



J10 The Forensic Document Examiner's Method of Communication in Court: The Chart

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Learning Overview: The goal of this presentation is to provide the history of forensic document examiner use of charts as a demonstrative tool during testimony.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by establishing the importance of using charts to demonstrate the examination process and conclusions to clients and the trier-of-fact.

Forensic document examiners who have completed a formal two-year training program that meets the Scientific Working Group for Forensic Document Examination (SWGDOC) Standard for Minimum Training Requirements for Forensic Document Examiners are trained to conduct detailed examinations. Successful completion of formal training provides the examiner with the skill set to conduct examinations and reach a conclusion based on the individuality of the writing and the combination of characteristics. Based upon their training and expertise, forensic document examiners are considered expert witnesses who are allowed to present their findings in court.

Forensic document experts explain their findings to their client, to the judge, and to the jury, none of whom are knowledgeable in this field. Since the details of the examination process will be explained to laypersons, the examiner must use a method of communication that will assist the client and trier-of-fact to understand the process and the conclusion. One method of communication to achieve this goal is the use of demonstrative charts.

Forensic document examiners have relied on charts as tools to demonstrate their findings in court since the early 1900s. Albert Osborn, Ordway Hilton, and Wilson R. Harrison discussed the value of charts in their books.¹⁻³ In his treatise, *Questioned Documents*, Albert Osborn wrote it may be helpful to use a large chart with certain characters in the writing marked or highlighted.¹ Wilson R. Harrison stated in his treatise, *Suspect Documents*, that comparison charts comprised of enlarged text are of great value to facilitate an examination as well as for use during testimony.² In *Scientific Examination of Questioned Documents*, Ordway Hilton wrote photographic enlargements (charts) were essential to witness testimony.³

Laypersons tend to focus on gross or class characteristics and not the combination of individual characteristics in a writing or signature. The Kam studies dated between 1994 and 2001 revealed forensic document examiners consistently outperformed laypersons. These studies not only established that forensic document examiners who completed a two-year formal training program that complied with the SWGDOC Standard for Minimum Training Requirements for Forensic Document Examiners outperform laypersons, it highlighted the importance of the expert to dedicate time to educate the client or the trier-of-fact as to the examination process and the meaning of the issued conclusion. Charts provide a visual demonstration to assist a jury and judge in understanding the examination process.

This presentation will discuss how charts have changed from the early 1900s to 2020. Survey responses from forensic document examiners who described format, purpose, and the technology used in creating their charts will be discussed.

Reference(s):

1. Harrison, Wilson R. *Suspect Documents Their Scientific Examination* (Nelson-Hall Co., Chicago 1958), 499.
2. Hilton, Ordway. *Scientific Examination of Questioned Documents Revised Edition* (Elsevier Scientific Publishers B.V., 1982), 395.
3. Osborn, Albert S. *Questioned Documents Second Edition* (Nelson-Hall Co., Chicago 1929), 267.

Chart, Demonstrative Exhibit, Technology