



Questioned Documents Section - 2013

J5 The Case of Different Documents and Different Conclusions

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The goal of this presentation is to show why the reports of two different Forensic Document Examiners (FDEs) cannot be compared if they did not examine the same exact writings.

This presentation will impact the forensic science community by demonstrating how the examination and comparison of different writings on purportedly the same documents can lead to different conclusions. This is especially true when one set of the questioned documents was fabricated using the second set of documents, eventually examined by another laboratory, as the models for the creation of the first self-serving set of documents.

This case originated when Dennis "Chip" Harrup's company, Central Virginia Aviation, sold an aircraft and led the buyer to believe that the annual airworthiness inspection had been completed. Upon delivery, the aircraft did not contain the FAA mandated aircraft maintenance records. Mr. Harrup assured the buyer that the airworthiness inspection had been done. The FAA requested Mr. Harrup send them the maintenance paperwork on the airplane. Mr. Harrup sent five forms to an FAA inspector in Memphis and the inspector made copies of those forms (unknown to Mr. Harrup) before returning them.

Later, the FAA again requested the forms from Mr. Harrup, who sent the FAA photocopies of the documents, claiming that the originals had been lost. The second set of forms sent to the FAA contained signatures different from those on the original forms. The signatures on both sets of documents sent to the FAA were in the name of Tracey Helvey, the mechanic who purportedly performed the work on the airplane.

The FAA submitted the first set of photocopies, made by the Memphis FAA Inspector, along with undictated (collected) signatures of Mr. Harrup and Mr. Helvey, to the FBI Laboratory for a handwriting comparison. After conducting the handwriting examinations, he issued an opinion that no conclusion could be reached regarding Mr. Harrup preparing the questioned signatures due to the very limited amount of comparable known writing submitted for examination. The FDE also issued an opinion that there were limited characteristics to indicate Mr. Helvey may not have prepared the questioned signatures imaged on the submitted questioned documents.

Upon receiving the forensic document examiners report, the FAA contacted the FBI Laboratory and requested assistance in obtaining exemplars from Mr. Harrup. The FDE traveled to Richmond, Virginia and briefed the FAA personnel on what type of exemplars to obtain, how to obtain them, and to not let Mr. Harrup see the questioned writing before or during the collection of the exemplars. The FAA collected over forty exemplars from Mr. Harrup. They also collected over 40 exemplars from Mr. Helvey on a separate occasion.

The exemplars from Mr. Harrup and Mr. Helvey were then submitted to the FBI Laboratory for another handwriting comparison to the first set of photocopies of the questioned documents. After conducting this examination, the FDE issued an opinion that there were significant characteristics in common between the image of the questioned signatures and the known writing of Mr. Harrup, indicating that Mr. Harrup may have prepared the questioned writing. Additionally, characteristics were observed to indicate that Mr. Helvey may not have prepared the signatures imaged on the questioned documents.

The attorney for Mr. Harrup contacted a second FDE about examining some documents in the case. The documents submitted initially were photocopies of marginal quality. The questioned signatures were nothing more than a sawtooth style of writing with virtually no significant characteristics, qualities, and features. Additionally, each submitted questioned document consisted of the signature portion of two different documents. The known writings consisted of both copies and originals by two different writers.

The examination and comparison of the writings was significantly influenced by the quality of the copies of the questioned writing. Portions of the pre-drawn baseline and questioned signatures appeared to be missing. Additionally, the spelling of the name of the signer printed below the pre-drawn baseline was different than the spelling of the name of the submitted known writer by that name. The reason for their absence could not be accurately determined with the available copies. One of the factors considered was alteration of the writing; another was the generation of the copies.

The result of the examination and comparison of the questioned and known signatures was inconclusive. No evidence of significance was noted to indicate that either of the known writers wrote the questioned signatures. Later, a second submission of five questioned documents was received for comparison to these new questioned signatures. The examination and comparison of the questioned signature on these resulted in the conclusion that Mr. Harrup probably wrote the questioned "Tracy Helvey" signature on those documents. A verbal conclusion was reported to the attorney and he did not want a written report.

This case describes the pitfalls associated with the examination of copies of unknown generation, evidence on some copies that could be associated with more than one possible explanation for its occurrence, and some of the reasons for two forensic document examiners reaching what some could say are different conclusions. In every case where documents are examined and a report is written, only reports based on exactly the same evidence can be compared with each other. If both forensic document examiners are reviewing some of the same documents together with different documents, it cannot be expected that the conclusion reached will be identical. If both forensic



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document examiners are examining exactly the same documents, they should come to virtually the same conclusion, based on the evidence within the writings examined.

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