

A Book Review

by Duane J. Dillon, D.Crim.
Martinez, CA

A Review of Forensic Linguistics: Advances in Forensic Stylistics

by Gerald R. McMEnamin

Boca Raton: CRC Press, 2001, 249 pp.

Professor McMEnamin's new book joins a number of other recently published texts heralding a welcomed trend, the improvement in both the quality of writing and the timeliness of subject matter in the forensic science literature. The inclusion of the term "Advances" in the book's title is not inappropriate, when one compares its content with that in the author's earlier offering on this subject, Forensic Stylistics, (1993). Fully 60 percent of this new book's references are dated after 1993.

Beginning with the first chapter, care has been exercised to define those terms that are likely to be new to a reader unfamiliar with the terminology used in this specialty. The reviewer, however, did encounter a problem within a few pages of the Introduction—the appearance of an unfamiliar and undefined term. Fortunately, access to a comprehensive index easily rectified this difficulty. Readers should also find the extensive index particularly helpful upon encountering reoccurrences of words unique to the terminology of this field.

Those familiar with the format of Professor McMEnamin's earlier book will find the design of this new publication to be more conventional. The text begins with a well organized explanation of language, leading into the subject of linguistics and linguistics variation. From this foundational base, the author then explores forensic linguistics and expands into the

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**From the
Editor**
Susan Morton
San Francisco, CA



Silver Anniversary

Twenty-five years ago, the ABFDE began offering certification to forensic document examiners. At the time, there was much debate over whether we needed "Certification." Yet enough FDE's stepped forward to launch the Board, at least on a wobbly start.

For some historical perspective, here are some things going on at the time:

1. Jimmy Carter was President. The country was getting over the embarrassment of the Watergate scandal and Nixon's resignation.
2. The end of the Vietnam War had finally brought civil calm. The fight for civil rights had moved from the streets into the legislatures.
3. The economy was recovering from the enormous inflation caused by the Vietnam War. (The war was too unpopular for the government to fund it with more taxes; they just printed more and more paper money, which got to be worth less and less.)
4. The opening of the workplace to women was redefining social roles. Women were no longer trapped in the role of "homemaker," and men were no long trapped in the role of "bread-winner."
5. The biggest challenge to FDEs was graphos. Remember them? Ah, those were the Good Old Days, before we had real trouble.

Although the Board was incorporated in 1977 and issued its first Certificates in 1978, it took many more years for the ABFDE to invent and define itself. I was serving on the Board when the first complaint against a Diplomat came in.

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Gadget News

by Andrew T. Szymanski



Windows® XP Tablet PC

One of the coolest new gadgets to be developed is the Windows® XP Tablet PC. This innovative computer and software contains a writing tablet screen into which the user can input commands and handwritten notes with a digital pen (which looks like an ordinary writing instrument), as well as input voice commands. A user can still input information via keyboard and mouse.

Although not available in stores at this writing, I viewed a demo of this application on Microsoft's® home page. What is neat is that one, through handwriting recognition software, can create handwritten notes, drawings and mark up existing documents and applications, such as Word, and maintain these digitized notes in the computer. Users can also make electronic handwritten sticky notes. Users can print out their electronic handwritten entries like one would print out word processed report.

The tablet software can also convert ones handwriting into text. So if you have poor handwriting (hopefully the handwriting recognition software can read it!), the recognition software has the ability to convert your own writing style to word processed text. This type of text conversion would be similar to PDA input devices.

The Tablet PC is intended for those individuals who are mobile and on the go. Like a laptop, Microsoft® claims this type of computer will be lightweight and have battery, wireless and docking capabilities. For document examiners, this type of mobile computing may be an alternative to the spiral notebook, daily planner and standard laptop computer. We will have to wait and see how user-friendly the Tablet PC is when it comes to market. So do not throw your notepad and planner away just yet. This type of computer is intriguing and the electronic handwriting aspect may very well have an impact in the field of forensic document examination. 

