
BOOK REVIEW

Forensic Document Examination: Fundamentals and Current Trends by Jane A. Lewis, 2014 Academic Press, San Diego, CA

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The Introduction to the recently published book *Forensic Document Examination: Fundamentals and Current Trends* by Jane A. Lewis promises to “enlighten forensic document examiners, forensic investigators, attorneys, and others...” The back cover of the book states that the book covers “basic principles and methodologies used in forensic document examination” and “includes research over the last ten years.” Unfortunately, the book fails to deliver what it promises.

The book’s initial chapter discusses the history of writing. Although it may be interesting to read about cave paintings, Egyptian and Phoenician writing and the Greek alphabet, this material has no relationship to the fundamental aspects of document examination, research in the field, or current trends in the profession. This chapter is but the first example of pages presenting little, if any, useful information for a forensic document examiner (FDE) employed by a government laboratory or in private practice, an attorney working with an FDE, or a reader expecting to learn about forensic document examination and its current trends.

In this chapter, the author informs the reader that the Palmer and Zaner-Bloser methods of handwriting are writing systems currently taught in the United States. The author does not mention any of the other systems taught and does not discuss the current trend throughout schools in this country to drop teaching cursive writing altogether. The trend is to use the time that would be spent teaching handwriting to train students in developing better keyboarding skills. This plight has been so extensive that some states have proposed or enacted legislation making it

compulsory to include handwriting instruction in the elementary school curriculum. Some states, on the other hand, leave the decision of teaching handwriting to the discretion of each school district. The English Language Arts (ELA) section of the Common Core State Standards contains no standards for cursive writing instruction; rather, under the Common Core agreement, each individual state Board of Education can elect to add handwriting standards to the curriculum or leave the decision in the hands of the local school districts. In early 2012, a bipartisan bill to reinstate the cursive handwriting instruction requirement passed overwhelmingly in the Senate, but later died in the House. The current trend towards eliminating all forms of penmanship instruction will reduce the skill level of writers in general and the quality of signatures for generations to come which, more than likely, will impede the ability to distinguish forgeries from genuine signatures based upon individualized features of complex writing.

Chapter 2, “The History of Forensic Document Examination,” begins with brief biographies of the pioneers in the field (1800s). This material is filler that has no relevance to the basic principles, methodologies and current trends in the field of forensic document examination. However, it is noteworthy that the only pioneers mentioned by this author are those who belonged to organizations with which the author is affiliated. She fails to mention other notable pioneers in the field, such as Walter E. Hagan, author of the 1894 treatise, *Disputed Handwriting and the Determination of Genuine from Forged Signatures*, and William R. Harrison’s *Suspect Documents: Their Scientific Examination* (1st ed. 1958), a comprehensive book that has and continues to be routinely used as a principal reference text in all legitimate FDE training programs. Chapter 2 also provides a list indicating when certain professional membership associations

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and laboratories were established, followed by a less than comprehensive list of relevant books, articles and website addresses. At this point, 16% of this book's pages have been read and the author has still not addressed the fundamentals of document examination or current trends in the field.

Chapter 3, "Forensic Document Examination Defined," starts by mentioning a 1977 book in which a document examiner was a suspect in a murder and a 2006 German movie in which a document examiner "made a minor appearance." This information is simply more irrelevant filler having no relationship to the fundamentals of document examination or its current trends. Instead of informing the reader about the role a document examiner can play within the civil and criminal justice systems, the author provides selected quotes from other publications, a pattern that repeats itself throughout the book and makes up much of this book's contents.

The author proceeds to discuss certification by the ABFDE (American Board of Forensic Document Examiners), the board by which she is certified. The author neglects to inform the reader about the current status of board certifications within the United States. Fully informing the reader would have included reference to the Forensic Specialties Accreditation Board (FSAB) [www.thefsab.org], which was incorporated in 2000. Initially formed as a task group appointed by the American Academy of Forensic Science (AAFS) and funded by a grant from the National Institute of Justice (NIJ), FSAB was tasked with developing standards for the accreditation of forensic specialty certification boards. The first certifying board for forensic document examiners to be accredited by FSAB was not the author's board, but the Board of Forensic Document Examiners (BFDE), a small group comprised mostly of privately trained forensic document examiners with extensive experience in the field. Nevertheless, the author makes no mention of the BFDE or the fact that accreditation by FSAB provides one of the most meaningful ways that legal professionals and the public have to assess the value of a forensic document examiner's board certification. To date, FSAB has accredited sixteen certification boards in the forensic disciplines. The failure to even mention FSAB or to list the BFDE reflects the author's self-serving interest in promoting only her certifying board

and keeping the reader uninformed about the current status of forensic accreditation and certification.

