. Two studies are described. The first assessed the five main methods of bite-mark overlay production (Figure 1):

- Computer-based
- Two types of radiographic
- Xerographic
- Hand-traced [46]



**Figure 1:** Overlay production methods and example of resultant overlay: (a) hand-drawn technique using acetate sheets and marker pen; (b) photocopier technique (note ABFO scale included to check scaling); (c) digitally scanning cast (note ABFO scale included to check scaling); (d) Example of each type of overlay [22] (Table 2).

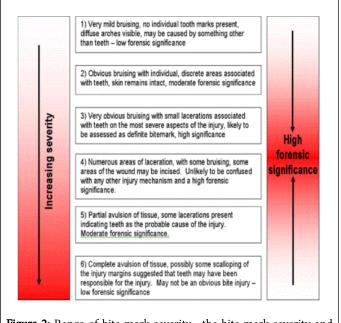
Sr.No	Area	Rotation			
1	Computer-based	Computer-based			
2	Radiopaque wax	Xerographic			
3	Hand-traced from wax	Hand-traced from wax			
4	Hand-traced from study casts	Hand-traced from study casts			
5	Xerographic	Radiopaque wax			

 Table 2: various overlay fabrication techniques ranked according to accuracy [46].

For many years, hand-traced overlays were the method of choice and these were slowly replaced by a photocopier technique [22]. Sweet and Bowers determined that computer-generated overlays were by far the most accurate in terms of both tooth area and rotation. Given this, a number of different modifications of the computer generated technique were developed and further research examined which of these was the most effective. Results demonstrated that both of the main techniques were reliable, and the choice of method was down to personal preference [46]. However, while the overlay production method has been shown to be reliable, the application of these to the

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bite-mark photographs, and the assessment of degree of match has not enjoyed as much scientific support [22]. There have been some efforts to produce a bite-mark severity and significance scale that would enable odontologists to describe a bite-mark using a validated index, and from this determine the required path of action [47]. The proposed index is in two parts; the first is the text based index and the second is an illustrated guide that can be used by those unfamiliar with bite-marks [24], Figure 2 demonstrate the bite-mark severity and significance scale. The scale is designed to demonstrate and simplify the somewhat complex relationship between bite-mark severity and the likely success of a comparative analysis. Bite-marks at the extreme end of the scale, either those presenting as very mild bruises or, conversely, avulsed tissues, are rarely suitable candidates for comparison with a suspect's dentition. The scale has been assessed using odontologists, police officers, social workers, paediatricians and forensic pathologists with good levels of reliability (kappa scores >0.91) [47].



**Figure 2:** Range of bite-mark severity—the bite-mark severity and significance scale [47].

#### **Biological Techniques for Bite-mark Comparison**

The biological basis of bite-mark analysis has centred on the recovery of salivary DNA and much of this work has been pioneered by Sweet who investigated the deposition of saliva during the biting process and its collection over protracted periods of time from cadavers [48,49]. In order to maximize the DNA collected, Sweet recommends that bite-marks should be 'double swabbed', the first swab being moistened with distilled water and the second being dry. It is thought that the wet swab rehydrates the salivary constituents, releasing more epithelial cells from the dried deposit [48]. Sweet has further used these techniques in numerous bite-mark cases, with a good example being provided in the literature where a conventional bite mark comparison was undertaken followed by a DNA analysis [50]. One particular advantage of the use of DNA for the analysis of bite-marks is that there is a vast amount of underlying, peer reviewed publications supporting its use, with data on errorrates and reliability

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[51-54]. Such publications are lacking in relation to the physical methods [25] (Figure 3).

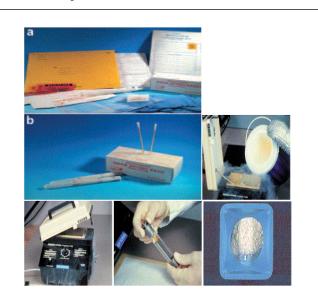


Figure 3: DNA collection from bitemark victims and suspects: (a) kit required for collection from either victim or suspect, including two swabs (for skin only, buccal suspect swabs require only one), gloves, card drying rack, evidence stickers, sealable plastic bag, documentation and evidence envelope; (b) example of a double swab being dried prior to placement in sealed evidence bag. Drying is a crucial stage and can take up to 30 minutes [22].

# Role of DNA in Dental Identification

Because of the resistant nature of dental tissues to environmental assaults, such as incineration, immersion, trauma, mutilation and decomposition, teeth represent an excellent source of DNA material [55]. When conventional dental identification methods fail, this biological material can provide the necessary link to prove identity [56]. With the advent of the polymerase chain reaction (PCR), a technique that allows amplification of DNA at pre-selected, specific sites, this source of evidence is becoming increasingly popular with investigators [57]. Comparison of DNA preserved in and extracted from the teeth of an unidentified individual can be made to a known ante mortem sample (stored blood, hairbrush, clothing, cervical smear, biopsy, etc.) or to a parent or sibling [58].

