



Jurisprudence Section - 2014

E9 A Case Review of Conflicting Expert Opinions Based Upon Examinations of the Same Questioned Signatures and Exemplars

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The goal of this presentation is to review a case in which the forensic examination and comparison of the very same questioned and disputed signatures led two groups of document examiners to reach conflicting opinions and to consider the factors that probably led to such disparate opinions.

This presentation will impact the forensic science community by showing how bias and motivational factors can lead experts to rationalize an outcome in the face of strong, if not irrefutable, evidence to the contrary.

Many disciplines in forensic science require experts to make subjective judgments about whether or not two visual patterns or sets of patterns are sufficiently similar to conclude that they originate from the same source. An extensive body of experimental research conducted by cognitive and social psychologists, as well as empirical data obtained from recent research and forensic casework studies, clearly demonstrates that various sources of bias can and often do adversely impact a forensic examiner's visual perception and decision making. As is the case in any pattern recognition task involving comparative analysis and evaluation by human observation and judgment, perceptual and cognitive judgments made by forensic document examiners performing comparative analyses of signatures or handwriting are susceptible to biasing influences that can improperly taint and sway the examiner's decision-making process, even without malicious intent.

Although the idea that bias can infect perception and decision making has been widely accepted by practitioners in virtually all scientific disciplines, forensic science practitioners involved in pattern recognition disciplines have traditionally dismissed bias as a significant factor influencing their perception and decision making, preferring instead to attribute conflicting expert opinions primarily to differences in the type of training received by the respective experts. The longstanding insistence on the part of most forensic examiners that practitioners with comparable training who *independently* examine the very same evidence will rarely, if ever, disagree with one another, is a myth that still prevails despite research, published decisions, case studies, and anecdotal evidence to the contrary. Far too many forensic examiners involved in pattern recognition disciplines such as fingerprints and handwriting still insist they are immune from being infected by bias because their fundamental education, training, and years of experience taught them to maintain total objectivity when making judgments about the evidence they examine and compare.

Conflicting Opinions, Questioned Signatures, Bias