



Questioned Documents - 2017

J3 Contemporaneous Standards in Forensic Document Examination (FDE) — When Is “Close” Close Enough?

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After attending this presentation, attendees will better understand what standards are considered contemporaneous based on the condition, age, or other factors of the questioned writing, writer, item, or machine under scrutiny. Writing of the elderly and other cases highlighting contemporaneousness will be demonstrated.

This presentation will impact the forensic science community by providing the ramifications of not having contemporaneous, appropriate standards in certain types of complex cases. Suggestions will be provided for language to be included in this discipline’s methods.

Throughout the history of training in Forensic Document Examination (FDE), students have been taught the importance of obtaining adequate exemplars or standards for comparison. The term “adequate” has been construed to encompass the number of comparison documents, comparability (hand printing to hand printing), lack of distortion, and contemporaneousness. This latter caution is not only applicable to handwriting and hand printing examinations, but also to machine-prepared items such as computer printouts, typewriting, rubber stamp impressions, and the like. This fundamental step of examination is based on the effects of continual wear and tear either on the machine, be it the platen, stamp, or other impression device; or the person, such as the hand and motor control performing the bulk of the writing.

In almost every case, the forensic document examiner is tasked with the assessment of comparability of questioned and known items (or questioned to questioned items) with respect to contemporaneousness. Most books on the subject of FDE contain some instruction for obtaining or defining of contemporaneous standards, but most often in a vague manner with no specific guideline. The logical explanation for this lack of specificity is that this factor is largely dependent on the manner and frequency in which the machine has been used or the condition of the individual producing the handwriting in question. By condition, it is meant the physical condition of the individual to include age, sudden increased or decreased use/frequency of handwriting and signatures, physical injuries, illnesses, or even stress. For machines, use normally dictates defects that may come and go (as with repairs). Together, all of these factors are subject to the particular case at hand; but, is there or can there be a consensus on what constitutes contemporaneous writing? Additionally, is there consensus on parameters of time in which to gather contemporaneous exemplars from, for example, a suspect photocopier? Can such a factor be standardized through a published standard on the acquisition of contemporary standards or possibly through additions to the current FDE standards?

This presentation will explore FDE texts for what constitutes contemporaneousness and will contain comments from experienced examiners on what guidelines they employ in their cases to ensure that comparable standards are utilized. Case samples will also be used to illustrate the importance of contemporary standards in particularly complex situations where the lack of such standards could result in inconclusive or erroneous opinions.

Contemporaneous, Standards, Appropriate