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## Submitting a Handwriting Case for Examination

### Forensic handwriting identification

“Forensic handwriting identification is the scientific examination and comparison of handwriting or printing primarily for the purpose of identifying the author of an unknown sample. Forensic handwriting identification involves the detailed analysis of all the many handwriting characteristics and features of a questioned or unknown sample of handwriting or printing and a comparison of these features with those of a known sample of handwriting or printing from a suspect.” (Authorship unknown)

### What is questioned writing?

A questioned writing is any writing written by an unknown writer whose identity must be determined. The questioned writing may consist of a single or multiple signatures, numerals, cursive, or hand printing in the form of letters, forms, etc.

Questioned writing can have one or more of the following characteristics that will effect its suitability for comparison purposes:

- a. Naturally written
- b. Un-natural and/or disguised writing
- c. Writing written in more than one style
- d. Limited in quantity and quality
- e. Written by one or more writers
- f. A tracing or simulation of another’s writing

### What is known, sample, or specimen writing?

Regardless of what it is called, this is the known and verifiable writing of an individual that is to be compared to the questioned writing to try and determine whether the writer of the known wrote the questioned writing. Known writing falls into one of the following categories:

- a. **Requested**—Writing by an individual that is specifically written on request for comparison purposes and written while being witnessed. Writing in this category usually consist of material repeating the questioned writing and some containing the same letters and letter combinations while not exactly repeating the questioned writing.
- b. **Nonrequest or collected**—This is writing usually done during the normal course of business, rarely witnessed, and not knowingly prepared for comparison purposes. Its authorship is frequently verified by its writer, and his acknowledgement is believed to be true and/or can be substantiated or confirmed by circumstances surrounding the writing’s preparation. It is important for comparison purposes that most of this writing repeats the questioned material or has the same letters and letter combinations as the questioned writing.

There is no single amount of submitted known writing that is correct in every case. The most important thing to remember is that the submitted writing should be naturally written and representative of the writers writing habits. As a general guideline, if the questioned writing is a signature, it is desirable to have about 30 to 50 sample signatures written around the time of the questioned signature. If the questioned writing is an extended writing such as a letter or note, it is desirable to have all of the questioned writing repeated at least 10 to 20 times. Special handwriting specimen forms and assistance in determining whether sufficient known writing is being submitted are available. Please contact the forensic document examiner (FDE).

## **Working with copies**

The best evidence for examination purposes is **always** the original document, but frequently only a photocopy is available. If it is necessary to examine a photocopy, the best copy for examination purposes is one made from the original document and not a copy of a copy.

Photocopies typically do not reveal all the evidence found on the original document or document being copied, i.e., significant quality and features of the writing, indentations, outlines, feather strokes, pen stops, alterations, etc. A photocopy can also contain artifacts not on the original. These artifacts may be dirt, dried white-out, or scratches on the glass. There may also be defects on the machine's drum, or some other cause.

Fax documents, or copies of fax documents, are more problematic and many times are of little to no value for examination. Faxes or copies of faxes should only be submitted for examination purposes as a last resort. **The value that any copy has for evaluation purposes is dependent on the quality of the copy, regardless of whether it is a photocopy or fax.**

Another reason why photocopies are problematic is the ability of a person to create or fabricate a completely fictitious document using photocopy technology. The purpose of fabricated documents is to offer them as proof of a position in a dispute, to justify a position, or taking some action. Increasingly, the authenticity of photocopied documents is being questioned because of the ease with which fictitious documents can be created to make it appear that the original document contained certain text or even a signature.

Assuming that the copy accurately records all of the features found on the original it purports to represent is hazardous at best. **The only way to substantiate that a copy is an accurate reproduction of the document it purports to represent is by comparing the copy with the original. Authentication of an original based only on the examination of a purported copy of that document is not possible. Any opinion based on the examination of a copy applies only to the examined copy and cannot be extrapolated to the original the copy purports to represent.**

The same caution applies to documents generated on a computer. It is possible for a person having a minimum amount of knowledge in the use of a computer to alter and/or fabricate a document. Deletions or additions can be made to the text, signatures, and dates, and the new document printed on a laser printer. Essentially, the same technology is used in a laser printer that is used in a photocopier.

