



## Questioned Documents Section - 2016

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### J5 Oh Brother — Another Paper on Following the Basics

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After attending this presentation, attendees will have a fresh new reason to follow published methodology standards and not take shortcuts.

This presentation will impact the forensic science community by demonstrating why there are published standard methodologies and why they work.

This study involves a case of a Last Will and Testament where an attorney provided a copy of the will and more than 400 known specimens. Pretty basic, one might think and, in a manner of speaking, it was. Yet the path was strewn with landmines ready for any unsuspecting shortcut-taker. Was the use of a copy adequate for comparison? The document was a good quality copy and there is research to show that forensic document examiners can properly assess the features of genuineness and non-genuineness on good quality copies up to a 96% confidence level. The original will was on file in the courthouse. It seems a simple matter to just go to the courthouse to view the original, yes? No. The original was in a courthouse in Bangalore, India.

The known specimens had the three “C’s” for being proper comparison material — comprehensive, comparable, and contemporaneous. Pretty basic, one might think. Pretty good specimens, one might think. An examiner should be able to compare these signatures with the questioned signatures without any complications. The signatures were of a complex nature and appeared to be fluently written, meaning no discernible poor line quality and plenty of evidence of speed of execution. Feature-by-feature one could find almost every characteristic noted in the questioned signatures somewhere in the known specimens.

Yet three examiners testified. One examiner testified that the signature was genuine and two testified, “NOT SO FAST.”

The deceased was a former member of the Indian Parliament who had property holdings in India, England, and the United States worth tens of millions of dollars. The contested Last Will and Testament left his entire estate to his brother and business partner. Arguing against the Last Will and Testament was the deceased’s daughter. In a male-oriented society, the directive of the Last Will and Testament was not considered unusual. The United States case was the first to go to trial. Foreign jurisdictions had no obligations to recognize the decision of the United States court verdict but it was generally acknowledged that the party on the losing end of this decision was going to have a very difficult time obtaining a contradictory verdict in either India or England.

The trial was held in Harris County in Houston, TX, before a jury of six. During the course of the trial, family from India traveled to Texas, two document examiners traveled from other regions of the United States to testify, one document examiner traveled from overseas to testify, and one witness became seriously ill on the witness stand, delaying the trial by a week. In the end, the jury verdict was six to zero in favor of....

This presentation will walk you through the examination and the extraordinary steps that were required just to follow the basics, and explain how sticking to published standard methodologies provided the guidance needed to find the truth and protect the true heir of a substantial estate. This case has the makings of an exciting book — and it all really happened.

So is it a complex case or just an ordinary everyday examination? The audience can decide.

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#### Signature, Forgery, Handwriting