ABFDE SHIRT ORDER FORM

The ABFDE is offering quality polo/golf shirts with the ABFDE logo embroidered on the left side of the chest. The shirts are offered in multiple colors and sizes.

NO POCKET

Circle Color: Black / Burgundy / Dark Green
Navy / Purple / Yellow / White / Ivory / Red

Size: S-XL

Size _____ @ \$29.50 ea. Total \$ _____
2XL _____ @ \$31.50 ea. Total \$ _____
3XL _____ @ \$35.50 ea. Total \$ _____
4XL _____ @ \$37.00 ea. Total \$ _____

NO POCKET

Circle Color: Black/Dark Green/Navy/Lt Blue

Size: S-XL

Size _____ @ \$31.50 ea. Total \$ _____
2XL _____ @ \$33.50 ea. Total \$ _____
3XL _____ @ \$37.00 ea. Total \$ _____
4XL _____ @ \$38.50 ea. Total \$ _____

Shipping: \$5.00 for the first two shirts; \$1.00 per shirt for each additional shirt

Name _____

Address _____

Phone _____

Mail Order Form and Check to:

Jan Seaman Kelly
Las Vegas Metropolitan Police
6767 West Charleston Boulevard
Las Vegas, NV 89146
(702) 229-3963
Fax: (702) 259-0082



The Gavel

A Message from Our President

Jan Seaman Kelly
Las Vegas, NV



“*The principle or objective from the inception of ABFDE has been to encourage certification of every trained forensic document examiner.*”

Principle Above Personality

Positive promotion of the forensic document profession by practicing the philosophy of Principle Above Personality has been a primary focus of the ABFDE. The majority of forensic document examiners, Diplomates and non-diplomates, are Principle-driven. However, a few FDEs have chosen the Personality path, which by its very nature is detrimental to not only the examiner but the entire profession. In this article, I will discuss the attributes comprising each of these paths, and how, the result of the FDE's chosen path can impact those to whom he/she comes into contact.

This article deals with a sensitive issue that is rarely addressed, even though it is an ever-present problem. This discussion does not center around one event. My comments in this article stem from my observations during the past seven years and the effect it has had on our profession and the legal community's perspective.

Principle of ABFDE

The principle or objective from the inception of ABFDE has been to encourage certification of every trained forensic document examiner. The second paragraph under "Background, Functions and Purposes of the ABFDE" in the *Rules and Procedures Guide* states:

"The objectives of the Board are to establish, enhance, and maintain standards of qualification for those who practice forensic document examination and to certify, as qualified specialists, those voluntary applicants who comply with the requirements of the Board. In this way, the Board aims to make available to the judicial system and others in the public a practicable and equitable system for readily identifying those persons professing to be specialists in forensic document examination who possess the requisite qualifications and competence."

Why would ABFDE set a goal of certifying all properly trained forensic document examiners? The reason lies in another principle, i.e., forensic document examiners are advocates for the evidence. As an organization, the goal of

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certification is to offer objective evidence that the individuals who practice forensic document examination have demonstrated minimum competency in this field. The ABFDE objective is to assure the judiciary that our conclusions are based upon the evidence, the FDE has demonstrated minimum competency, and, in order to remain certified, participates in continuing education.

That Which Shall Not Be Spoken

Every Diplomat is an ambassador of ABFDE. As an ambassador, the conduct of each Diplomat is a reflection of the principles and objectives of ABFDE to all FDEs and those in the legal profession. The majority of Diplomats understand this and take this responsibility to heart. However, there are a few Diplomats whose conduct does not reflect the principles set forth in our Green Book. As President, with great sadness I have witnessed an increase in unprofessional behavior that contradicts ABFDE's objective of encouraging all legitimate FDEs to become certified.

