



## Questioned Documents Section – 2006

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### J6 What is the Basis for Eliminating a Writer?

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After attending this presentation, attendees will review the basic elements necessary to eliminate or identify a writer based on the writer's demonstrative handwriting characteristics. In addition, a review of the pertinent literature and foundational basis necessary to reach these absolute opinions will be thoroughly examined.

The impact this paper will have on the questioned document community is very simple. Today, too many examiners are eliminating writers on the basis of insufficient evidence in the examined writing. This presentation will explore the history of writer elimination and try to re-establish the core principles on which writer elimination is based. Examples of eliminations based on insufficient evidence will be shown and the time tested basis for eliminating a writer will be presented.

The essence of this paper is to research the literature, try to establish the context in which some forensic document examiners (FDE) eliminate a writer, and to define the criteria necessary to justifiably eliminate a writer based on historic principles and common sense. The authors have observed over the years that some FDEs have either lacked sufficient training in what constitutes the basis for elimination or have not fully understood the criteria necessary to make that determination. Although the determination of identification and elimination are on the opposite ends of the opinion scale, the criteria needed to reach these opinions are considerably different. However, both are based on a writer's skill level, the quality of the writing, the quantity of the writing, the complexity of the writing, the variation of the writing, and the outside or accidental factors that can influence the writing. To opine an identification, there must be a number of significant individual writing characteristics in common between two sufficient amounts of writing with no unexplained differences. To conclude that a known writer did not write a questioned handwriting, the FDE must determine that there is sufficient repeatable evidence within the known writing to determine that the writer could not have produced the questioned writing under any circumstances, including, but not limited to, intentional distortion, accidental distortion, more than one writing style, writing position, drugs, etc. In most instances involving signatures and short writings, the evidence is not available to make such a determination. A key to eliminating a writer is to roughly understand the meaning of a combination of truly significant differences that provide the basis for the elimination. The authors have noted that even minor variations from the known exemplars have led some FDEs to declare a significant difference and positively conclude that a different writer is responsible.

#### Handwriting, Elimination, Differences