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Professionalization of Document Examiners: Problems of Certification and Training

The entire forensic science field is experiencing an onslaught of pressures, both from within and without, calling for an upgrading of skills, improving education, and performance and eventual professionalization of its practitioners. Part of the stimulus for change is generated by the courts, where recent reorganizations and decisions will have a direct effect on all document examiners. The U.S. Supreme Court issued new rules of evidence for the Federal Court system during the October 1972 term. These rules became effective July 1, 1973 [1].

The new rules include, among other things, new standards for admissibility of evidence, including writings and documents, and their use to refresh the witness's memory. Of special interest are:

Article VII—Opinions and Expert Testimony

Article IX—Requirements of Authentication or Identification

Article X—Contents of Writings, Recordings and Photographs

Article VII—Rule 720, the new rule for allowing testimony of experts reads as follows: "If scientific, technical or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify thereto in the form of an opinion or otherwise" (underlining supplied).

Given only this broad rule, each trial judge has wide latitude in determining the minimum standards for an expert. The interests of document examiners and, indeed, the interests of justice would best be served if all judges had some guidelines to assist in measuring the qualifications of a witness attempting to testify as a document expert. An accredited or certified status or a set of realistic standards recognized by all of the legitimate employers in the field would provide a basis for the courts disallowing the pretenders from testifying. These people now are usually permitted to testify because a yardstick has not been provided whereby they could be measured and found wanting.

William F. Goode of Columbia University titled his 1960 presidential acceptance address to the Eastern Sociological Society "Encroachment, Charlatanism and the Emerging Profession" [2]. How apt that title would be in describing the present situation in the Questioned Document field. The proliferation of graphologists and graphoanalysts claiming not only their usual psychic powers but also abilities as document examiners is

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an ever-present and increasing danger, not only to document examiners, but to the general public. Added to this problem is the alarming increase of police department "experts." These men are usually thrust into their jobs in response to a pressing need for the services of a document examiner where none is available. Unfortunately, the document examiner who was not present to supply the services is also not present to supply the training necessary to prepare the fledgling examiner. His typical instruction consists of a mail-order course, the reading of a few books, and, if he is fortunate, a couple of days instruction with a practicing document examiner, too often no more knowledgeable than the beginner.

It is probable that this new man will work as a document examiner, giving opinions, and testifying in court. In most cases, where he is unopposed by a qualified examiner, his opinions will carry the same weight and be accorded equal respect as those of truly qualified examiners. If this is a true picture of the state of the art, then there is a pressing need for improvement. Consider the quotation of Bacon in the preface to *Law Tracts*, "I hold every man a debtor to his profession. As men seek to receive countenance and profit, so ought they of duty endeavour themselves by way of amends to be a help and an ornament thereunto."

Attainment of a recognized professional status should be the immediate goal of all document examiners. In my 1970 address to the American Academy of Forensic Sciences titled "Questioned Document Analysts—Professionals?" [3], the question mark was placed after the title to make every examiner question his claim to professional status. Many examiners did; and as a result of this and other articles there is increasing interest in the attainment of true professional status through proper educational training and other means.

Keep in mind that no occupation becomes a profession without a struggle and that any attempt to professionalize will meet some opposition. It comes whenever any group claims to be the only one capable of offering a unique service, to have the exclusive right to solve certain problems, or to set exclusionary standards. In effect, they openly proclaim that all others who claim these same abilities are pretenders, charlatans or, at best, well-meaning, improperly trained bunglers. Therefore, in moving forward, opposition can be anticipated from five different sources:

1. Similar occupational groups (for example: graphologists)
2. Rival professions (for example, criminalists)
3. Practitioners within the field who fear or oppose testing or certification or both
4. Employing agencies of qualified and/or unqualified examiners
5. The consumers of our profession—(the legal profession, businesses, employers, and courts)

Any plans formulated or action taken should be considered in anticipation of possible opposition from one or all of these sources. The actual countermeasures necessary to meet this opposition can be a secondary consideration. The main task is to consider the problem in its entirety and, if possible, to formulate a course leading to action.

