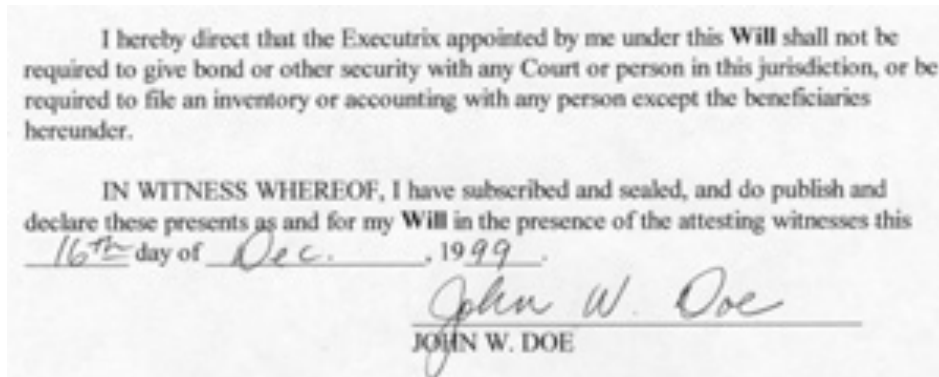


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**ABOUT HANDWRITING**

A person's handwriting has long been recognized as a form of human identification. This fact is the reason people are required to sign checks, wills, deeds and contracts. A person's signature, or their "mark", lends authenticity, authority and credibility to a document. While a typed name does not prove a person's identity, a handwritten signature provides "proof" that the person wrote or is in agreement with the document.



Depending upon the school system and method of handwriting taught, we are all basically instructed on how to write in a cursive manner. In school, we were taught using a "copybook" to copy the correct style of forming letters and connective strokes to form words. Once this becomes a habit of the writer, the writing function becomes a subconscious psycho-motor skill incorporating individual characteristics of the writer. The deviations from the "copybook" style creates the uniqueness of handwriting patterns.

Handwriting identification has played important roles in many criminal cases over the years. The serial killer **Ted Bundy** used several methods of killing his victims. Authorities thought they were dealing with several different killers. However, an investigator read about a murder where the perpetrator left a note on a victim. The investigator was working on a murder where the perpetrator had left a note on the victim as well. As a matter of curiosity, the investigator had both notes compared and found that they matched. Officials then realized they were seeking one serial killer. Handwriting identification was one of the factors that led to the capture of Ted Bundy.

The **Nazi war criminal, Josef Mengele**, traveled to South America, and took the identity of another

German man. After his death it was discovered that the handwriting of this man matched the handwriting of Mengele. Mengele had altered everything else about his appearance including his name, profession, fingerprints, and history, but he could not change his handwriting.

Questioned handwriting may be found on a will, a contract, a marriage license, graffiti on a wall, an anonymous letter, or just about anywhere that people have been with pen in hand. Recently, I had a case where there were racial slurs were written on a commode seat and another case where a bomb threat was written on a bathroom tile wall at a Middle School. Handwriting identification is a comparison analysis of the questioned writing with known handwriting samples.

There are two types of known writing, request writing and non-request writing. Request writing is where the person sits before you and produces writing. This type of known writing does not carry as much weight in Court because it gives the person the opportunity to alter their writing and the person may be very nervous which could produce a sample not truly representative of their normal writing.

One should always try to obtain known handwriting samples written prior to the critical date on the questioned document. The known writing is offered for comparison, the writer's full range of variation and writing ability is presented to the document examiner. Another thing to consider is the activities encountered the day the questioned document was allegedly signed. Was the person on medication or did anything out of the ordinary happen on that day? Were there upsetting visitors on that day? These types of things can affect a person's handwriting and should be investigated by the document examiner.

The more familiar types of handwriting identification cases are questioned signatures suspected of being forgeries. Another type of a questioned signature is a deliberately altered signature. This is a signature where the person signs a document, making some obvious changes usually in one major letter form, then claiming it is not their signature. Generally, the person is eager to point out the differences in the handwriting to the document examiner.

I testified in a case like this that was tried in District Court in Spartanburg County, South Carolina (Mary R. Pierce v. Theresa M. Pierce, Order 95CP42-279) several years ago. The Document Examiner was presented with a signature which appeared to be written with tremor and hesitation (the main red flag of a forgery). The first impression was that it appeared to be a forgery. The first and last name in the signature were written with near perfect letter form but had a drawn look to the writing. The middle initial on the 25 known signatures to compare with was merely a printed capital "M" of a stick form, but in the questioned signature, the "M" was written with a very rounded formation with elaborate stroke curves and a deep terminal stroke that penetrated well below the base line, which was totally inconsistent with any of the known signatures.

How could a forger make such a mistake? To conclude it was a forgery, the document examiner would have to believe that the forger was talented enough to pen the first and last name with near perfect letter form, but foolish enough to not come close to the letter form of the know writing for the middle initial "M".

The reasonable conclusion was that the signature was genuine and the person (defendant in this case) had made the middle initial in a letter form not consistent with any of the known signatures in an attempt to be able to point out how that she never makes an "M" like that one. The document examiner testified that the signature was a genuine signature made to look like a forgery and presented exhibits in Court. The Court agreed and the plaintiff won the case.

Another type of document fraud is the "cut and paste". This is where a person takes a genuine signature

from a genuine document and photocopies it onto a fraudulent document. One such case that I testified in was tried in District Court in Virginia. (Jacob Dale Stout Estate v. Bettye L. Johnson – Adversary Proceeding No.: 7-99-00214, Washington County District Court, Abingdon, VA ) The document offered to the Court was a copy of a dissolution of a prenuptial agreement offered by the defendant wife. The original had been "lost" which is the usual story in this type of case. The signatures were authentic, genuine signatures. What the defendant failed to pay attention to was that the font under the genuine signatures on the questioned document did not match the font in the body of the questioned document. Court exhibits were presented to show the differences in font and the Court ruled in the plaintiff's favor.

Most of the work a Forensic Document Examiner does is with regards to handwriting identification, but there are other areas of document work that are non-handwriting cases. Different types of ink can be determined by using a Video Spectral Comparator with infrared luminescent light. Often a second ink will be used to alter the original document. The Electrostatic Detection Apparatus (ESDA) is a device used to raise indented impressions on paper. The indentations can become visible even when they are several pages below the actual writing and not visible to the naked eye. Determining machine impressions is another area where a document examiner can provide assistance. It may be important to determine what type of printing process was used to create a document.

Last but not least, when looking for a document examiner, ask about their training and background. While a document examiner may be adequately trained and have impeccable credentials, they may not be credible witnesses. The initial contact with the document examiner can tell the Attorney or Legal Assistant a multitude of things. Is the expert knowledgeable as well as friendly and easy to understand? Remember, the jury will decide the case based on how the expert presents the information. The expert who communicates most effectively with the jury will prevail. There can be issues in an expert's past or personal life that can affect their professional image in the court room. Request an attorney-client list when investigating credible witnesses.

Theresa Dean is a Court Qualified Forensic Document Examiner and the owner of Handwriting Forensics in Hendersonville, North Carolina.