

„BABEȘ-BOLYAI „ UNIVERSITATY CLUJ

HABILITATION THESYS ABSTRACT

Theory and Technique in Handwriting and Signatures examination

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The thesis is conceived from the prospective of integrating personal current researches' results in a complex theoretical structure. It synthesizes the candidate's activity after obtaining the Doctor's title with the current tendencies in the specialized literature and practice as guidelines for the future development in his didactical career.

Thesis' structure consists of two sections divided also on some chapters, carefully balanced over their amount of contained information in relation with their use in training future handwriting experts, as well as for the currently active ones. The two sections (I Contributions to the Theory and Methodology of Graphical Examination; II Further Plan of Research And Academic Development) are preceded by a succinct presentation of the author's didactical and scientific activity

The thesis includes as **original theoretical contributions** :

- Terminological classifications concerning Graphology and Graphoscopy (AKA. "Handwriting Identification") as main directions of Handwriting examination. With their historical evolution of intuitive and experimental concepts and methods in handwriting examinations, the two disciplines, have separated at a certain point, in spite of including one another in the beginning, due to different goals. The author analyses the similarities and differences originating in the use on both domains of the knowledge about handwriting mechanisms, graphical movements, etc.

As a branch of Forensic Sciences, Handwriting Identification uses complex scientific methods and data taken from the fields of physiology, psychology, anatomy, Graphology, calligraphy, mechanics, etc. in order to identify the author of a writing or signature.

Handwriting has been defined in the thesis as a specific human activity, motional and intellectual habit of communication that is achieved through a learning process by repetition and that is manifested as graphical gestures with the character of controlled reflex movements. Handwriting appears thus as a complex result of intellectual and movement activity created with the purpose of fixing, transmitting and expressing images, perceptions, ideas, sensations with the help of letters, figures, phrases, signatures, ideograms, etc.

The correct understanding of physiological and physio-motric mechanisms the take part in the act of handwriting has a fundamental importance in identifying handwriting authors. We underline the systematic and scientific character of the research in this field that have led to distinguishing factors of objective and subjective nature serving to the requested identifications and that resonate with all the rules of general Forensic Identification.

Analysis of the handwriting signature theoretical notion. The Romanian legislation does not contain an express definition of the Signature notion. Still, the New Civil Law Procedure Code distinctively states in art. 268 that signature " *ensures full faith, until proven otherwise, on the existence of the consent of the signing party to the document's content*". We have not found a comprehensive definition of the signature, so we offer as a possible definition: " Signature is the product of a conscious act materialized through graphical gestures with the purpose of expressing an individual's agreement , in order to make it visible and accepted as a "graphical fingerprint" that is considered to have an *erga omnes* opposability –until proven otherwise. Their "identifying significance" due to their former cultural, social - economical past, makes signatures more than just a mere written product of a person. **An overview** of the main methods of identification in

handwriting history and of the significant Foreign and Romanian scientist of the domain is also presented.

The Chapter “ Graphical formation and development of a person” is an **original approach**, as it has never been so explicitly and extensively discussed before in the Romanian literature. There are important data of a theoretical and applied nature that have risen out of the study and also of the personal experience of the author. They delineate the future directions of the author’s project of research. Part of the chapter’s content deals with the specific features of graphical identification.

The subchapter entitled “ The contribution of neurology and physiology to the study of the graphic movement” constitutes an original approach in our literature. It underlines the trans-disciplinary character of handwriting examination as it reveals it’s origins in a plethora of nervous centers and connections on the surface of the human brain. Inexorably related to the attributes of the humans: talking, reading, hearing, writing is not a spontaneous product. It involves centers of kinetic co-ordination, associative memory, feed-back and feed-forward phenomena. Thus the nervous system provides permanent control of parameters such as : movement amplitude, pressure and speed, spatial positioning of the text on the page, writing line directions, etc.

The II Section deals with the methodological and technical problems the author appreciated as useful to the experts, as well as for the “beneficiaries” of their reports. ”Laics” will have thus the possibility to understand and (to a certain extent) evaluate the quality and thoroughness of the expert’s work. They are considered to be a “must” in the author’s future career and research development.

Having a rather practical nature, handwriting identification makes use of several technical determinations and/or scientific support.

Scientific description is the first abstract operation in order to undertake a logical identification. The author of the thesis notices that in spite of their apparent divergence, most opinion converge to a handful of correlated criteria of reference: *shape, speed, degree of evolution, dimensions, positioning*, etc. Thus are exposed the operations and logical reasoning that have to be considered by an expert in order to reach a reasonable conclusion: *preliminary evaluation, the graphical study, comparison, final evaluation of the results, forming of a conclusion*.

The Technical aspects in the thesis review several data underline by the practice and literature as a solid completion to the information required in the work of an expert.

The Conclusions to the thesis drawn by the candidate underlines as solutions for a long term theoretical and durable development:

1. Creation of an Educative structure by the Ministry of Justice, together with the university areas in order to become eligible for the quality of forensic expert.
2. Clear and solid criteria of selection of the future experts, requiring a previous higher education in Law, Psychology, Medicine.
3. Adequate academic curricula, combining lectures of Forensic Science, Criminal Procedures, Psycho-physiology, history of forensic expertise, applied techniques.
4. A unified National Structure of accrediting and re-confirm experts and labs, based on professional and university evaluations.
5. A Professional Body of Experts, benefiting of it’s own Ethical Code and Judicial Council.