Definition of a Profession

"A profession is a type of higher grade, non-manual occupation, with both subjectively and objectively recognized occupational status, possessing a well-defined area of study or concern and providing a definite service after advanced training and education" [4].

Elements Involved in Professionalization

A Systematic Body of Knowledge and Theory

The essential difference between an occupation and a profession is that the skills characterizing a profession flow from and are supported in fact by an organized system of knowledge that can be clearly defined in theoretical terms. Therefore, it follows that "Preparation for a profession involves considerable preoccupation with systematic theory" [5].

Means to Acquire Knowledge and Training

Typically, "as the occupation moves toward professional status, apprenticeship training yields to formalized education because the function of theory as a groundwork for practice acquires increasing importance" [5]. When the profession is represented by a qualifying or certifying type of professional organization, that group bears a heavy responsibility for supplying books, courses, and teachers to form the basis for the formal education. F. T. Chapman writes "the major function of a professional body is educational in character" [9].

Development of Self-Consciousness by Emerging Professionals

"Growth of self-awareness probably constitutes the most important element contributing to professionalization. This display of self-consciousness is demonstrated in various ways, for example:

- (a) by dissatisfaction with available training and education for the occupation
- (b) by attempts to standardize practice and to introduce theoretical analysis of work
- (c) by concern with low standards, bad workmanship, indifferent handling of clients
- (d) by attempts to establish co-ordination and co-operation between practitioners
- (e) by protests about lack of recognition for the occupation
- (f) by belief in the emergence of a new and different discipline with wide applications" [4].

Realization and Recognition of the Occupation as a Profession by Those Outside the Occupation

"To achieve professional status, the occupation must be accepted as a profession by the whole, or part, of society.

"Recognition by society may take many forms: high remuneration; delegation of power and authority; use of services in preference to others; official acknowledgment of a separate existence; requests for advice; presentation of special status symbols and honors. Whereas in some occupations, individuals mainly accomplish recognition independently, most occupations have to gain public estimation by means of an organized group. Success of the individual is related to competence, or ability to ensure a standard, specific service. This depends on an understanding of, and conformity to, established theory and practice, founded upon special training and education.

"Professional associations strive to acquire status for members on a collective group basis. Status of the individual is a function of group membership. Initial acceptance of the individual, in the economic situation, rests on an ability to exhibit affiliation to the group, and a willingness to offer associated guarantees. Success then depends on the individual's competence, personality, and characteristics" [4].

Functions of Professional Organizations

A. Primary Functions

1. Organize all practitioners
2. Test and qualify
3. Promote research and communicate information to members
4. Establish and maintain high standards for ethics and conduct

B. Secondary Functions

1. Raise professional status
2. Control entry into the profession
3. Protect the profession and the public
4. Act as a pressure group for the members
5. Encourage cooperation and social activity between professionals

“A study of history shows that the steps involved in professionalization are quite definite, and even the sequence is explicit.

“The *first step* is the establishment of a professional association, with definite membership criteria designed to keep out the unqualified.

“The *second step* is the change of name which serves the multiple function of reducing identification with the previous or similar occupational groups and the asserting of a technological monopoly over the specialty.

“The *third step* is the development and promulgation of a code of ethics which asserts the social utility of the occupation, sets up public welfare rationale, and develops rules which serve as further criteria to eliminate the unqualified and unscrupulous.

“The *fourth step* is a prolonged political agitation, whose object it is to obtain the support of the public power for the maintenance of the new occupational barriers.

“Concurrently with this activity goes the development of training facilities directly or indirectly controlled by the professional society, particularly with respect to admission and to final qualification” [6].

Since document examiners are seriously considering some form of recognition or certification, consideration should be given to the types of association usually formed by professionals. Before an intelligent decision can be made regarding the best type of professional association for document examiners, the groups currently available must be individually studied and compared.

