
ANDREW SULNER, MSFS, JD
[FORENSIC DOCUMENT EXAMINATIONS, LLC]
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EDUCATION

Undergraduate: QUEENS COLLEGE, City University of New York, Flushing, NY
B.A., Cum Laude, Psychology and Communication Arts &
Sciences, 1972

Graduate: GEORGE WASHINGTON UNIVERSITY, Washington, DC
M.S. in Forensic Science, 1975

Legal: GEORGE WASHINGTON UNIVERSITY, Washington, DC
J.D., with Honors, 1975

PRINCIPAL TRAINING AND CONTINUING EDUCATION

I received my principal training from my mother, Hanna F. Sulner, an internationally renowned document examiner who authored a 400-page reference book, *Disputed Documents: New Methods for Examining Questioned Documents*, and numerous other professional publications. My initial training was augmented by the training and continuing professional education I received from a retired FBI document examiner and numerous other document examiners and forensic scientists.

Throughout my career, I have remained current in my field by taking specialized courses of instruction, regularly reading peer-reviewed journals, and participating in continuing education programs offered through accredited and nationally recognized professional membership organizations in my field. I have instructed document examiners and other professionals about various aspects of forensic document examination and I have lectured on numerous occasions to attorneys, accountants, fraud examiners, and investigators employed in both the private and public sectors, as well as members of the judiciary.

CERTIFICATION IN FORENSIC DOCUMENT EXAMINATION

Board Certification was awarded by the Board of Forensic Document Examiners (BFDE) in 2007 after my successful completion of proctored written and practical examinations. The BFDE was the first forensic document examiners certification board to be accredited by the Forensic Specialties Accreditation Board (FSAB), which accredits forensic specialty boards in the United States that certify practitioners (specialists) in various forensic disciplines. I was re-certified by the BFDE in 2013 and 2018.

PROFESSIONAL MEMBERSHIPS

- American Academy of Forensic Sciences (AAFS), Jurisprudence Section Fellow
 - Recipient of 2014 Kenneth S. Field Award for Outstanding Service to the Academy
- Association of Forensic Document Examiners (AFDE)
- Association of Certified Fraud Examiners (ACFE)
- American Society of Testing and Materials (ASTM Committee E-30 on Forensic Sciences and Subcommittee E-30.02 on Questioned Documents) up until 2013
- National District Attorneys Association (NDAA)
- New York State Bar
- The Florida Bar
- The State Bar of California
- The District of Columbia Bar
- American Bar Association

RECENT POSITIONS HELD

- President, Board of Forensic Document Examiners (BFDE), 2016
- Vice-President, Board of Forensic Document Examiners (BFDE), 2010-2015
- Chair, BFDE Ethics Committee, 2010-2015
- Chair, Jurisprudence Section of American Academy of Forensic Sciences, 2013-2014
- Secretary, Jurisprudence Section of American Academy of Forensic Sciences, 2010-2012
- Member, Editorial Board, Journal of Forensic Document Examination, 2008-Present
- Member, ABA Judicial Division's Committee on Forensic Science, 2014-2016
- Member, Board of Directors, Association of Certified Fraud Examiners (NY Chapter), 2001-2012
- President, Society of Medical Jurisprudence and Forensic Sciences, 1998

PUBLICATIONS AND PRESENTATIONS

Articles:

Critical Issues Affecting the Reliability and Admissibility of Handwriting Identification Opinion Evidence – How They Have Been Addressed (or Not) Since the 2009 NAS Report, and How They Should Be Addressed Going Forward: A Document Examiner Tells All, *48 Seton Hall Law Review* 631 (2018) [Available at: <http://scholarship.shu.edu/shlr/vol48/iss3/5/>].

A Critical Look at Some Needed Reforms in the Landscape of Forensic Science Education and Mentorship Training Standards, *Academy News* (a publication of the AAFS), Vol. 44, Issue 1 (Jan. 2014), republished in *Journal of Forensic Document Examination*, Vol. 24 (2014)

Book Chapters:

Handwriting: Cognitive Bias, in *Wiley Encyclopedia of Forensic Science*, Jamieson, A. (Editor) and Moenssens, A. (co-Editor), John Wiley & Sons, Ltd., Chichester, UK, pp. 1-15 (Dec. 2014)

Forensic Sciences: Jurisprudence: American Academy of Forensic Sciences (AAFS) Reference Series - A Decade of Research and Case Study Proceedings, AAFS, 2012 [Lead Author]

Brief Overview of Forensic Document Examination, in *Using Experts for Evaluating & Preparing Criminal Cases* (New Jersey Institute of Continuing Legal Education, 1999)

The Role of the Forensic Document Examiner in Medical Malpractice Cases, in *Medical Malpractice: Strategic and Practical Principles* (New York State Bar Association, 1986)

Technical Reviews:

Reviewer, Report of the Expert Working Group for Human Factors, *Forensic Handwriting Examination and Human Factors: Improving the Practice Through a Systems Approach*, U.S. Department of Commerce, National Institute of Standards and Technology. 2020. NISTIR 8282 Selected by NIST for my subject matter expertise in forensic document examination and tasked by NIST to review the Report in draft form and make recommendations.

