Forensic Document Examination Defined

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the Last Will and Testament of John Doe the testator declared and signed the Will of the testator, believing him to be the Will.}


dated

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Forensic Document Examination Defined

*Equipped with his five senses, man explores the universe around him and calls the adventure Science.*

*(Edwin Powell Hubble, The Nature of Science, 1954)*

**Forensic Document Examination**

“The profession of an FDE or examiner of questioned documents grew out of the courts’ need for assistance in interpreting evidence relating to the preparation and subsequent treatment of documents. It is actually a pure forensic science in that it developed within the legal system rather than as an extension of other professions, such as medicine, dentistry, chemistry, or engineering.”

*(Lindblom, 2006: 10)*

Forensic science is the application of science to the law. Forensic document examination, latent print examination, DNA, forensic imaging, pathology, drug chemistry, and physical chemistry all fit this description. Forensic document examination is often overlooked and misunderstood by the public. P.D. James understood the basic work of forensic document examiners. In her 1977 book *Death of an Expert Witness* *(James, 1977)*, a forensic document examiner was a central character and suspect in the murder of a forensic scientist in a laboratory in England. A forensic document examiner made a minor appearance in the German movie *The Lives of Others (Das Leben der*
The movie is about the effect of Stasi agents spying on East Berlin citizens shortly before the fall of the Berlin Wall in 1989. A forensic document examiner demonstrated a chart that identified a particular typewriter by comparing the questioned with known typewriting. All typewriters at the time were registered in East Berlin.

Forensic document examination is the application of science and analytical techniques to questions concerning documents. David Ellen, in his book *Scientific Examination of Documents* (Ellen, 2006: 1), said, “Scientific method is a way of thinking.” He applied the scientific method to the examination of documents by observing “…the testing of various parameters and reference to the background knowledge on the subject in order to reach a conclusion” (ibid.).

ASTM Standard E444-09, *Standard Guide for Scope of the Work of Forensic Document Examiners*, describes the work of FDEs thus: “The forensic document examiner makes scientific examinations, comparisons, and analyses of documents in order to: (1) establish genuineness or nongenuineness, or to expose forgery, or to reveal alterations, additions, or deletions, (2) identify or eliminate persons as the source of handwriting, (3) identify or eliminate the source of typewriting or other impression, marks, or relative evidence, and (4) write reports or give testimony, when needed, to aid the users of the examiner’s services in understanding the examiner’s findings.” (ASTM E444-09, 2013).
Forensic document examiner (FDE), Questioned Document Examiner, Document Analyst, Document Examiner, and Handwriting Expert are all titles applied to practitioners. Handwriting Expert is not completely accurate because the work involves more diverse examinations than simply handwriting. Most practitioners today refer to themselves as forensic document examiners (FDE). We work in local, state, and federal laboratories, and also in private practice. Typical cases submitted to FDEs include: forged checks, threatening letters, disputed signatures on wills, trusts, business documents, mortgage documents, typewritten documents, altered business documents, medical records, and photocopied documents.

FDEs most often compare questioned writing with known writings for identification or elimination purposes. Forensic handwriting identification is based on the principle that no two people write exactly alike.

In a recent case, a disputed signature on a will was submitted to me for examination. A comparison was made with more than 20 contemporaneous known signatures of the deceased person. The background knowledge on the subject included detailed description in the forensic document literature of the characteristics of simulated signatures. Adding to the background knowledge on the subject was my education and specialized training in forensic document examination. A detailed examination of the questioned signature visually and microscopically, and comparison of the questioned signature with the
contemporaneous known samples, backed up the hypothesis that the signature was a simulated forgery.

**Graphology**

Getting back to the confusion surrounding forensic document examination mentioned above, the general public thinks that forensic document examiners determine personality from handwriting. Forensic document examination is not graphology. Graphology is the art of determining personality from handwriting. Graphology may be learned by taking a correspondence course or reading a pamphlet on the subject. Graphologists have sold their services to companies for use as a hiring tool. Companies in France routinely require a handwriting sample submission as part of a job application. Years ago, a Milwaukee business used a graphologist instead of a psychologist to screen applications because the graphologist was cheaper than the psychologist and provided the same service.

Many people wish to believe in graphology, but the research fails to validate it. An article published in the *Journal of Applied Psychology* in 1986 found through studies that graphologists used for personnel selection performed no better than chance (*Ben-Shakhar et al., 1986*). Graphology was again tested by finding 17 studies examining the validity of the practice and comparing the accuracy of graphologists in using handwriting to predict successful job performance (*Neter et al., 1989*). Psychologists performed better than graphologists in the study (ibid.). Klimoski and
Rafaeli also considered graphology as an employment assessment tool and did not find it useful (Klimoski et al., 1989). A British study (Furnam et al., 2003) found that graphology did not reliably predict personality.

Graphologists would be of little interest to FDEs if they limited themselves to a booth at the state fair; unfortunately many of these practitioners present themselves in civil and criminal trials as forensic document examiners. Judges have allowed these graphologists, self-trained as FDEs, to testify in court. Not every judge allows unqualified graphologists to testify. According to Paul Giannelli writing in Criminal Justice Magazine from the American Bar Association’s Criminal Justice Section: “In United States v. Bourgeois, 950 F. 2nd 980 (5th Cir. 1992), the Fifth Circuit upheld a trial court’s exclusion of the testimony of an ‘expert’ who was not a member of the American Board of Forensic Document Examiners, who practiced graphotherapy in addition to handwriting comparison, and who acquired a master’s degree in graphoanalysis and a Ph.D. in metaphysics and religion by correspondence” (Giannelli, 2004).

Training of Forensic Document Examiners

The only way to acquire training as an FDE is through a fulltime, two-year apprenticeship in a recognized forensic laboratory in the public sector or in a recognized private laboratory. It is not possible to become an FDE through self-study or a correspondence class.
The principal trainer must have acquired his or her training in a recognized forensic laboratory.

Certification

The American Board of Forensic Document Examiners (ABFDE) was formed in 1977. The certification program identifies qualified FDEs who work in government laboratories and private laboratories in the United States, Canada, Australia, and New Zealand. The ABFDE is incorporated in the District of Columbia. Sponsors of the ABFDE include: the American Society of Questioned Document Examiners, the Canadian Society of Forensic Science, the Southeastern Association of Forensic Document Examiners, and the Southwestern Association of Forensic Document Examiners. The ABFDE is recognized by the American Academy of Forensic Sciences, the International Association of Identification, the Mid-Atlantic Association of Forensic Scientists, and the Midwestern Association of Forensic Scientists.

The ABFDE Requirements for Certification are as follows (ABFDE, 2013):

1. Applicants must possess good moral character, integrity, and high ethics.

2. Applicants must be permanent residents of the United States of America, Canada, Australia, or New Zealand.

3. Applicants must have earned at least a baccalaureate degree from an accredited academic institution.
4. Applicants must complete a two-year, full-time training program in a forensic laboratory recognized by the ABFDE.

5. Applicants must have three ABFDE-certified FDEs as references.

6. Applicants must be actively working as an FDE.

7. Applicants must successfully complete a written, practical, and oral examination based on typical cases encountered by FDEs.

8. A candidate will be recognized as a Diplomate of the ABFDE upon successful completion of the testing program.

References


