

Minutes (Revised)
FSAB Annual Meeting
February 7, 2021 2:00-5:00 PM EDT (Virtual)

Present- James Adcock (Public Director), Peter Alexander, Karin Athanas (Public Director), Paula Brumit, Ann Bunch (Treasurer), Stephanie Domitrovitch (Public Director), Bethany Fax, Demi Garvin, Bruce Goldberger (President), David Khey (Public Director), Ken Melson (Public Director), Lawrence Quarino, David Senn (Immediate Past President), Marina Stajic, Peter Valentin, Emily Will (Vice President), Elizabeth Ziolkowski

Absent – Donna Boyd

Guests – Mark Goff, Bill Hicks, Carl McClary, Michele Triplett, Tom Vastrick

Call to Order 2:04 PM (EDT)-Goldberger

Approval of Agenda

Discussion-None

Motion: To accept the agenda as provided. MSCU

Approval of Minutes

Discussion-None

Motion: To accept the minutes of October 24, 2020. MSCU

President’s Report – President Goldberger thanked the Board for their work, especially given the challenges presented by the on-going pandemic. It is hoped that we will see each other for an in-person 2022 Annual Meeting in Seattle. He welcomed guests Michele Triplett and Bill Hicks of the International Association for Identification (IAI) and the National Association of Fire Investigators (NAFI), respectively and thanked them for their interest in FSAB accreditation. Administrative management of the FSAB will no longer be conducted by the Forensic Science Foundation (FSF). We will be using the services of Jim Williamson (BT Professional Solutions LLC). Mr. Williamson will not be joining us for this meeting since it is a new relationship, but will be invited at a later date. It is anticipated that his duties will include FSAB administrative duties, payment of invoices, maintenance of paper and electronic documents, etc., much like those performed by Kimberly Wrasse (FSF). Mr. Williamson’s address will be the FSAB address. He is to function as the FSAB registered agent. President Goldberger will monitor the job description and on-going projects to ensure that things are running smoothly.

Vice President’s Report – Vice President Will has reached out to each of the Directors to obtain feedback. In the coming year, we should do more to tap into the skill sets of all of our directors. The 2021 Management Review was provided in the meeting materials. It is also attached to the Annual Meeting Minutes on the private side of the FSAB website.

Treasurer’s Report – Treasurer Bunch has worked with Jim Williamson to prepare the report as provided in the meeting materials. Revenue is generated from CAB accreditation fees. The

Annual Board expenses are approximately \$7,000-10,000 and consist of training, travel, and professional liability insurance.

The treasurer's report reflects one CAB's annual fee payment to be in arrears, however Jim Williamson has confirmed that the fee has been paid. President Goldberger stated that the FSAB financial position is sound. Vice President Will agreed, especially given that this meeting is being conducted virtually, which has reduced annual expenses. The Executive Committee (EC) is looking into the purchase of cyber insurance.

Action: To research the purchase of cyber insurance for the FSAB. (Executive Committee)

Secretary's Report – Secretary Garvin stated the EC has been meeting regularly to conduct business during the pandemic. Updates to the website and further activities to be discussed later in the meeting.

Committee Reports

a. Accreditation Review Committees

1. BFDE-Chair Fax stated that the on-site was conducted virtually and went well. Participation included BFDE representatives Vicki Willard and Robin Williams and the entire ARC. The BFDE is the first CAB to be reaccredited using the 2019 FSAB standards.
2. ABFT-Chair Alexander stated that in July 2020, ABFT applied for and was granted an application extension, therefore the ARC has no work to do at this time. The ABFT needs to hold an in-person meeting to adequately prepare for reaccreditation and has been hampered in its efforts by the pandemic.

b. ISO/IEC 17011:2017 Committee- Bunch

Treasurer Bunch stated that there will be more detail provided in the Internal Audit. There are actually three committees that comprise the ISO/IEC 17011:2017 Committee: Legal (Domitrovitch, Melson, Quarino), Risk (Ziolkowski, Alexander, Goldberger), and Policy and Procedures (Alexander, Boyd, Fax). [The Legal Committee has completed its work. The Risk Committee has revised Procedure 12 and introduced the concept of risk throughout the P&P. The Risk Committee has completed its work.](#) The Policy and Procedures Committee is still at work, given the significant revisions to this document. In order to self-declare that we are in compliance with ISO/IEC 17011: 2017, we must conduct a review of the management system, the competency of our management, i. e., personnel performance, and demonstrate that we are following our Policy and Procedures.