Book Reviews:

Scientific Examination of Questioned Documents, 2nd ed. (Kelly and Lindblom, eds.), *Journal of Forensic Document Examination*, Vol. 21 (2011)

Recent Presentations:

Presenter (Author), **Critical Issues Affecting the Reliability and Admissibility of Handwriting Identification Opinion Evidence – How They Have Been Addressed (or Not) Since the 2009 NAS Report, and How They Should Be Addressed Going Forward: A Document Examiner Tells All**, in *EXPERTS, INFERENCE AND INNOCENCE*, A Symposium in Honor of the Work of D. Michael Risinger, Seton Hall University Law School (October 27, 2017)

Presenter (Author), **“Seeing Isn’t Always Believing: Dealing with Forged and Altered Documents,”** one-hour presentation at the American Academy of Matrimonial Lawyers Annual Meeting, New York, NY (May 5, 2017)

Presenter (Author), **“Is Your Handwriting Expert’s Testimony Admissible? Navigating Daubert/Kumho Challenges to Enhance the Likelihood that Gatekeepers Will Find Handwriting Comparison Evidence Sufficiently Reliable to be Admissible Under Federal Rule of Evidence 702,”** American Academy of Forensic Sciences Annual Meeting, New Orleans, LA (February 17, 2017)

Presenter (Author), **“Peer Reviews of Forensic Casework: Understanding the Different Types of Standard Reviews and Why Courts Have Ruled that Evidence of Casework Peer Reviews Performed by Non-Testifying Experts is Inadmissible,”** one-hour presentation at the Association of Forensic Document Examiners Annual Symposium, Myrtle Beach, SC (October 29, 2016)

Recent Presentations (continued):

Presenter (Author), **“How the Trial Judge’s Gatekeeping Function Can Be Better Used to Bar the Admission of Unreliable and Exaggerated Opinion Testimony From Traditional Forensic Science Disciplines,”** American Academy of Forensic Sciences Annual Meeting, Las Vegas, NV (February 25, 2016)

Presenter (Author), **“Demonstrating When and How Blind Testing, Exemplar Lineups and Other De-biasing Procedures Can Optimize the Accuracy of Forensic Handwriting Investigations,”** one-hour presentation at the Association of Forensic Document Examiners Annual Symposium, San Antonio, TX (October 23, 2015)

Presenter (Author), **“Illustrating the Potential Impact of Cognitive Bias on the Opinions and Testimony of Forensic Handwriting Experts And How the Trial Judge's Gatekeeping Function Can Serve as a Possible Antidote,”** American Bar Association Judicial Division Symposium on The Role of the Courts in Improving Forensic Science, Northwestern University School of Law, Chicago, IL (April 10, 2015)

Presenter (Author), **“Legal Update: Recent Court Decisions Declaring Testimony About Case Reviews Performed by Non-Testifying Experts to be Inadmissible,”** American Academy of Forensic Sciences Annual Meeting, Orlando, FL (February 20, 2015)

Presenter (Author), **“Why Forensic Scientists Should Embrace the Concept of Bias Control: A Practitioner’s Perspective,”** American Academy of Forensic Sciences Annual Meeting Plenary Session, Orlando, FL (February 18, 2015)

Organizer, Moderator and Speaker, Plenary Session (half-day) entitled **“Human Factors in Forensic Science: Why Cognitive Bias Can Lead to Flawed Expert Opinions and Testimony, How Its Influence Can Be Minimized, and What Challenges Testifying Experts and Judges Can Expect to Face,”** American Academy of Forensic Sciences Annual Meeting, Orlando, FL (February 18, 2015)

Presenter (Author), **“Bias Effects in Forensic Handwriting Investigations and Expert Testimony: An Insider’s Perspective,”** American Academy of Forensic Sciences Annual Meeting, Orlando, FL (February 17, 2015)

Chair, Workshop (full-day) entitled **“Cognitive Bias Issues in the Forensic Analysis of Pattern and Impression Evidence and in Medico-legal Investigations,”** American Academy of Forensic Sciences Annual Meeting, Orlando, FL (February 17, 2015)

Presenter (Author), **“Examining Sources of Bias and Illustrating Their Impact on Handwriting Opinions and Expert Testimony of Forensic Document Examiners,”** American Academy of Forensic Sciences Annual Meeting, Seattle, WA (February 17, 2014)