Scope of Associations

“The professionals usually come to desire that *all* practitioners should possess at least the minimum qualifications admitting to the association and that *all* practitioners should join the association. With a few unimportant exceptions, true professional associations can be said to be *exclusive only in the sense that they exclude the unqualified*, and the ideal association includes *all* competent practitioners within its ranks” [8]. This is the basic description of a professional association. Do any of the currently operating associations or organizations meet these requirements? If not, what organization could best be re-structured to do so?

Types of Associations

Prestige Associations—This is usually invitational, depending on careful selection of special candidates. No applications are accepted for members are invited or elected to

membership. The size is usually restricted to a small number, and its members form a professional elite.

Study Association—Usually has a bare minimum requirement for admission. Interest in the subject or recommendation by a member is usually sufficient. Persons usually join for information or to gain some acceptance or as a sign of competence in the field.

Qualifying Associations—Here the aim is to examine and qualify individuals wishing to practice in the subject area. Its aims are to:

- Advance the subject area
- Qualify those meeting minimum standards
- Control professional conduct and elevate status

In a qualifying association, there are usually different types of memberships, such as aspiring professional, professional, and senior-professional. The membership requirements usually consist of examinations or suitable exemptions or both based on experience, education, etc. A qualifying association typically engages in training, education, research, publication, etc.

Occupational Association—Organizes professionals without attempting to qualify them. These are usually pressure or protective groups.

At the present time there are one prestige association and two multi-discipline study type associations available. In addition, there are several fringe-type organizations that are nonselective in membership requirements. The current discussions in the field suggest a trend toward the formation of a qualifying association. It is generally recognized that an efficient qualifying association is the best mechanism for achieving true professional status because it provides the means for differentiating between the qualified and the unqualified.

Obstacles to Formation of Associations

There are numerous obstacles which must be overcome before a profession can form a successful qualifying association. Among these are:

1. Lack of a clearly defined body of knowledge and theory. When this situation exists, it is a serious handicap, encouraging workers in other specialties or the unqualified pretenders to encroach upon the field. Training becomes a problem; and unless actual practice can be translated into regular theoretical terms, the necessary text books cannot be written. Both of these shortcomings result in a lack of prestige for all practitioners.
2. Lack of opportunities to receive education and training. This forces aspirants to attempt training on their own.
3. Lack of opportunity to practice the occupation.
4. Self-consciousness regarding the worth of the occupation or a general lack of interest on the part of the professionals themselves.
5. Lack of recognition of the worth or validity of the profession by the layman.
6. An insufficient number of practitioners, resulting in limited workers or finances. However, it should be pointed out that a smaller group does offer some advantages. Care must be taken not to dilute the quality of the membership by accepting borderline or unqualified practitioners.
7. Great distances between the practitioners, necessitating large outlays of time and money to make the desired contacts or meetings.
8. The presence of rivalries between the specialists and workers in overlapping specialties or by generalists.

9. Rivalry between competing organizations within the field. This weakens the position of the profession and certainly does nothing to inspire the public's confidence or respect.

10. A feeling of satisfaction on the part of the successful practitioners, resulting in a lack of internal pressure for organization.

11. Great variations within the profession in any of the following areas: Quality of service provided; Training received by practitioners; Level of income of practitioners; Type of employment—private—public.

Where these differences exist there is often a feeling on the part of the highly respected or successful that they do not wish to join the less successful. This leads to conflicting associations or splinter groups, delaying organization, or diluting the impact of the profession.

12. Perhaps the most important element in the organization of any group is the presence of devoted, concerned, enthusiastic members. Without these dedicated people, there can be no spark to ignite the movement; without them, there can be no organization; without them, no true profession. How many people are there who really care enough to fan that spark into the pure flame of professionalism?

Education—Training Apprenticeship

Proper training for document examiners is one of the most pressing problems facing the profession. Virtually all writers on the subject of professionalization are in agreement that the preparation for a profession requires a long period devoted to the study of a large body of systematic theory. Suitable means of acquiring this knowledge and training must be made available.