In the ABFDE Rules and Procedures Guide, Code of Ethics and Professional Conduct, Section III.I states:

"A Diplomat will maintain the integrity and good reputation of his/her profession by:

- A. *Maintaining high standards of professional conduct,*
- B. *Encouraging fellow document examiners to do likewise,*
- C. *Acting in a dignified and honorable manner, and*
- D. *Refraining from all criminal and morally reprehensible conduct."*

The focus of the unprofessional conduct falls under A, B, and C, listed above. What is a high standard of professional conduct? To act in a dignified and honorable manner? To discuss one's behavior as professional or unprofessional seems to be an unspoken taboo. The damage that has occurred to non-diplomates who are recognized as legitimate document examiners

by the professional community but who are attacked by Diplomates because of lack of certification has grown to epidemic proportions. These antagonistic attacks have not only made it very difficult to gain the trust of these individuals so they will take the certification test (ABFDE's objective), the attacks have also distracted the professional organizations, including ABFDE, from two primary objectives: 1) concentrating on progressive growth, and 2) defending ourselves in a professional and respectful manner in court.

This is where the philosophical application of Principle Above Personality factors in. Professional organizations, government examiners and private examiners each have their own agendas. If the parties involved are Principle-driven, the focus will be to set aside personal agendas and work toward a solution to address the problem.

Principle-Driven

A Principle-driven individual recognizes a problem and sets a goal to find a solution that is beneficial to the profession. The observed attributes in a Principle-driven person or organization include honor, integrity, commitment and ethics. All of these attributes stem from a foundation of principle that is "heart-centered." In our profession, we, as a group, profess two principles: 1) to be an advocate for the evidence and 2) to give back to the discipline for the purpose of a positive progression of our profession. The Principle-driven individual practices these two principles and willingly assists other FDEs with information for research or casework. This type of individual encourages research by others. A Principle-driven FDE does not interfere or demonstrate envy toward the examiner who is conducting the research but instead offers to assist by participating or providing hard-to-find literature.

Personality-Driven

A Personality-driven individual recognizes a problem and sets a goal to find a solution that is beneficial to his/her position. The foundation of a Personality-driven individual is ego-centered,

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Recertification Report

Paige E. Doherty
Denver, CO



“Grandfathered Diplomates due to be recertified in 2003 or later should notify Testing Committee Chair, Brian Carney, of their intent to enter the testing process as soon as possible.”

Changing of the Guards

I'd like to welcome the Board's newest Director, Kirsten Jackson, to the Recertification Committee. She will be assuming responsibility for the Recertification files previously maintained by Dave Moore. Regretably, Dave resigned from the Board of Directors in December for personal reasons. All of the Diplomates who submitted their paperwork to Dave know he contributed significantly to the Recertification Committee. I will miss working with him and wish him all the best in future endeavors.

Those Diplomates with last names beginning with S through Z who previously submitted their recertification materials to Dave should contact me before May 15 if you have any questions. After that date, Kirsten will maintain these files. Kirsten has regularly made valuable contributions to the forensic document community, and I look forward to working with her on this committee and the Board.

Testing Requirements for Grandfathered Diplomates

Recently grandfathered Diplomates received a letter explaining the new requirement that they test

prior to their next recertification date in order to maintain their standing. This is due to the Forensic Specialties Accreditation Board (FSAB) requirement that grandfathered certificants test no later than their regularly scheduled recertification, not to exceed a period of five years. Grandfathered Diplomates due to be recertified in 2003 or later should notify Testing Committee Chair, Brian Carney, of their intent to enter the testing process as soon as possible.

The Recertification Committee has been working in concert with the Testing Committee to assist grandfathered Diplomates in fulfilling their testing requirements. Contrary to instructions in the letter explaining that no application was required, grandfathered Diplomates **must** submit an Application for Recertification to the Testing Chair prior to beginning testing. Even though most will enter the process well in advance of their recertification year, each candidate will need to complete the application only once. The Testing Committee Chair will forward the completed application to the

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Recertification

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Recertification Committee Chair once the grandfathered Diplomate has passed testing. An application may be downloaded off of the website or obtained through the Administrative Offices.

