

Author's Introduction: How Much Do People Write Alike?

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"How Much Do People Write Alike?" was written for the 1955 meeting of the American Society of Questioned Document Examiners. Three years later it was published in the Northwestern University Law School's *Journal of Criminal Law, Criminology and Police Science* (Harris, 1958). As the author, I cautioned about placing too much weight on what appears to be distinctive handwriting similarities, and photographed examples of "look-alike" handwritten surnames, found at the Office of Registered Voters for Los Angeles County.

Beginning in 1989, critics cited the article in law journals claiming that it invalidates handwriting identification. These allegations are purely legal gymnastics and sophistry. I am writing this introduction to set the record straight.

Because the short article was written for an audience of document examiners, I deliberately did not include details pertaining to basic principles of handwriting identification. Ordway Hilton, editor of the Police Science section of the *Journal of Criminal Law, Criminology and Police Science*, and I later had what turned out to be a prophetic discussion about publishing the paper. We were concerned that by only discussing similarities in handwriting, regardless of the admonitions at the conclusion, the article might be misinterpreted, or worse, misrepresented by persons outside of the field.

Finding similarities is only part of the examining process. Handwriting differences are more important. One word, for instance a surname, may offer an investigative lead, but rarely forms the basis for a meaningful handwriting opinion.

Now, over forty years later, I regret that I only pointed out the differences in the "Dye" signatures and not the others. For example, the "t" in

the "Smith" surnames displays a variety of proportional heights and crossings. (There is an exception. Two "Shaw" surnames, the second and fifth in the left column are exactly alike. Why? Because they are duplicate photographs. One sharp-eyed colleague asked if I had included them as a trick. No, it was an oversight.)

In their *Pennsylvania Law Review* article, Risinger, Denbeaux and Saks (1989) state, "Harris presents photographs of signatures showing so little variation that determining whether they are by one or by different hands is a daunting task." My article referred to surnames, not entire signatures. There are easy cases, difficult cases and impossible cases. Examination of short, simple, nondistinctive signatures may well result in inconclusive opinions. The same holds for fragmented fingerprints or any other bit of incomplete forensic evidence.

They go on to quote a sentence in my article referring to "Smith" signatures found at the Registrar of Voters office with the conventional cursive "S" and claim it is proof that handwriting is not individual. ("So many of these signed [sic] lacked individuality and looked alike that they were not worth photographing.") To put this in context, the preceding sentence made it clear I was referring only to the surname "Smith" and not signatures per se. Experience tells me that an examination of their full signatures along with adequate exemplars should differentiate most of the Smiths.

In a *Hastings Law Journal* article Saks (1998) states that [Harris] "went looking for signatures from different people that were indistinguishably alike...and found them in abundance." And "In so doing, he fatally falsified the core claim of handwriting identification." True, I did find surnames

with handwriting similarities, but Saks' final conclusion is completely false.

Saks (2000) later wrote that [Harris] found "contrary to apparent belief of handwriting experts, it is not true that no two people write indistinguishably alike." These are his words not mine. What I actually said in my article was, "No two persons write exactly alike, but document examiners occasionally find persons who write with amazing similarity."

It is not always possible to distinguish the handwriting of two persons when only a limited amount of writing is present. This inability does not invalidate the rule that no two people writing exactly alike. Hilton (2001) explained this well when he said:

This lack of identity between two individuals' writings presumes that we are dealing with more than a few lines of writing. With some writers and only two or three simple words, it may be extremely difficult to determine definitely that two specimens were written by different individuals, but as the amount of writing is expanded, the differences become more obvious. The rule pertains to the whole of a person's writing. Thus, the fact that occasionally with a very limited amount of writing it may not be possible to distinguish between the works of two different writers in no way invalidates the basic rule that each person's writing is individual to him. Nor is it intended by this discussion to infer that normally the writer of two or three words cannot be identified.

Yet another example is this passage from an article in the *Iowa Law Review*, written by Saks and Risinger (1996):

It is obvious that each time a person writes, the individual letters are not formed with mechanical similarity to previously made letters. That creates a protean problem of intrasource variation. Less obvious is that some writers may write so much alike that their writing cannot be confidently distinguished, at least with limited samples [and then making a footnote reference to my article]. This renders intercandidate similarity a significant problem. It seems fair

to say that when intrasource variation, or intercandidate similarity, or both, rise to a substantial level, dependable particularized identification (individuation) becomes rationally impossible.

If I understand this verbiage, the authors claim the following: (1) natural variation in a person's handwriting creates identification problems; (2) similarities between different writers exist; and (3) this makes it impossible to individualize handwriting. Therefore, reaching an opinion as to authorship of handwriting becomes "rationally impossible."

They have a terminal case of *reductio ad absurdum*. If there is a lack of rationality, it lies in their attempt to put an unfavorable spin on how handwriting is identified by resorting to the classic apple-orange syndrome. Oranges vary, apples vary, they are both round, have skins, are edible, and grow on green trees; therefore, it is "rationally impossible" to identify an apple from an orange. They simply do not consider the differences.

Contrary to what is alleged, natural variation is a document examiner's best friend. These law professors apparently do not understand that if a person writes the small letter "r" five different ways, and all of these letter design variations are found in the questioned writing, common sense says this is stronger evidence than if the person habitually writes with only one form of the letter.

In summary, my article in no way invalidates the principle that no two people write exactly alike, and to my knowledge, no study has ever concluded that there are two people with identical handwriting.

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