

Bar Bulletin



Serving the San Luis Obispo County Legal Community

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Selecting a Handwriting Expert

The collage features several elements:

- A hand holding a pen, positioned as if writing.
- A green background with the title "Selecting a Handwriting Expert" written in red, slanted cursive.
- A white sheet of paper with handwritten words "bad", "lot", and "33" with red arrows pointing to specific strokes.
- A white sheet of paper with handwritten letters "b", "k", "l", and "3" and their corresponding cursive forms, with red arrows and labels like "connection from o to the next letter", "similar form", "similar stems and connections", and "similar form".
- A yellow sheet of paper with handwritten text: "are 3 centaurs that I'm if interested in any, let me", "leather whip is the one I told", "exotic dancer 'geisha' type-", "the dominating side-", "with golden dapples - blk", "really want to do more".
- A white sheet of paper with handwritten text: "Suc -", "Linda missed", "York Corp)", "this can be", "with -", "n & d".
- A postcard with a blue stamp and a circular postmark, with the address "San Bernardino 15381 Rose".
- Other sheets of paper with handwritten letters and words, some with red arrows and labels like "atypical letter", "similar angular form", "hand stroke turns left narrow first curve, wider second curve", "similar pointed b", "soft angle narrow form", and "first letter longer than following letter".



By Sheila Lowe

If you are called upon to handle a case that involves a handwriting forgery, you will probably need to retain a forensic handwriting expert. If you've never had the occasion to retain a handwriting expert before, how do you know which one can do the job?

Most forensic handwriting experts come from one of two backgrounds. Some are trained through a law enforcement or other government agency, such as the FBI, CIA, Secret Service, the Postal Service or a Police Department and later began practicing in the private sector. Others learned through private study with a mentor who has spent many years in the field. Is one background superior to the other? What is more important than *where* the expert trained or where he worked is *what* he learned during that training, and the

experience later garnered through years of practice. It's worth noting that, in most cases, training through government entities is not available to private experts. However, they study many of the same textbooks, acquire the same knowledge, and follow the same procedures, so a private expert has equivalent competencies.

Government experts may have the benefit of sophisticated equipment at their command, but a high volume of cases can mean that they are able to spend only a small amount of time on each one. Law enforcement examiner training covers the entire spectrum of document examination, such as credit card fraud, ink and paper analysis, as well as handwriting examination, but not necessarily specializing in that area. On the other hand, private handwriting examiners focus solely on handwriting

expertise as opposed to the entire field of document examination.

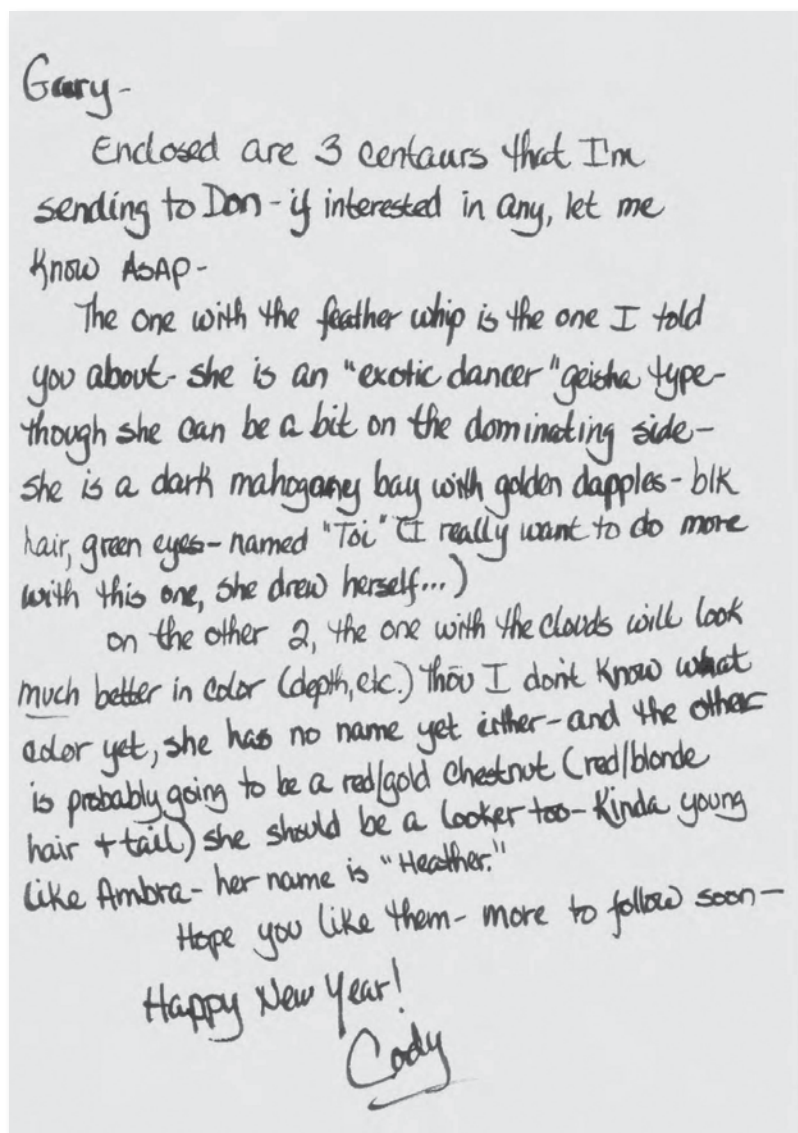
A private expert can be more selective in the cases he takes on and is able to dedicate more time to each one in order to provide the client with a thorough and complete examination.