Chair, Workshop (full-day) entitled **“Bias in Forensics - Examining the Sources and Impacts of Bias on Perceptual and Cognitive Judgments Made by Forensic Experts, Strategies for Excluding or Impeaching Expert Testimony Tainted by Bias, and Proposed Solutions for Minimizing or Inhibiting Biasing Influences”,** American Academy of Forensic Sciences Annual Meeting, Seattle, WA (February 17, 2014)

Recent Presentations (continued):

Presenter (Author), **“A Case Review of Conflicting Expert Opinions Based Upon Examination of the Same Signatures and Exemplars,”** one-hour presentation at the Association of Forensic Document Examiners Annual Symposium, Chicago, IL (October 11, 2013)

Presenter (Author), **“The Effective Use of Forensic Document Examination: How to Look Beyond the Four Corners of a Document,”** one-hour presentation at the Foundation for Accounting Education (FAE) 2013 Anti-Fraud Conference, New York, NY (June 4, 2013)

Presenter (Author), **“Exposing A Document Examiner’s Flawed Analysis in a \$300 Million International Bank Fraud Case,”** American Academy of Forensic Sciences Annual Meeting, Washington, DC (February 23, 2013)

Presenter (Author), **“Casework Peer Review Evidence: Understanding What It Really Means And When Such Evidence Will Be Precluded,”** American Academy of Forensic Sciences Annual Meeting, Atlanta, GA (February 23, 2012)

Chair, Workshop (full-day) entitled **“Flawed Forensics: Recognizing and Challenging Misleading Forensic Evidence and Disingenuous Expert Testimony,”** American Academy of Forensic Sciences Annual Meeting, Atlanta, GA (February 21, 2012)

Presenter (Author), **“Disingenuous Testimony About Casework Peer Review: Understanding What it Really Means and When Such Testimony Will Be Precluded,”** American Academy of Forensic Sciences Annual Meeting, Atlanta, GA (February 21, 2012)

Presenter (Author), **“Anatomy of a \$300 Million Bank Fraud Case: Exposing A Document Examiner's Flawed Analysis,”** one-hour presentation at Association of Forensic Document Examiners Annual Symposium, Louisville, KY (November 6, 2011)

Presenter (Author), **“The Role of the Forensic Document Examiner in Fraud Investigations,”** one-hour presentation at the Association of Certified Fraud Examiners 21st Semi-Annual Fraud Prevention Conference, Long Island University, Brooklyn, NY (October 28, 2011)

Presenter (Author), **“Impeaching Self-Serving Case Review Evidence and Excluding Case Review Testimony by a Second Forensic Document Examiner,”** one-hour presentation at the Association of Forensic Document Examiners Annual Symposium, Milwaukee, WI (November 6, 2009)

Presenter (Author), **“Presenting Evidentiary Proof of Page Substitution in a Multi-Page Document and Demonstrating How Critical Evidence Can Be Overlooked by FDEs,”** 1.5-hour presentation at the Association of Forensic Document Examiners Annual Symposium, Albuquerque, NM (October 19, 2008)

Presenter (Author), **“The Principle Source of Error in Mistaken Opinions of Simulated Forgery: Failure of the FDE to Properly Evaluate the Signatory's Full Range of Variation,”** one-hour presentation at the Association of Forensic Document Examiners Annual Symposium, Albuquerque, NM (October 17, 2008)

EXPERIENCE AND AREAS OF EXPERTISE

Nationally recognized expert witness with over forty years of experience in examining documents of all kinds and providing expert testimony and consulting services in civil and criminal cases before Federal, State and County courts throughout the United States. Qualified to handle the most complex issues concerning the authenticity or fraudulent preparation of documentary evidence. Expert testimony favorably cited in numerous federal and state court judicial decisions.

Forensic services include examination and identification of handwriting, hand printing, typewriting, computer-generated printing, stamp impressions, paper, photocopies, inks and writing instruments; determination of forgery or authentication of signatures; detection of erasures, alterations, additions and substitutions; decipherment of erased, obliterated and indented text; examination of Medical Records and Business Records to determine evidence of reconstruction (preparation other than in the ordinary course of business); nondestructive video spectral differentiation of inks, writing instruments and paper; establishing the source of origin and method of preparation of documents; determining the sequence of preparation and relative date (age) of documents or entries thereon; and determining the integrity of electronic documentary evidence.

LABORATORY RESOURCES

State-of-the-art forensic testing and instrumentation, including laboratory and mobile Video Spectral Comparison Systems for non-destructive ink and paper differentiations and other probative forensic examinations, Electro-Static Detection Apparatus for lifting latent indentations, Computerized Digital Image Enhancement Systems, and Computer Forensics Tools for evaluating the integrity of digital documents. Portable equipment and scientific instrumentation available for comprehensive forensic examinations and digital imaging/photography of impounded documents or computer drives. In-house preparation of professional demonstrative evidence for use in court.