

## CHAPTER

# THREE

## THE POWER OF THE PEN

### *The Strength of Signatures on Documents*

Personal as well as political realities have been fashioned by signatures on paper. Our relationships to family and associates, as well as countries' relationships to one another, are "sealed" by the use of signatures on important documents. By the stroke of pens boundaries have been set, vast lands and even countries have been exchanged, fortunes have been transferred, treaties and laws have been established—all leading to the realities in which we travel, trade, and live out our lives in relationship to one another.

In fact, every major personal event of your life is attested to by a signature. A doctor signed your birth certificate, thus establishing your rights and privileges as a U.S. citizen. You entered school on the strength of a form that included a signature. Your high school and college diplomas are ratified with signatures. The purchase agreement for your car and house were bound with signatures, and your marriage was ratified by a license that bears an official's signature. Your business was established by "doing business as" ("Fictitious Business Name") statements, leases, and loans that were all secured by signatures. In fact, the rest of your life events, up to and including your death and burial, will be attested to by signature-bearing documents.

If at this very moment someone were to take away all of the documents and records that attest to your life events, then officially, you would

not exist. You would have no rights, no privileges, no property, and formally, no relationships. Your life events may be distorted and your possessions taken away by someone's forging, counterfeiting, or otherwise altering these important documents.

### **A Piece of History**

On the morning of September 2, 1945, on the deck of the U.S.S. Missouri in Tokyo Bay, the Japanese envoy's Foreign Minister Mamoru Shigemitsu and General Yoshijiro Umezu signed their names on the official Instrument of Surrender, prepared by the War Department and approved by President Truman. Afterward, Gen. Douglas MacArthur, Commander in the Southwest Pacific and Supreme Commander for the Allied Powers, also signed.



**Figure 3.1**

*Figure 3.1 depicts the signing of the Official Instrument of Surrender on the deck of the U.S.S. Missouri in Tokyo Bay.*

This document set out in eight short paragraphs the complete capitulation of Japan to the Allied Powers. After five years of human loss,



this single event marked the formal ending of hostilities in the Pacific and the termination of World War II. On that day, world reality changed, and millions of people could return to their homes and resume their normal lives. The Declaration of Independence, the U.S. Constitution, and all the other historic documents that created our great country were legitimately signed by recognized authorities. What power lies in the strength of signatures!

But all documents—whether they attest the birth of our country or the birth of an individual—are subject to forgery, counterfeiting, and alteration. It is essential, therefore, to understand how a true signature is formed—and how it can be forged—so as to learn ways to “forgeproof” your own signature.

### **The Anatomy of a Signature**

When each of us was taught how to write in grade school, the teacher trained us to reproduce the letters of the alphabet as they appeared on the charts on the classroom wall and in our writing workbooks. But after completing our rudimentary training in handwriting, we were then free to “personalize” our own hand by departing from the copybook forms taught in school. Over time we further incorporated additional distinctive handwriting characteristics into our writing repertoire, which now manifest themselves in our “adult hand” in different ways. They appear as the unique manner in which we construct our letters and in unique forms and distinctive connections between letters.

There are different reasons why we write our signatures the way we do. Much of it is simply our own personal preferences. My sons tell me that the “B” of my surname looks like an “S” inside a circle. The reason for that is simple. When I was in junior high school, I had a friend named John Dumont. I watched him write his name one time and noticed that he began his “D” with an overhand motion, as when one begins the first counter-clockwise movement to make a capital “S.” After descending to the baseline, the stroke rose up over the top of the first stroke, then created a large oval to form the remainder of the “D.” When I saw that, I thought it was cool, so I began to make my “B” in a similar fashion, and through the years I have stylized it to the point that it now looks like an “S” in a circle.

Whatever the reasons behind our personalizing of our signatures, the resulting product is a “pictorial image” that is a certain shape, height,

width, and size. And even though we may have forgotten the reasons our signature looks the way it does, when a document is placed before us, in a rapid, habitual burst of action we generate yet another authentic rendition of our own true signature.

Before learning how to protect your own unique signature, you should first understand the most common ways that signatures are forged.

### **Four Common Signature Forgery Techniques**

Simple forgeries are those in which the forger writes the name of someone else with no attempt to replicate the appearance of the victim's true signature. These are the obvious forgeries, and they sometimes even exhibit the misspelling of the name! Let's say you were traveling with someone and stopped at a gas station to fill up. You had to use the restroom, so you told your traveling companion, "Please sign my name on the credit card receipt." In this instance, your friend would simply write your name in his or her own hand without trying to imitate your true signature. Although in this situation there is no intent to commit fraud, the resulting signature is similar to that of a simple forgery. It is your written name, but in the handwriting habits of another person.

Simulated forgeries are those in which the forger copies the likeness of a model signature he has obtained from a previous letter, invoice, check, receipt, or any other document bearing a rendition of the victim's true signature. When he copies the signature from the model, the model may be positioned right next to the document being forged, or in some cases, the model can be from memory if the situation calls for the forger to sign the victim's name while other people are around. In these situations the forger attempts to duplicate the obvious features, that is, the pictorial likeness of the model signature. He may have carefully practiced the signature several times before writing the forgery.