The section on training in the field of forensic document examination is misleading because it advises the reader that a full-time two-year apprenticeship is the only acceptable form of training. Full-time training may be the norm when the trainee is a salaried employee of a government agency, but it is a rarity in the private sector. Individuals in the private sector generally train on a part-time basis over a minimum period of four to five years and are rarely salaried employees of the principal trainer; instead they must pay for their training. Both ASTM Standard E-2388, *Minimum Training Requirements for Forensic Document Examiners*, and a related SWGDOC standardⁱ provide for full-time training or equivalent training on a part-time basis. In fact, the American Society of Questioned Document Examiners (ASQDE), whose membership is almost entirely comprised of government-trained examiners and of which the author is a member states that the ASTM E2388 training guide forms the basis of its requirements for training. One would think the author would have known of this and included it in her book.

Rather than describing the wide diversity in training for both public and private sector document examiners, the author elects to stereotype document examiners by simplistically placing them into one of two group categories – those who trained full-time for two years in a crime lab and everyone else, whom she lumps together and dubs "graphologists, the self-taught," or the "improperly untrained." According to the Second Edition of Ordway Hilton's, *Scientific Examination of Questioned Documents* (Kelly & Lindblom, 2006), a book sponsored by the ABFDE (the author's certifying board), "[p]rivate examiners experience a wider range of document cases than those worked by government FDEs." This translates into more varied and broader case work experience for trainees in the private sector than those in the public sector.

Group bias is clearly manifested in Chapter 3 when the author states that "[t]he only way to acquire training as an FDE is through a full-time two-year apprenticeship in a recognized forensic laboratory." In an article published in the January 2014 issue of *Academy News*, a quarterly publication of the American Academy of Forensic Sciences (AAFS), Andrew Sulner, MSFS, JD, a third generation document examiner, BFDE certified, and the

immediate past Chair of the Jurisprudence Section of the AAFS, points out that “the claim by some government-trained forensic document examiners that mentorship training achieved through a two-year “in-residence” internship produces more skilled practitioners than any other form of mentorship training is unfounded and as yet not empirically proven.” (Mr. Sulner’s article, reprinted with permission, immediately follows this book review.)

Group bias is also evident in the author’s selective compilation of lists naming relevant FDE membership organizations and peer-reviewed publications within the field. Instead of informing the reader, the lists fail to cite or name any accredited certifying board, peer-reviewed journal, or recognized professional membership (trade) association other than those she is associated with or those whose members are almost exclusively related to governmental agencies through current employment or being retired from an agency. The wealth of research conducted by individuals or entities not affiliated with her chosen groups is ignored. The International Graphonomics Society (IGS), for example, which has no relation to graphology and until recently was headquartered in the Motor Control Department at Arizona State University in Tempe, Arizona, consists of scientists from around the world who have studied handwriting and motor control issues and have published significant research in many areas, including demonstrating a scientific basis for handwriting identification and has provided meaningful support for defeating *Daubert* challenges to the admissibility of such evidence. Many of the research papers presented at the IGS biennial conferences, along with significant research studies conducted by others, have been published in the *Journal of Forensic Document Examination (JFDE)*ⁱ, which is the official publication of the Association of Forensic Document Examiners (AFDE). Yet, neither the IGS, the AFDE, nor the *JFDE* is mentioned by Ms. Lewis in her book.ⁱⁱⁱ

In Chapter 4, “Handwriting Individuality,” the author fails to explain the process of writing, or how and why handwriting becomes individualized. She merely offers quotes from several other authors who have stated that “handwriting is individualized,” and then presents a selective and incomplete list of research papers and references. Apparently, if the reader wishes to learn about how handwriting becomes individualized and what constitutes individualizing features of handwriting, the reader is expected to select from among the limited research papers or references listed in this book.

