



Questioned Documents—2020

J7 Application of the “Value of Evidence” Approach in Forensic Document Examination

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Learning Overview: The goal of this presentation is for attendees to acquire a working knowledge of how the “value of evidence” approach can be applied to document casework through illustration of theory basics and mock case examples.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by describing modifications to the current interpretation method and reporting conventions that can help elucidate the evaluation process and advance forensic document examination as a science.

Numerous publications in the scientific, academic, and legal communities have described the need for forensic conclusions to be scientifically justified, with an aim toward balance and transparency. The widely suggested method for evaluating and reporting forensic findings requires that the examiner consider the value of evidence in terms of the likelihood of observing the evidence given at least two competing propositions, within the framework of the case information. This is opposed to expressing opinions on the likelihood of the propositions themselves. It is advisable that examiners be familiar with the logic behind the different types of conclusion verbiage so they can speak intelligently when this topic inevitably finds its way into the courtroom.

This presentation will involve discussion of the theory behind the “value of evidence” approach and how evaluation under this method would differ from the traditional method of evaluating document evidence. Sometimes referred to as the “logical approach,” interpreting evidence and expressing conclusions in terms of the “value of evidence” means the examiner considers the likelihood of the evidence given each of a pair of propositions and then weighs the difference in the magnitude of support for each of those propositions. By explicitly considering each proposition, the examiner makes clear that each side of the dispute was given due attention as well as how much support was qualitatively assigned to each.

Using a mock case, attendees will be guided through each step of the examination process, from stating the relevant propositions to outlining the expectations of observations under each proposition to evaluating the likelihood of the evidence given each proposition, and then, finally, to expressing an opinion. Assigning individual likelihoods and consolidating those likelihoods into a logically based conclusion statement will be discussed. How those assignments can be justified will also be advised. In this presentation, the “value of evidence” conclusion will be given in qualitative terms rather than numerical ones.

Evaluative Reporting, Conclusion, Document Examination