Diplomates needing more information on the testing process may refer to Sections V through XXII of the Testing Guidelines in the ABFDE Rules and Procedures Guide. You may note that the Guidelines allot two years for new candidates to complete the testing process. Since the process is lengthy, the Board strongly recommends that grandfathered Diplomates begin testing as soon as possible, but no later than 1½ to 2 years prior to your recertification date. In order to afford grandfathered Diplomates every opportunity to complete the testing process in a timely manner, the written test and oral boards will be offered at almost every national and regional forensic document conference this year. In fact, tests were already administered this year at the AAFS meeting and the spring SWAFDE meeting.

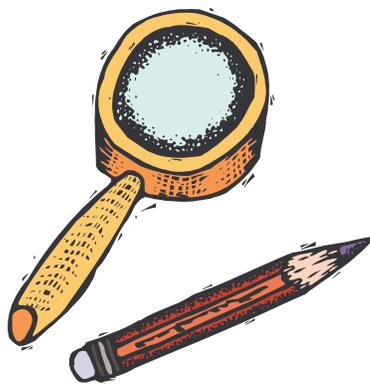
As always, if you have any questions concerning any issues pertaining to recertification, please contact any committee member.

**Last name
begins with:**

A-F
G-L
M-R
S-Z

Contact:

Fred Panhorst
Paige Doherty
Joyce Lauterbach
Kirsten Jackson
(Paige Doherty 'til May 15)



Editor

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Before we could deal with it, we had to write a policy. As grandfathering came to an end, we had to devise a testing protocol. And the lamentations that occurred when the Board put some teeth in the requirement for recertification that a Diplomate "demonstrate currency in the field!" (Proof of pulse was no longer adequate.)

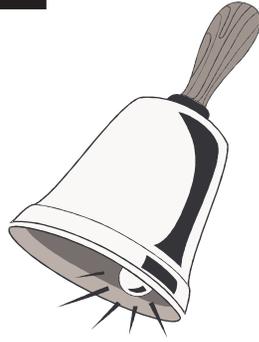
As the Board put itself on a more professional footing, it gradually gained the respect and recognition of the courts, government agencies, and FDEs. It didn't happen over night, and it took a lot of grueling work on the part of Board members. But it did happen, and the Board was there and able to take action when the Daubert challenge to handwriting identification occurred. No, they weren't "ready," any more than the FBI was "ready" for 9/11. You can't criticize people for not thinking the unthinkable. You can only judge them by how they swing into action. The ABFDE has done an admirable job of meeting this challenge. Others have provided logistical weapons, such as research, that have helped, but it is the ABFDE you call when you find yourself in the crosshairs. The Resource Kit and the Daubert Group are what you need in the trenches.

The ABFDE has also taken a proactive stance. The effort they are going through to achieve FSAB Accreditation will stand us all in good stead in the future. Some of the things they have had to do have not been popular with Diplomates, and all of them have placed a huge burden of work on Board members. I am grateful to every Board member for their courage and hard work.

I don't know what the next 25 years will bring. I had to give up prognosticating in 1989 when my crystal ball was smashed in an earthquake. But I am confident that whatever new challenge comes up we, as a profession, will be better able to meet it because of the ABFDE. I thank them, and I hope you will, too.

Continuing Education

Derek Hammond
Forest Park, GA



April 2003

Southeastern Association of Forensic Document Examiners (SAFDE)

Peachtree City, GA

- 23 "Production of Genuine Security Documents and the Detection of Counterfeit Documents"
- 24 "Paper Knowledge"
- Coordinator:** Marvin Reed
US Army Criminal Investigation Laboratory
4553 N. 2nd Street
Forest Park, GA 30297-5122
(404) 469-7041 / Fax: (404) 469-7112
ReedM@usacil-acirs.army.mil
- 25 - 26 **Annual Meeting**
- Program Chair:** Farrell Shiver
Shiver & Nelson Document
Investigation Laboratory, Inc.
1903 Lilac Ridge Drive
Woodstock, GA 30189
(770) 517-6008 / Fax: (678) 494-9283
shiver@documentlab.com

June 2003

American Board of Forensic Document Examiners (ABFDE)

