



Because handwriting changes to some degree, exuberant trial attorney is not going to

Personality Profiling and Handwriting Analysis for the Attorney

By Sheila Lowe

Remember Jack Kevorkian? You know – “Doctor Death”? In the 1990’s, the opinionated (some say cantankerous) pathologist faced a jury five times in right-to-die cases before his 1999 murder conviction in Michigan. In the three successful trials where high profile attorney Jeffrey Fieger represented Kevorkian, his jury consultants included handwriting expert, Ruth Holmes.

But wait a minute, don’t handwriting experts simply authenticate signatures? Some do. However, a second category of handwriting expert splits their practice into two separate but related areas: handwriting authentication, which involves the comparison of questioned handwriting (such as the examination performed by Marcel Matley and others in the recent 60 Minutes/Bush papers affair), and behavioral profiling for a variety of applications, which is the focus of this article.

Like body language and facial expressions, handwriting is an expressive behavior that reveals a great deal about the writer’s personality. That’s why, when a letter arrives from your mother the old fashioned way, in the mail, you recognize her handwriting on the envelope. You don’t wonder if it’s from your Uncle Bob, or your friend, Mike. You know immediately who wrote the letter. Your mother, Uncle Bob, and your friend Mike have each adopted a particular style of writing that reflects their own unique personality and behavior.

If you have any doubt that handwriting reveals behavior, sit quietly for a moment and think back to something that made you intensely angry or upset – actually re-live the feeling – then write a line or two about the event. Next, take a few calming breaths and write something neutral.

Because handwriting changes to some degree with mood, unless you are totally dispassionate, you will see some differences between the two samples. In the first sample, the renewed anger you felt may have caused you to press heavier against the pen as it crossed the paper; the size may have grown larger and the slant more rightward-leaning than your normal style, and there may be more sharp angles.

Take a look at something you wrote fifteen or twenty years ago and observe the degree to which your handwriting has altered over time. After all, you’re probably not exactly the same person now as you were then, and your

handwriting echoes the changes that come with the particular set of experiences that have moved through your life. Whether the readily observable changes are positive or negative depends very much on exactly how you have assimilated those experiences.

If someone has an experience that leaves him feeling fearful and anxious, determined that never again will he repeat the experience, his handwriting may become narrowed, with the vowel letters, which should be round, squeezing into elongated forms, loops closing off, and so on. On the other hand, experiences that increase one’s confidence cause expansion on the horizontal plane of handwriting, along with other changes.

Handwriting analysis is not magic or some kind of voodoo, but is a form of behavioral psychology, based partly on common sense. An outgoing, exuberant trial attorney is not going to write in a small, neat script that hugs the left margin. Likewise, a shy, retiring first year law clerk is unlikely to take up vast amounts of space on the paper or create large, elaborate capital letters (unless s/he aspires to be an exuberant trial attorney!). Besides the common sense aspects, thousands of variables must be carefully examined and measurements taken before the handwriting professional can glean the truth about personality. These are far more subtle and go unnoticed by the untrained eye.

Let’s consider the handwriting of Wallace Farrell, a Southern California attorney who has won an unprecedented six acquittals in death penalty cases. He also recently handled through the preliminary hearing one of the highest profile cases in Orange County – the gang rape case involving a sheriff’s son (Farrell’s client was the only one of the defendants not held to the life imprisonment enhancement). His handwriting is rather wild, large and unruly, certainly not that of a shrinking violet. The unique forms suggest a ruthless pragmatist who enjoys living on the edge, who craves excitement, and is drawn to difficult challenges like a magnet. He would not be satisfied sitting behind a desk, doing routine work day

after day (or even for five minutes). He needs to be where the action is, and if the environment is not active enough, he'll do something outrageous to make it so.

The second sample, also written by an attorney, reveals a very different handwriting and personality style than Fig. 1. The highly simplified printing is stripped down to its bare essentials – few loops, virtually no extra strokes on the beginnings or ends of words. The slant changes often, and the baseline (the imaginary line of writing) moves strongly uphill. The areas between words are so great as to word islands in a sea of space. What does all this tell us about the writer?