Traced forgeries are produced by placing a model signature on a light table (with light shining through the source document from behind), and placing the document to be forged on top. The forger, able to see the path of the signature line from the model document underneath, follows the line of the model projected from behind as he traces the forgery on the document above. Traced forgeries usually look correct as to letter forms and letter proportions, but they lack fluency. That is, traced forgeries exhibit poor "line quality" and lack tapering in beginning and ending strokes. However, since they look pretty accurate upon a casual glance,

they usually pass scrutiny. Keep in mind that a forger is not trying to fool the professional handwriting expert; he is just trying to fool a clerk or someone at the point of exchange.

Can you tell which of the two signatures below is the real signature and which one is the traced forgery?

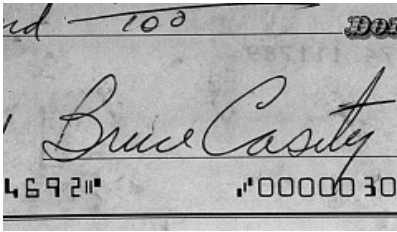


Figure 3.3

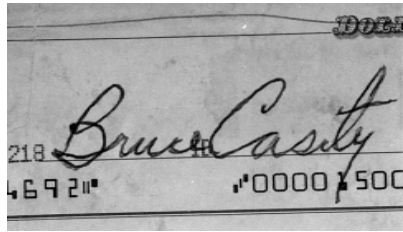


Figure 3.4

*Figure 3.3 shows a true signature and Figure 3.4 shows the forgery. The forgery in the right frame exhibits hesitation, blunt strokes, and even heavy line pressure, rather than the tapering and fluency of the authentic signature in the left frame.*

Cut and Paste forgeries are created when authentic signatures are misused by means of photocopiers or computer scanners. Your true signature is copied from a document you actually signed, but then that copied signature is placed onto a different document you've never seen before. In these situations, the resulting signature is not really a "forgery" strictly speaking because your signature has just been "recycled." However, we will still call it a forgery for our purposes since this situation represents an unauthorized use of your true signature to fraudulent ends. This method of forgery is becoming more prevalent in today's high-tech age with the advancement in quality of computer scanners and photocopying machines. Read more about such forgery in Chapter 14.

If you are interested in learning more about forgery detection principles, you can read a technical paper I presented to the American Academy of Forensic Sciences meeting in 1999 titled "Handwriting Identification: Formula for Authenticity." This brief paper can be found in Appendix A.

### **"Forgeproofing" Your Signature**

Now that you understand how signatures are forged, there are several

things you can do to prevent the misuse of your signature. First, don't make an abbreviated signature using only the initials of your name. As a rule of thumb, the fewer characters in a signature, the easier it is for the forger to succeed in producing the likeness of your written name, and the more difficult it will be for a questioned document expert to demonstrate that the signature is forged rather than authentic.

If you have been using an abbreviated signature, it is high time you started using most of the characters of both your given and surnames. I say "most" because if some of your characters become swallowed up in provocative flourishes and intricate and unique constructions and forms, then that can be advantageous, because a second rule of thumb is that intricate, stylized signatures provide the greatest deterrence to forgery.

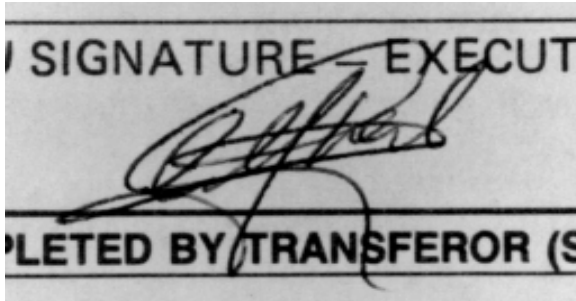


Figure 3.5

*Figure 3.5 depicts an "intricate, stylized" signature. Note the interesting constructions and artistic qualities. Only a microscope and experience can unravel the mysteries of such signatures.*

Figure 3.5 is an example of a stylized signature, which usually cannot be easily deciphered. In fact, in some stylized signatures, perhaps fourteen characters can be represented by swirling circles or a series of jagged peaks.

Second, you should personalize your signature. The characters of your signature should not look like letters taken directly from the grade school handwriting charts that depict either the Palmer, the Zaner-Bloser, or the D'Nealian handwriting systems. By now, you should have injected some personal touches to the letters of your name with interesting constructions and forms and the use of connecting strokes.

Third, write your signature rapidly, letting the dynamics of your personal motor control add further distinctiveness to your written name. There are certain restrictions to what your hand, wrist, and forearm can do, and there are other motions that come naturally to your hand. Lately, I have noticed some strange but interesting-looking lower-case cursive “f”s being spawned by my hand. I do not tell my hand to make these; they just occur. These are distinctive and have identifying value, so I don’t fight it. While I have consciously instructed my hand to make certain other constructions, it has obeyed in some ways, but it has demonstrated its resistance and independence in the creation of other forms. In any event, writing your signature rapidly guarantees uniqueness and distinctiveness, which is what you want to see in your authentic signatures.