Orleans Hotel & Casino, Las Vegas, NV

- 27 - 29 "Comparative Science in the Daubert World"
- 30 - 7/1 "Forensic Handwriting and Signature Examination: The Behavioural Approach" Instructor: Dr. Bryan Found
- Coordinator:** Derek Hammond
US Army Criminal Investigation Laboratory
4553 N. 2nd Street
Forest Park, GA 30297-5122
(404) 469-7044 / Fax: (404) 469-7112
HammondD@usacil-acirs.army.mil

August 2003

American Society of Questioned Document Examiners (ASQDE)

Harbor Hotel, Baltimore, MD

- 23-28 **61st Annual Meeting**
- Site Chair:** Jerry Richards
15307 Alan Drive
Laurel, MD 20707
(301) 725-3778
gerald.richards@verizon.net
- Program Chair:** A. Frank Hicks
100 Oceangate, Suite 670
Long Beach, CA 90802-4312
(562) 901-3376
afhqde@yahoo.com

This list of opportunities available to Diplomates seeking recertification credits may not be all-inclusive. Provide details of upcoming meetings or workshops you want included in this newsletter to

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Gavel

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therefore, lacking the positive attributes of a Principle-driven FDE. A Personality-driven individual's behavior is executed with the purpose of promoting his/her own personal agenda. This type of individual is not concerned with the well-being of colleagues or the profession, but, rather, is threatened by it.

The Challenges of Our Profession

At first glance, anyone in our profession would state either a Daubert hearing or a critic challenge would be the number-one challenge concern. In reality, our number-one challenge concern should be our behavior towards each other and how the Personality-driven conduct has stifled unity and growth of our profession. The infighting and bickering I have witnessed over the last few years while on the BOD has caused more damage than the Daubert hearings and critics combined. Why? Because the negative campaign used by Personality-driven individuals is personal and causes great harm on an individual basis. How does it hurt the individual? The number-one reason given to me by non-diplomates for not wanting anything to do with ABFDE is the dealings they have had with a Personality-driven Diplomat. Our testimony should speak for the evidence. It truly is not necessary to attack a legitimate FDE based on their lack of being certified.

Personality-driven behavior of one Diplomat to another causes damage as well. It is very difficult to get volunteers to work for the BOD. The number-one reason quoted by the much sought-after volunteer is he/she does not wish to be criticized by the vocal minority who are Personality-driven. Those who volunteer exhibit a great deal of courage, because each one knows he/she will be criticized or their work product will be criticized.

We are not an exclusive club. ABFDE welcomes and encourages all legitimate FDEs to obtain certification. As an ambassador, each of you should encourage and recruit those in your area to take the certification test. If they fall

short of the required two-year training period, assist them in their training or have them call ABFDE. We will arrange mentoring for them so they can meet the two-year training requirement.

I urge each of you to conduct an exercise in self-evaluation. Based on our Green Book and accepted conduct of forensic scientists, we should encourage each other to obtain certification. If you are one of the few who is in the same area or state of another legitimate examiner and you are attacking that individual (based on his/her lack of certification) instead of encouraging him/her, search your heart for the answer. Professional behavior based on Principle does not require that you like the individual, but it does require that you set aside personality differences and search for the good of the entire profession.

Find A Solution

The primary cause of unprofessional conduct by a forensic document examiner is their preference for a Personality-based code of conduct instead of one based on Principle. The problem has been identified, but we need to find a solution.

One obvious step toward a solution everyone should agree on is to elect leaders who are Principle-driven. The leaders of all of our professional organizations should have their vision focused on what is best for the profession, not for themselves. The best candidates for leadership may not be the most popular, but they will have demonstrated their dedication to our field by their participation on committees and conducting research.