# Genomic DNA

Genomic DNA is found in the nucleus of each cell and represents the DNA source for most forensic applications, (there are no nuclei, and hence there is no DNA, in red blood cells.) When body tissues have decomposed, the structures of the enamel, dentine and pulp complex persist. It is necessary to extract the DNA from the calcified tissues [57]. In the authors' laboratory, the cryogenic grinding method is employed [56]. Teeth represent an excellent source of genomic DNA [57]. Indeed, the authors have found that even root-filled teeth supply sufficient biological material for PCR analysis [56] (Figure 4).



Figure 4: Cryogenic grinding is used to extract DNA from calcified tissues such as teeth. In a freezer mill a ferromagnetic plunger is oscillated back-and-forth in alternating electric current. Liquid nitrogen is used to cool the sample, which results in making it extremely brittle and also protects DNA from heat degradation. The tooth is reduced to a powder to increase surface area and expose trapped cells to biochemical agents that release DNA into solution [56].

# **Mitochondrial DNA**

In addition to genomic DNA, cells contain mitochondrial DNA (mt DNA), the sequence of building blocks of which can be determined to assist in identification. The main advantage of mtDNA is that there is a high copy number in each cell caused by the high number of mitochondria present in most cells. This infers that in cases where genomic DNA cannot be analysed, possibly because it is too degraded, mtDNA may be present in sufficient quantity. In addition to its higher copy number, mtDNA is maternally inherited [59]. This maternal inheritance pattern confers the same mtDNA sequence, barring mutations, upon siblings and all their maternal relatives. This has important implications for the identification of individuals for which there is no ante-mortem comparison sample. Although mitochondrial DNA is still in its infancy in forensic casework, it is a powerful technique that is likely to become commonplace in the future [57].

#### The Uniqueness of Human Dentition

Bite-mark analysis is based upon two assumptions; the first that the human dentition is unique in terms of the positions of those teeth

commonly involved in biting and secondly that this asserted uniqueness is replicated on the bitten substrate [25]. Dental identification, as opposed to bite-mark identification, utilises the number, shape, type, and placement of dental restorations, root canal therapies, unusual pathoses, root Morphology, trabecular bone pattern, and sinus morphology [60]. Many forensic dentists, appellants, and lawyers have questioned this fact and demand to know from testifying experts the relative frequency of dental features identified in bitemarks. Despite the lack of evidence supporting both of the statements above, it is interesting to note that odontologists nonetheless seem confident about these principles; 91% of respondents believed that the human dentition was unique, and 78% believed that it was replicated on human skin [24]. Ninety-six percentage of Diplomats of the American Board of Forensic Odontology stated that the human dentition was unique and that this uniqueness could be recorded on human skin [61].

## Human Skin as a Bite Registration Material

While bite-marks can occur in objects such as food stuffs it is bites on skin that form the majority of bite-mark cases taken to court [62]. Yet skin is a poor material to record patterned injuries and is highly variable in its response to trauma [63]. This variability can be compounded by poor evidence collection and hence, even if one can accept that physical comparisons of bite injuries were scientifically sound how can the odontologist control for skin and all its vagaries [64]? Skin is highly variable in terms of anatomical location, underlying musculature, or fat, curvature, and looseness or adherence to underlying tissues [65]. Skin is highly viscoelastic, which allows stretching to occur during either the biting process or when evidence is collected [24]. This is due to elastic fibres in the dermis, distorting under pressure and then recoiling back to their original position [24]. The degree to which this occurs depends on a number of factors including age and anatomical location [66]. It has been argued that any bite-mark on skin will have some degree of distortion, due to either oedema, recoil or other factor.

## Conclusion

The field of bite-mark science is expanding, and the need for individuals trained and experienced in the recognition, collection and analysis of this type of evidence is increasing. Analysis of bite mark evidence has been assisting the judiciary to answer crucial questions about interactions between people at the scene of a crime. The shape of the bite-mark can give useful clues about the person who caused it and may lead to the implication or exclusion of an individual under investigation. Some scientist recommends that thorough analysis of the size, position and other features of bite marks be completed before any comparison with a suspect's dentition is made. It is possible to identify specific types of teeth by their class characteristics. The often serious nature of the crimes in which bites are found dictates that the highest level of forensic standards should be applied and that analyses of such injuries should only be undertaken if unique or, in certain circumstance, class characteristics exist. Research into more objective methods of bite-mark analysis has produced techniques such as salivary DNA recovery and bacterial genotyping, although further efforts to reduce subjectivity in standard physical techniques are required.

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