In addition to developing a unique signature, there are many other practices you can follow to make it more difficult for forgers to reproduce or misuse your signature.

### **Use of a Signature Stamp**

In general, I don’t recommend the use of a signature stamp. If someone were to abscond with your signature stamp, he or she could do a lot of damage to you personally and also to your business. If it is possible to do so, I advise taking the time to sign payroll checks. However, I do understand the need for signature stamps and automation in larger companies, where it would be too burdensome for one person to sign hundreds of checks. So if you have compelling reasons why you must continue to use stamps, I recommend the following:

#### **Guidelines for the use of Signature Stamps:**

1. Use only one signature stamp at a time.
2. When you begin using a signature stamp, note the date that you first put it in use, and also note the date when you retire it. When you first get it, stamp twenty samples of your signature stamp on a blank sheet. Write the date on the sheet of paper and file it in a safe place for future reference.
3. When you buy another signature stamp in the future, do not throw the old one away. It may be useful in dating a document if any issue ever arises concerning when a document may have been prepared. Lock the old stamp up in a

safe place, along with the original sample sheet that you made, and be sure to write down the date that you retired the old stamp.

4. Keep your active signature stamp locked up, with limited access by other personnel.

### **Use of Digital/electronic Signatures (“e-signatures”)**

E-signatures have been gaining much hype in the news recently, and now they have gained legal acceptance. In June of 2000, the House of Representatives passed a bill to make e-signatures legally binding, and the Senate followed shortly with their hearty approval. Commerce Committee Chairman Thomas Bliley announced, “Electronic signatures and records will help grow the digital economy by giving American consumers greater confidence in their online business transactions.”

Although I understand their enthusiasm, I also know that this step will open the door for perhaps the greatest wave of fraud yet. This new piece of legislation will allow consumers to buy a car, sign a mortgage, and accomplish all kinds of “e-business” using their computers. I can just see the scam artists drooling over this one. As for me, it will be some time before I entrust my personal signature to cyberspace. I will be watching for some time to see how this will play out. For the time being I would advise against the use of e-signatures, which will be discussed in detail in Chapter 14.

### **Use of Writing Implements**

The best pens to use are ball-point pens or fountain pens, but do not use fiber-tip pens, broad-tip pens, or markers. Fiber-tip pens are among the best pens to use when forging a signature because they tend to conceal defects in the forgery, and they also conceal important details of authentic signatures. When you sign your name, you want all the distinctiveness of your natural handwriting to be seen in your authentic signature.

Remember, your signature is like a key to your front door. It unlocks the door and gives access to everything inside. Your signature authorizes the bank to release your money to another person. Your signature on a deed secures your ownership to land or property, and your signature on a trust or will tells the world how to distribute your estate when you are gone. Think about that—even after we are dead and gone, our signatures

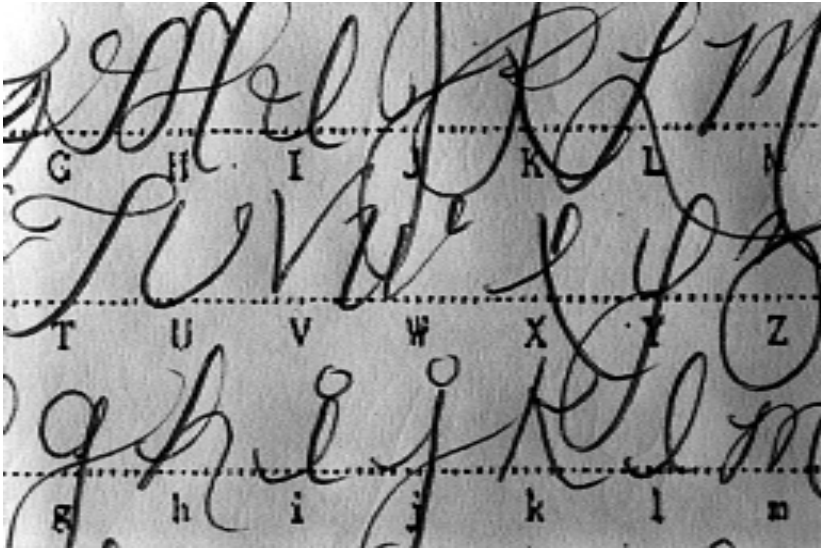


Figure 3.6

*Although written with a ball-point pen, this handwriting sample exhibits the eloquence and tapering of fountain (nib) pens.*

ensure the continued exercising of our desires and decisions. These signatures are powerful entities. Safeguard yours wisely. And before you jump on the “e-signature” bandwagon, be sure to read through Chapter 14.

### **Checklist: “Forgeproofing” Your Signature**

1. Don't write an abbreviated signature. Use most of the characters of both your given and surnames.
2. Personalize your signature, letting your unique writing habits take over.
3. Write your signature rapidly.
4. Use ball-point or fountain pens. Do not use fiber-tip pens.
5. I don't recommend the use of signature stamps, but if you must use them, observe the guidelines above.
6. I don't yet recommend the use of “e-signatures.”