

Mr. Eisenberg. Have you made identifications in the past with as few or less markings as are present on this bullet fragment?

Mr. Frazier. Oh, yes, and on less, much less of an area. The character of the marks is more important than the number of the marks.

Mr. Eisenberg. Mr. Frazier, here you were of course unable to see all of the lines which were present on the bullet before mutilation. Have you ever had an occasion where you examined a bullet and saw one portion of it which was an apparent match and then found out that the balance of the bullet was not an apparent match?

Mr. Frazier. No, sir. And if I understand your words "apparent match", there is no such thing as an apparent match. It either is an identification or it isn't, and until you have made up your mind, you don't have an apparent match.

We don't actually use that term in the FBI, ~~but we do use it~~
~~to occasionally to say that some of the marks were similar in~~
~~nature. They were not sufficient to substantiate an identifica-~~
~~tion.~~

~~That type of terminology is not entirely accurate either,~~
~~but~~ Unless you have sufficient marks for an identification, you cannot say one way or the other as to whether or not two bullets were fired from a particular barrel.

In other words, you cannot non-identify on the absence of similarities any more than you can identify when you have no