A second step requires the effort of each Diplomat to make sure his conduct is professional and reflects a Principle-based philosophy. Your behavior, whether positive or negative, reflects on you, ABFDE and our profession. With every Diplomat operating under a Principle-driven philosophy, we should see an increase in legitimate forensic document examiners seeking certification. Strength in numbers is a harsh reality—a reality that must be

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Book Review

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areas of style and stylistics. The qualitative and quantitative aspects of style are not only described, but their utility is illustrated with actual case applications. The extensive use of tables greatly assists the uninitiated in understanding a subject matter that, despite its well written and concise presentation, can often be daunting. The case illustrations selected effectively demonstrate the utility of various aspect of forensic stylistics. The inclusion of the analysis of the note in the JonBenét Ramsey case also demonstrates the author's willingness to display the courage of his convictions.

The concluding four of chapters of the book cover applications of stylistics to writing in four different foreign languages, three of which employ non-Roman alphabets. Individuals demonstrating the particular qualifications necessary for their subject areas author these latter chapters. One might easily view the inclusion of these final chapters merely as an illustration of potential application of forensic stylistics in other countries. However, many of us are aware the increased appearance of foreign language documents and writers using English as a second language in our society.

The copy of the book I reviewed ends with two appendices. Appendix 1, titled "Possible Questions and Responses for Direct and Cross Examination," contains three pages of direct and cross-examination questions. For some unexplained reason, potential responses to these questions are omitted. While the listing of penetrating questions can be useful, such usefulness is impaired when the potential questioner is unaware of the nature of the responses that should be expected and the manner in which those or alternate responses can be most effectively addressed. Perhaps in a future edition of this book the author might consider the inclusion of a full chapter on forensic stylistics experts in the courtroom—a chapter designed to assist attorneys when encountering stylistics as evidence.

The second appendix, on general expert witness testimony, also has a supplementary author, one experienced in extensive expert testimony in court. This account of proper behavior for the expert while in the courtroom environs contains many useful and sometimes humorous comments, reflecting the author's particular insight, expressed with her usual panache.

Forensic Linguistics will be a valuable addition to the libraries of forensic scientists in other disciplines, particularly those specialists desiring to keep abreast with the latest developments in the broad spectrum of forensic science. This book will be of special interest to forensic document examiners desiring to remain current in aspects of document examinations, not only for professional development but also to assure they can be of maximum assistance in advising their clients on appropriate scientific approaches to questioned document problems. Those examiners interested in research and writing in the field should also find this book an excellent resource for designing and reporting on such research. It is ironic that although "forensic linguistics" employs stylistics to identify authors of documents, the forensic science community does not recognize practitioners of forensic stylistics as questioned document examiners.

Reading this book answered a number of concerns and questions this reviewer had with respect to forensic stylistics; however, it raised a number of additional questions not previously contemplated. Thus, as a successful text, it does not merely satiate a reader's thirst for information, but rather kindles the desire for future offerings by the book's author.



NOMINATE Someone You Admire!

The ABFDE has established two awards for Diplomates who contribute to the profession.



New Horizon Award

For a Diplomate who contributes through research.



Charles Scott Award

For a Diplomate who makes a significant contribution in the legal arena.

Send you nominations to Paige Doherty right away! There are many who deserve recognition for hard and meaningful work. Let's show them we appreciate what they have done.



TESTING SCHEDULE

The written test and oral boards will be offered at numerous national and regional forensic document conferences in the upcoming year. Any grand-fathered Diplomate interested in beginning the testing process should contact Brian Carney, Testing Committee Chair, to determine the location and time of the testing at each meeting.

Gavel

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recognized. There are dozens of legitimate FDEs who should be certified. Their achievement of becoming certified is not a threat to your practice (government or private). Instead, having FDEs in all areas of the country certified would be a positive demonstration to the legal community that we are forensic scientists and have a legitimate place in the court system and the forensic community.

A third step includes encouraging those who conduct research and participate on committees. These individuals give their time toward a good cause—the positive progression of our profession.

This has been a difficult article to write. By discussing the negative behavior that a few Diplomates exhibit toward others in the community, my hope is that the problem is exposed; thus, allowing the healing process to begin. 



The ABFDE Newsletter's new Junior Assistant Deputy Editor Bridget Niu Storer

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