At a recent meeting of document examiners in Washington, D.C., the problems of training document examiners were discussed. The general feeling of the participants follows:

1. There is a pressing need for a formal, uniform method for training document examiners.

2. Many document examiners receive poor training. A few become proficient despite that poor training.

3. Good texts, lesson material, and case problems are in short supply or nonexistent.

4. Most programs for training appear to be ideal or desired plans that are rarely followed in actual practice.

5. Few of the employers of document examiners have the time and personnel to operate a proper training program.

6. At the present time, it would seem that a person wishing to become a document examiner would have to become a full time employee of a large government laboratory to find the minimum training and work volume necessary to learn under the apprentice system.

7. Questioned document examiners will never achieve true professional status as long as a person can read alone or drop in on a practitioner for a few hours of haphazard conversation, or instruction, and consider that he is getting apprentice training sufficient to prepare him to testify as an expert witness in the courts.

8. The courts will continue to permit unqualified persons to testify as experts until such time as document examiners implement proper training programs and inform the courts as to what training is necessary for an expert and provide them with the properly trained persons.

9. It must be accepted that a profession has a broad base of technical knowledge and can be practiced only by those who have successfully completed a thorough educational program. The profession works against itself when it encourages or assists persons to practice with little or no training.

A few general comments regarding the advantages and disadvantages of the various methods of gaining document expertise appears to be in order.

Self-Taught or Self-Made

Only a rare individual succeeds in this manner. He is the type of person who makes it in spite of the method and would probably attain success in most other endeavors. His success cannot be used as justification for continuing a bad practice. The fact that this method is used to gain entry into the field is a demeaning and degrading situation which casts suspicion on the qualifications of the properly trained expert and on the claim of the profession that it is a true science. Since most of these self-taught examiners are not adequately trained, they never become proficient in their field. If they are timid by nature, their careers are marked by no-conclusion opinions where there is evidence for a definite finding; if they are foolhardy, by positive statements not supported by facts. The least harmful effects of these opinions are unfair settlements of civil matters, while the most serious affect the liberty of persons charged in criminal cases. Since no other truly professional group allows its practitioners to attain status in this manner, entry into the field of document examination without proper training contributes to an unprofessional image.

Apprentice or On-The-Job Training

Most of the competent examiners in the United States have been trained in this manner. Just because there has been some measure of success with this (the only available method), it does not follow that it is the best or only way.

The term "apprentice" is used loosely. To many, it means an assignment lasting 3 or 4 years as a trainee working 40 h per week in a laboratory with one or more examiners reviewing and discussing all of his work. In addition, he might receive 20 to 40 h of formal classroom instruction each month. He would also have many opportunities to help prepare and witness actual court cases. Finally, after numerous mock trials, he would be permitted to testify. Is there any wonder this man cannot comprehend an apprentice situation that consists of visits of a day or so or a week by a trainee to an examiner's office? Unless the apprentice period is in a full-time work situation, coupled with lectures and including actual work on hundreds of cases, spanning the entire field of document examination, apprentice training is a farce. Document examiners do themselves a disservice in continuing to use periodic association or consultation as a basis for gaining expertise. There have been far too many cases where persons have visited one or more practicing examiners to discuss the work or some specific case and then appeared in court claiming training under the examiner. The only way these unqualified pretenders can be kept from testifying is to implement a clearly defined training program comparable to that of other professional disciplines. This must be coupled with a proper testing program that guarantees that those completing the program have met certain minimum standards.

College or University Programs

It does not seem possible that we will see full time programs in the near future for several reasons:

1. A proven job market has not been established for the graduates. Colleges would need proof of an employment market for its graduates before undertaking a program.
2. There are no suitable texts available.
3. There are few instructors available.
4. The actual scope of the discipline is poorly defined.

A university degree program would be the ideal method if it could be established. It seems probable that this will be the eventual solution. Certainly document examiners should work for inclusion in the training system that has provided the only acceptable road to professionalism in other fields. Because understanding of theory is so important to professional skill, preparation for a profession must be an intellectual as well as a practical experience. On-the-job training through apprenticeship, which suffices for a nonprofessional occupation, is inadequate for a profession. "Orientation in theory can be achieved best through formal education in an academic setting" [5]. Every discipline acquired within the academic field was at some time in our position, that is, on the outside looking in. Each of them had those who fought change and those who said college training was not feasible. Fortunately there were a few enlightened persons who did work and who were eventually able to elevate the training to a professional level.