If you have a photocopy, fax, or computer generated document for examination, contact this office for assistance. **The most important thing to remember in the examination of any copy is the opinion expressed after the examination applies only to the observable evidence on that copy.**

## How to organize a case for submission

**Step 1**—Separate the questioned and known documents.

**Step 2**—Write the word “questioned” on an envelope and place the questioned document inside this envelope.

**Step 3**—Write the word “known” on another envelope, or several envelopes depending upon the number of known writers. **Use one envelope for each known writer and write that person’s name under the word known.** Place the appropriate documents inside each envelope and seal it. Rather than fold the documents and try to place them into a small envelope, use large flat envelopes to hold the documents.

## Cautions

**Do not write on the envelope when the submitted material is inside.** Write on the envelope first and then put the document for examination inside.

If the questioned document is to be processed for fingerprints, the document should be safeguarded using established and acceptable procedures by placing it in a separate and approved protector. The envelope holding the document should be marked, “contents to be processed for prints.”

## Preparing a work request

After separating the documents into questioned and known, the next step is to prepare a work request. The work request can be a specially designed form or letter. Regardless of which format is used the work request should contain the following elements:

- a. *A specific and complete description of the submitted documents, both questioned and known.*
- b. *Accurately describe the desired examination(s), handwriting identification, alteration, fabrication, etc.* For example, “Did John Jones write the name Sam Brown on ...”, “are all of the James Joyce signatures by the same writer,” etc. Accurately describe the questioned material and its location on the document. If the known writing is collected, the location of the writing to be compared should be accurately described. One option would be to copy the collected document, and on the photocopy highlight the known writing. Attach the photocopy with the original document when submitted.

- c. *What disposition is to be made of the submitted documents at the conclusion of the examination(s)?* Are they to be temporarily retained by the laboratory for preparation of court illustrations, or returned to the submitter? It is strongly recommended that the submitter be prepared to receive the submitted documents at the completion of the initial examination, and if at a later time another examination becomes necessary, then they be resubmitted. They can also be resubmitted for the preparation of court illustration.

## Some final thoughts

Please take the time necessary to prepare your case for submission to the laboratory. Proper preparation is essential to ensure that the examiner has the documents necessary for a meaningful examination and comparison, and that the request is clearly worded and understood. If assistance is needed before or during the preparation process, please contact the FDE for assistance.

It is extremely important to remember that if the documents being submitted are for handwriting examination, a substantial percentage of the known writing should repeat the questioned material. If possible, the collected writings should have been written around the same time as the questioned writing, and the requested writing as close to the date of the questioned writing as possible.

The known writing, while not necessarily repeating the questioned writing, should contain numerous repetitions of the same written letters and letter combinations as in the questioned writing.

A very important point to remember, **all of the submitted collected or nonrequest and known writing used in the examination and comparison process must be admitted as evidence in court at the time of trial.** All conclusions in the results of the examination section of the report are based on the examination and comparison of the submitted questioned and all of the known writings. Any change in the number, status, or admissibility of any of the writing submitted for examination and comparison, including the exclusion of examined writing at the time of trial, will impact upon the conclusions as stated in the report. In this case, the conclusions in the report are no longer valid and a new examination and comparison will have to be conducted using only the writing that will be admitted into evidence. The reason, the conclusion reached by the examination and comparison process is based on the combined significance of the evidence in the examined writing. The same is true if additional writing is added at the time of trial.

All examinations and comparisons must be conducted in an appropriate setting, using recognized and acceptable techniques, and examination aids as necessary. While testifying as a witness in court, during a deposition, or any other judicial situation absolutely **NO** examinations and comparisons will be performed. **NO** new opinions will be given, on or off the record, until a comprehensive examination and comparison of the evidence has been done. The only opinions given as part of the expert testimony in court or at a deposition will be those based on acceptable examination and comparison procedures and reported in either a verbal or written report.