The author in Chapter 5, “Basic Methodology,” describes the “ACE” method that generally applies to any kind of forensic examination and comparison technique and states that “Latent print examiners use the ACE method to describe their methodology today” (page 59). However, within the forensic fields it is more widely referred to as the “ACE-V” method and is referenced as such in the SWGFAST^{iv} standard on latent print analysis. This is followed by a reference to materials from a conference and quotes from a number of books. A list of topics is presented with but a few cursory explanations of the topics listed; conspicuously absent is any detailed explanation of what the FDE considers in an analysis. In general, this chapter lacks depth.

Chapter 6, “Instrumentation,” illustrates the various instruments used by the FDE. The stereo microscope is one of the basic instruments used by FDEs. Figure 6.1 is a picture of the author sitting next to her stereomicroscope with fiber optic lights. In describing the stereo microscope, the author fails to mention other important lighting sources, such as ring light and coaxial light which are used for line sequence examinations. Figure 6.3 shows the author sitting next to the MiScope® portable digital microscope. Rather than seeing photographs of the author, it would have been more informative and beneficial for the reader to see photomicrographs of handwriting details, as observed and photographed through the stereomicroscope and digital MiScope®.

“Case Examples,” in Chapter 7 includes several cases, specifically the case of John Walters. In describing the *Walters* case, the author lists the differences she found between the questioned and known signatures, explains how she presented demonstrative exhibits (illustrative charts) in court, and reports the court’s ruling. This discussion ends on page 86, and a discussion of another case begins immediately thereafter. However, instead of displaying the *Walters* exhibits within the body of text discussing that case, they appear spread out over pages 87, 88, and 89, commingled with the discussion of another case. It would have been more effective to display the *Walters* exhibits within the pages discussing that case. The rest of the chapter discusses more of the author’s case work with several good illustrations

Chapter 8, “Standards for Forensic Document Examiners,” references the ASTM E30.02

Subcommittee on Questioned Documents and the standards published by this subcommittee. As written, it implies there still is an active ASTM subcommittee writing standards when, in fact, the subcommittee disbanded in 2012 after a number of procedural appeals were filed challenging the way balloting was being conducted and how voting rights were being assigned. Complaints were also filed alleging that subcommittee members affiliated with certain government agencies and organizations were attempting to use ASTM standards to gain an unfair economic advantage within the field of forensic document examination.

Chapter 9, "Forensic Document Examination in the Courts," presents a concise overview of *Daubert* motions challenging the admissibility of handwriting identification evidence and an extensive list of case citations to judicial decisions involving *Daubert* challenges to such expert testimony. The cases are listed under the headings of testimony permitted, testimony limited, or testimony excluded.

An important omission is evident in the section titled, "General Acceptance," in the listing of universities offering courses in document examination within their graduate degree program or baccalaureate forensic science degree program (page 129). An up-to-date and accurate list would have included Eastern Tennessee State University which offers a graduate certificate program in forensic document examination under the direction of Larry S. Miller, Professor and Chair, Department of Criminology and Criminal Justice. Dr. Miller is a BFDE board certified document examiner.

In Chapter 10, "Court Preparation in Question Document Cases," the author discusses the pretrial conference with counsel. As a government-trained document examiner, the author apparently handles a pretrial conference differently than those trained in the private sector. She recommends asking the following five questions: "(1) Where is the trial? (2) Who is the opposing attorney? (3) Who is the judge? (4) Is the court equipped with an ELMO (a projector for opaque items)? (5) Who is the opposing expert?" Most experienced document examiners would already know where the trial is being held because preparation of exhibits (even reports) may be different if the case is being heard by a magistrate, at state level, or in Federal court. The experienced examiner would also

know the name of an opposing expert, the nature of their findings, and anticipated testimony before a pretrial conference in order to provide meaningful input and assistance to the attorney preparing for trial. Prior to the pretrial conference, the examiner should have already read any opposing expert's report, deposition (if held), prepared questions to assist counsel in cross-examination of that expert, and prepared demonstrative court exhibits for review and discussion with counsel. Potentially significant issues involving the documents themselves, the nature of the examinations performed, and the substance of the expert testimony involved in a given case are largely ignored as part of the trial strategies discussed in this chapter.