Director Alexander inquired about our procedure for contracts. Treasurer Bunch stated that we must harmonize the verbiage surrounding use of the terms contractors and subcontractors.

c. Nominating Committee-Senn

The Committee (Senn, Quarino, Stajic) has met throughout the year and nominates one new Regular Director (Mark Goff) for an initial term. Five Regular Directors

(Alexander, Fax, Garvin, Stajic, Will) and one Public Director (Melson), are nominated for subsequent terms.

2:28 PM (EDT) Mark Goff, D-ABFDE joins the meeting and introduces himself to the Board.

Director Melson proposed that the Directors' terms of office be added to the home page of the FSAB website.

Guest Tom Vastrick called for a point of order regarding a director who may be ineligible for nomination. President Goldberger stated that a Bylaws revision is being proposed to address this issue as well as a second slate of nominees. Mr. Vastrick restated his point of order.

Break at 3:01 PM (EDT). Meeting resumes at 3:10 PM (EDT).

Guest Carl McClary stated that he opposes a Bylaws change to correct the problem of expiring terms. Director Melson requested the alternate slate information, in the event that the Bylaws revision (5.4.1) is not passed. The proposed alternate slate of officers is: President (Ann Bunch), Vice President (Emily Will), Treasurer (Bethany Fax), and Secretary (Demi Garvin).

On-Site Checklist (Alexander, Garvin)-Discussion regarding the addition of a bibliography by the CAB to the accreditation application. Vice President Will stated that the references contained in the bibliography are intended to encompass the work performed in the specific forensic discipline(s) and not the certification process. Treasurer Bunch stated that this should not represent any difficulty for the CAB as references are provided in their study guides. Public Director Melson asked if references must be provided for each test performed. Treasurer Bunch stated that references should be peer-reviewed.

Public Director Domitrovitch asked if the ARCs are conducting an on-site visit briefing with the CAB after findings are identified. Director Alexander stated that per the FSAB procedure and as reflected on the Checklist (#11), the on-site team and the CAB meet during an exit briefing. Public Director Melson recommended amending the Checklist to include a statement noting that a signed contract exists between the FSAB and the CAB.

Further discussion included: Past President Tom Bohan's statement on the reliability of the science, the ability of the FSAB to assess the reliability of a forensic discipline, CAB examinations must be grounded in a validated/reliable/reproducible process, the Daubert standard, and introspection on the part of CAB (self-examination). Immediate Past President Senn stated that the FSAB does not have the resources (human, financial, et al.) to accomplish an evaluation of the reliability of each forensic discipline. President Goldberger responded that this activity is a focus of the OSAC; the FSAB cannot perform this function. Treasurer Bunch stated that the FSAB should use its general knowledge during the assessment. Director Alexander stated that the application should ask what published peer-reviewed articles have been listed in the CAB bibliography so that these may be reviewed during the on-site visit.

Motion: To accept the On-site Checklist with the following amendments: a) a bibliography should be listed for review at the on-site visit, b) Checklist Item #11 should be clarified to state that an exit briefing is conducted in-person, and c) a term of agreement exists between the FSAB and the CAB. MSCU

Accreditation Certificates-President Goldberger stated that the accreditation certificates are no longer being created by Derrick Hammond. Discussion concerning the proposed digital certificate as found in the meeting materials. The size, color, and certificate language have been

reviewed by the EC and appear to be acceptable. Questions remain about the potential for unauthorized certificate use and fraudulent copies. Public Director Domitrovitch suggested use of a corporate seal as a means of authentication. Public Director Khey proposed that the Board look into digital authentication through Adobe®. President Goldberger stated that a corporate seal is no longer being used. Public Director Melson recommended placing a copyright on the certificate such that unauthorized certificate use would constitute a violation that may result in legal action.