Private handwriting experts sometimes also have training in personality assessment through handwriting. Those studies include important information about the complex interaction that takes place between the brain, the eyes, and the hand in order to produce the graphic trail—handwriting—on a sheet of paper. Knowledge of the effects on handwriting of mood changes, mental or physical illness or trauma, aging, medications and other chemical substances, or other physiological factors is often needed to make a determination as to authenticity.

Consider one example where knowledge of physical and mental effects on handwriting would be of vital import: a female in her eighties has Alzheimer's and her caregiver is accused of forging signatures on her checking account. In order to perform a proper and accurate examination, the handwriting expert would need to know what effect the client's age and the disease have had on her handwriting. Some people have strong handwriting well into their eighties, while others manifest weakness and frailty. In illness, tremor-shakiness along the writing line is often seen. But tremor is also sometimes present in forgeries, due to the attempt to copy a signature that's unnatural to the forger. Therefore, the expert would need to be able to determine which type of tremor was present in this case. He would also need to determine the various ways the client wrote her name in order to establish her personal range of variation, which would help him understand how the disease and ag-

ing had affected her handwriting. Only then will the expert be able to make a determination as to whether the signatures on the checks were genuine or not.

Handwriting experts work on a variety of types of cases—signatures on wills and other legal documents, credit card slips, graffiti, anonymous notes, etc. A recent high profile case in the news involved handwriting on some postcards. A man calling himself Clark Rockefeller was arrested in Boston in 2008 for the kidnapping of his six year-old daughter. While in custody, police discovered that Rockefeller was a person of interest in a fifteen-year-old San Marino, California case. His landlords, John and Linda Sohus, had disappeared. About a month later, friends received postcards, ostensibly from the Sohus', postmarked Paris, France. However, no one ever saw or heard from the young couple again. That is, until



about eight years later, when the backyard of their former home was being landscaped, and human remains were found buried in plastic trash bags. The remains were those of a male assumed to be John Sohus (DNA test results currently pending). Luminal in the guest house where Clark Rockefeller (then known as Christopher Chichester) had resided showed copious amounts of blood. So, the question was, did Linda Sohus write the postcards, which would put her in Paris after her husband had been murdered?

Copies of the postcards and several handwriting exemplars were supplied to handwriting experts for examination. Although at first glance the handwritings on some of the exemplars appeared to be different from the postcards, on close examination, numerous and significant similarities were found (see illustrations), leading more than one expert to conclude that Linda Sohus wrote the postcards.

As in any other field, the attorney can find good or bad handwriting experts. Investigating and verifying the information on the expert's curriculum vitae helps to ensure that the expert has the level of competency claimed.

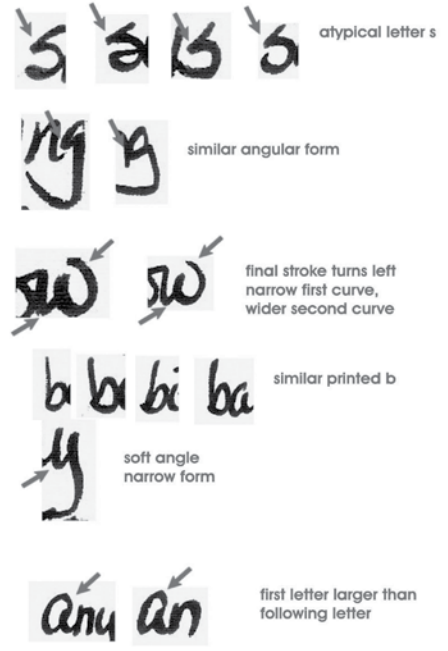
Association of Standards, Testing, and Measurement (ASTM), the worldwide standard-setting organization, has a forensic sciences division with a questioned document examination section whose committee sets standards for the discipline. Whichever type of expert you select, he or she should be a working member of that committee, be a member of a reputable document examination organization, participate in continuing education through seminars, conferences, and reading professional publications in the field, and he or she should use scientific methodology to formulate and test a hypothesis before reaching a conclusion.

So, returning to the original question: Is government training superior to private training? The answer is No. The competency, performance, and dedication rests with the expert. ■

Postcard



Known writing of Linda Sohus/Cody



Postcard



Known writing of Linda Sohus/Cody



- Sheila Lowe is a handwriting expert whose testimony has been accepted in the California judicial system since 1985. She lives in Ventura but practices in many counties, including San Luis Obispo. She is a published author and also works in the area of handwriting analysis for personality assessment (background checks, etc.) Her Web site is www.sheilalowe.com.