Chapter 10 also contains another list of what the author calls "mainstream organizations." Once again, the author's motivational (group) bias is reflected in her listing only certain organizations and in her suggestion that a qualified examiner will belong to one of the organizations she has listed. The author then states that during the pretrial conference the examiner should advise counsel on how to cross-examine an opposing expert. However, if the examiner is asking who is the opposing expert at the pretrial conference as stated on pages 152-153, the examiner would not have read the opposing expert's report, know their anticipated testimony, and would not be in a position to intelligently discuss how to cross examine that expert.

"Court Charts," Chapter 11, provides illustrations of various kinds of demonstrative exhibits that an FDE can use in court. These illustrations provide helpful visuals for those who are unfamiliar with how an expert demonstrates his or her findings and opinion(s).

The final chapter, Chapter 12, "Questioned Document Research Present and Future," continues to show that the author does not miss a chance to repeat the names of the same organizations that she seeks to promote within most every chapter of her book. Following the list of her selected organizations are fifteen pages listing research papers published in only two journals, one being the journal published by the ASQDE, the author's membership organization. Articles authored by preeminent scientists within the field of motor control regarding research related to

forensic handwriting identification that were published in the *Journal of Forensic Document Examination* are missing from the list, as are scholarly articles published in other well respected peer-reviewed journals, such as *Science and Justice* and the *Australian Journal of Forensic Sciences*. Another example would be journals publishing articles on handwriting research that can be located in the PubMed database. Such articles relate to studies describing and illustrating the effects of specific medical conditions and medications on the production and appearance of handwriting. Leaving out relevant publications and reference sources does not serve to enlighten the reader.

The reader is then informed that FDEs present research at organizational meetings, and the same list of author-favored organizations is repeated once again. Several journals are listed with some discussion about distribution and the date the journal began publishing. This is followed by mention of the 2009 National Academy of Sciences Report, *Strengthening Forensic Science in the United States: A Path Forward* (the NAS Report) and quoting a three sentence evaluation of handwriting comparison contained in the report. The author then criticizes the NAS Report for not including a forensic document examiner on its committee and for not reading the past ten years of research in document examination. This is followed by 14 pages listing research papers exclusively from two journals, the *Journal of Forensic Science* and the *Journal of the American Society of Questioned Document Examiners*. The message seemingly conveyed by the author is that if the reader desires to learn more about current research in the field, then he or she can use the presented list to look up the cited articles and references in two journals. This section might have had some value if the author had included abstracts for these papers, organized the papers by subject, and provided papers from a larger number of journals.

In the summer of 2013, the National Institute of Standards and Technology (NIST) held a two-day conference in Maryland that was simultaneously broadcast as a webinar. The author briefly summarizes several papers that were presented. Since the NIST conference provided current trends in the field, the author missed an opportunity to provide the reader with a well thought out analysis about how the

information in these presentations will impact the future of forensic document examination.

Rather than being a “comprehensive and cutting edge reference” as the book claims on its back cover, or a book that will “enlighten forensic document examiners, attorneys, investigators, and others,” as the author professes in the introduction, the book is mainly a compilation of lists for the reader to turn to obtain information on the fundamentals of document examination, lists promoting the author’s selected groups, and quotations from other authors. Readers expecting to learn about the “basic principles and methodologies used in forensic document examination” and advances in the field will need to look elsewhere.

(endnotes)

- i Scientific Working Group for Forensic Document Examination, Standard for Minimum Training Requirements for Forensic Document Examiners, Version 2013-1, published on www.swgdoc.org in the Spring of 2013.
- ii The *Journal of Forensic Document Examination* is a peer-reviewed journal having an editorial board, a scientific advisory board, and international readership; its articles are included in the Westlaw database routinely used by judges and attorneys.
- iii Ms. Lewis either intentionally excluded mentioning these entities or is unaware of much of the current and relevant research in her field.
- iv Scientific Working Group on Friction Ridge Analysis, Study and Technology (SWGFAST) *Standard for the Documentation of Analysis, Comparison, Evaluation, and Verification (ACE-V (Latent))*. Published at www.swgfast.org and available through the International Association for Identification (IAI) on www.theIAI.org.