He is fiercely independent, something of a loner, perhaps; observant and analytical, certainly. At his best, he is sensitive and objective, highly perceptive, scanning the environment and picking up helpful information through what seems like an inner radar. At his worst, he can be distant, critical and a little suspicious. An intellectually high-energy person, he may currently be feeling overwhelmed and while he seems to be struggling to maintain a positive attitude, feels a little like Sisyphus, pushing a boulder up a mountain. Any guesses as to his identity?

In the past, the practice of handwriting analysis was viewed by many as little better than fortune telling, but that attitude has been gradually changing as high profile cases in the news involving handwriting have brought handwriting analysis (the generic term is graphology) into the public eye: O.J. Simpson's supposed-suicide note following the murder of his ex-wife; a handwritten confession by "Killer Mom," Susan Smith, detailing the drowning deaths of her two small children in a South Carolina lake; a ransom note in the murder of child beauty queen, Jon Benet Ramsey; notes scribbled by John Muhammad and John Malvo, the so-called D.C. Snipers.

The testimony of handwriting experts relative to behavior has been accepted in the courtroom in at least ten states. In 1970, Judge Horace Holmes set the precedent in Colorado by allowing testimony by graphologist Mary deLapp. She provided handwriting evaluations of

juveniles for the purpose of determining placement, penalties and treatment to the court and the probation department. In other cases, handwriting experts have testified regarding the mental stability of a writer, such as possible undue influence in the signing of a will; mental, emotional and social state, and whether a writer was under the influence of alcohol when he signed a traffic ticket.

Jury consulting is a more recent application for this leading edge tool, and began gaining a foothold in the early 1990's. Understanding the way primary parties to a case function on an emotional level can make the difference between winning and losing. Handwritings of juries, lawyers, witnesses, and even the judge may be examined. Besides the physical, verbal, and expressive behaviors that jury consultants study, the handwriting expert can add further insight and provide vital pieces of information to the personality puzzle. Which juror is likely to become foreperson? Which will be most sympathetic to the client? Whose stubborn resistance is going to offer the greatest challenge? Handwriting can help answer these questions, and many more.

Attorneys who handle child custody cases or adoptions also benefit from analysis of their clients' handwriting as part of the background investigation. In a recent case, a handwriting expert was retained by the mother of a seven-year-old child who was showing resistance to court-sanctioned overnight visits with the child's father. The child reported inappropriate sexual behaviors by the father.

Along with psychological tests, an analysis of the child's drawings and samples of both parents' handwriting indicated that the mother's controlling behavior was part of a punitive pattern against the father. Moreover, the father had specific difficulties in handling frustration, with the potential for abusive behavior. Sexual issues were also evident. The judge was provided with a copy of the handwriting expert's report, which was considered along with the other findings in rendering a decision.

Attorneys for childless couples who are considering using the services of a

surrogate can add an extra layer of security with an analysis of the prospective mother's handwriting, along with that of the custodial parents. By producing a compatibility report of those concerned, the handwriting expert is able to point out areas of strengths and potential problems, and make suggestions to help improve communication between all the parties.

One of the greatest uses of handwriting analysis is pre-employment screening and background checks. A broad spectrum of companies and organizations retain handwriting experts as part of the process to help them avoid security risks and hire the best applicants. Rather than keeping good people from getting a job, the idea is to help place the best applicants in the right positions.

Following a few simple guidelines keeps the employer legally protected: 1) take a handwriting sample from every applicant, whether it is to be analyzed or not (usually only the top two or three candidates are analyzed) 2) keep the analysis private, allowing access only to the human resources manager and those who need to know the results, such as the immediate supervisor, and 3) provide the analyst with a detailed job description so the analysis can focus on personality traits that are necessary and specific to the job. Most handwriting professionals charge around \$150-\$250 for a report, which in many cases is less than a day's wages.

Since there is no licensing requirement for handwriting professionals, it is important to obtain some background information about any expert providing for these types of services. The American Handwriting Analysis Foundation based in San Jose is a non-profit organization that offers a certification program for its members. A competent handwriting professional will be able to show proof of claims made on their curriculum vitae regarding their education and background in the field.

Sheila Lowe is a court-qualified handwriting expert who provides a wide variety of services in the areas of personality profiling and handwriting authentication. She may be contacted through www.sheilalowe.com.