In considering a college program, the question arises whether colleges already offering criminalistics programs should be encouraged to develop a series of courses covering the field of document examination.

This could lead to a criminology, criminalistics, or police science degree with a major in document examination. Graduates could then obtain employment with established laboratories where they would undergo a residency type training period to finish requirements for a qualified expert status.

At the present time this seems more desirable than trying to establish an exclusive questioned document course. Perhaps at some later date, when the field is better defined and proper texts and instructors are available, university courses leading to a degree in document analysis may become a reality. At the present time this appears to have little chance of success.

Accreditation—Certification

It would seem that there is no way to move forward in training or toward professional status when document examiners are all pulling in different directions. If most examiners cannot agree on how to form an all-inclusive organization to speak for all of the sincere practitioners in the field, they will continue to flounder. Prior to any training program, the following steps must be undertaken.

1. Survey the entire field to locate and begin communication with every practitioner.
2. Organize all persons into a single cohesive group.
3. Define the field and establish proper standards for admission and qualifications.
4. Establish grades of ability or status (for example, Master, Journeyman, Apprentice).
5. Provide a training program so that persons might grow in ability and advance in status based upon honest, provable increases in their capabilities.
6. Establish a public-relations program to inform the courts and others of what to expect and demand of questioned document experts.

Because most laymen consider handwriting experts, document examiners, and graphologists as a single group, document examiners suffer not only by the association itself, but also by being in a minor numerical position. There are six grapho-analysis organizations claiming over 35,000 members and they are growing rapidly. The only pure document examiners group (American Society of Questioned Document Examiners) has less than 50 members. Perhaps 100 additional examiners are enrolled in multi-discipline groups (American Academy of Forensic Sciences or the International Association for Identification). At least 150–200 other examiners are unaffiliated with any organization. The graphologists are well organized and have monthly newsletters, sectional as well as annual meetings,

hundreds of training programs, many given in colleges. By comparison document examiners have little organization, few newsletters and limited training opportunities. A further weakening of their position occurs when competing meetings scatter their efforts in different directions.

Hopefully, a strong all-inclusive organization would permit the establishment of a training program similar to those in use in other professions. This would be a first step toward the development of the college or university programs which should be the final goal. Perhaps a series of home-study or regional training seminars similar to those in other fields could be established. Programs such as that established by the College of Life Underwriters provide correspondence courses covering ten semester units necessary to attain the status of Certified Life Underwriter (CLU). These courses require weekly assignments of 4 to 6 h over a two-year period coupled with rigorous testing. In addition, the program provides discussion outlines for local chapter group meetings, a quarterly journal, a bimonthly newsletter, and a yearly educational-business meeting. Certainly, it takes time, money, and work, but the professional designation of Certified Document Examiner would be an imprimatur which would do more than denote the attainment of certain academic and minimum standards by the passing of a series of examinations. It would indicate that the aspirant cared enough to spend time and effort to adequately prepare himself to render competent service to the public.

Every document examiner should consider the recent papers discussing this problem. He must speak out and tell other examiners what he thinks. His continuing silence and lack of work, contributes to his declining position in the forensic science field. In this rapidly changing world, those who stand still are passed over by the tide of progress.

Summary

New rules of evidence affecting expert testimony have been issued by the U.S. Supreme Court. These rules are necessarily broad, allowing each judge wide latitude in determining who is a qualified expert witness. Under the current rules unqualified persons are testifying as expert witnesses in questioned document matters. The qualified document examiners have a responsibility to set up a guideline to assist the courts in evaluating the qualifications of persons claiming expertise as document examiners. These guidelines could best be established by a group representing all qualified document examiners. This group could advance the professional image of the entire field and provide a vehicle for improved training methods.

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