Standards

All too often inconclusive opinions such as “can’t be identified nor eliminated” or “could have written” are rendered when much more definitive results would have been possible with adequate standard material.

The ideal exemplar to be used for a handwriting comparison is one which duplicates all the conditions under which the questioned material was written. It contains the same written words and numerals, it was executed at approximately the same time, using the same writing implement, the same type of paper bearing the same format (check, airlines ticket, etc.), in the same writing style (cursive vs. printed), and repeated often enough so as to reveal nearly all of the author’s normal variations in his writing. In addition, these standards would be produced without the writer having knowledge of the purpose for which they are to be used.

Obviously, all of the above requirements cannot be met every time, or even most of the requirements some of the time, but it is important that as many of these criteria be satisfied as possible. As the standard material digresses from the ideal total duplication of the questioned writing, so may the examiner’s ability to use that material to definitively answer the question of identification or elimination. Generally, the more standard material submitted to the examiner for comparison, the greater the potential for a definitive opinion.

Standard handwriting is generally considered to fall into two groupings: non-request standards, sometimes referred to as “gathered,” and request or “collected” standards.

**Non-Request Standards**

Non-request standards are quite simply writings which were indisputably prepared by the accused when he had no reason to think that they would be used for a handwriting comparison. They are, therefore, inherently devoid of any attempt to disguise (to be discussed later). The disadvantage to non-request standards is that it may be difficult to find samples that fit the criteria of repeating the format and context of the questioned writing. Incompatible non-request standards may relegate an examination to a comparison of apples and oranges. However. the advantage of non-request standards eliminating any possibility of disguise may well outweigh the possible disadvantages.

Further, the investigator must be sure that these known writings can be successfully attributed to the suspect, and that they were acquired in a legal manner. If challenged in court, standards that cannot be proven to be the product of a specific individual may have very limited value, if any at all. Most often if the standards fail this challenge, the examination and resultant opinions will not be allowed into evidence. Normal course of business records, checks and other documents, writings and signatures, whether witnessed or not, are almost always allowed by the courts as adequate standards. Challenges to their admissibility as hearsay evidence are usually unsuccessful.

**Request Standards**

Requested standards are those in which the subject is asked to write specific material, usually through dictation. These standards will be used for the express purpose of conducting a handwriting comparison. Court ordered standards fall into this category.

This class of standard lends itself to certain advantages in that the format and content of the questioned writing can be followed closely under the examiner’s direction and control. It has, however, the disadvantage of allowing the writer the knowledge that this writing will be used for a comparison that may well be adverse to his best interests. Consequently, writers will often attempt to alter their normal writing or otherwise disguise their writing so as to foil or confuse the pending examination. Many times these attempts will succeed and hinder, or even render impossible, a viable examination and definitive opinion. This may be offset to some degree, by the testimony of the examiner as to the indications of disguise that are present.  However, this opinion is difficult to prove and subsequent testimony concerning disguise is often difficult to come by. Even though the examiner may be well versed in disguised writing and may have little problem in recognizing this facade, proving it is often a enigmatic proposition. The proof itself may require non-request writings. At times some of the indications of disguise can be part of someone’s normal handwriting style. Often, the writings of elderly individuals and individuals taking medication or having had an injury or infirmity display one or more characteristics normally associated with disguise. However, on those occasions when testimony concerning disguise is possible and properly based and presented, it is very effective. After all, why would an innocent individual disguise his writing?