Motion: To accept the accreditation certificate with the following amendments: a) add “©” on the lower left under the banner, b) increase the font size and bold the term “Inc.”, and c) spell out the month of accreditation. MSCU

Action: To research options for digital authentication through Adobe®. (Executive Committee)

New Business

Bylaws-President Goldberger stated that the Board received an email dated February 7, 2021, in the meeting materials. The email was read into the minutes. Revisions to the Bylaws (5.4) and (6.8.1) are proposed. These revisions add detail (5.4) and allow for a Public Director to sit on the Executive Committee. A Public Director will not be considered an officer. Public Director Melson proposed that 5.4.2.1 should be revised to add “a Regular Director”.

Break at 4:04 PM (EDT). Meeting resumes at 4:09 PM (EDT).

Motion: To adopt the proposed Bylaws revisions to (5.4) and (6.8.1), respectively as referenced in the language contained in the communication dated February 7, 2021, and to include the proposed revision to 5.4.2.1. MSCU

Policy and Procedures-The proposed edits/revisions to the P&P as reflected in the meeting materials have come from the ISO/IEC 17011:2017 Committee and Public Director Melson.

Motion: To adopt the revisions to the P&P as proposed. MSCU

Agreement on Terms and Conditions for Forensic Specialties Accreditation Board (FSAB) Accreditation-Discussion regarding whether the references published in red type are to remain in the document. President Goldberger and Treasurer Bunch confirmed that these are to remain.

Motion: To adopt the document as written. MSCU

Annual Agreement and Disclosure Concerning Impartiality, Conflict of Interest, and Confidentiality for Persons Involved in FSAB Accreditation Activities-No discussion.

Motion: To adopt the document as written. MSCU

Director Fax exits the meeting at 4:23 PM (EDT).

Website-Public Director Melson recommended that the annual reports be updated on the private side of the website. Secretary Garvin is working with Affiliate Jack Kalin and Jim Williamson to update the website.

Future Meetings-The new FSAB President will set a date for the 2021 EC Summer Meeting. The 2022 Annual Meeting will be held in Seattle, Washington on Sunday, February 20, 2022. Director Alexander presented a FSAB Performance Audit via PowerPoint®. He stated that the Board should get feedback on the its effectiveness-should an outside organization be contracted for this purpose? Discussion as to whether we have the expertise within our organization to perform this function and whether impartiality would exist in that circumstance.

Public Director Adcock is involved in the development of national standards for homicide investigations as there are currently no such standards. The project currently includes representatives from nine states and Steven Clark, PhD. Directors should contact Public Director Adcock with any ideas, questions, etc. for this project that they may have.

Guest Carl McClary commented that the FSAB Bylaws (6.3) states that no officer shall exceed eight (8) terms and that boards benefit from turnover. If terms have expired, how is business to be conducted? Immediate Past President Senn clarified that terms have not yet expired.

Director Alexander inquired about the appointment of coaches to assist new CABs seeking accreditation. President Goldberger stated that coaches may be appointed once application has occurred. For example, the IAI and NAFI have an interest in pursuing accreditation. Organizations seeking accreditation are encouraged to do their own research, contact the FSAB President for assistance, and join the FSAB during its annual meetings for additional guidance.

Executive Session begins at 4:45 PM (EDT). Vice President Will exits the meeting.

Motion: To reaccredit the BFDE for a term of five years, effective March 1, 2021. For: 13. Against: 0. Abstaining: 2. Absent: 3. MC

Action: President Goldberger will send a notification letter to the BFDE.

Vice President Will returns to the meeting at 5:07 PM (EDT).

Election of Directors and Officers

Nominating Committee Chair Senn proposed the slate of nominees for Directors.

Motion: To accept the slate of nominees for Directors as published. MSCU

Nominating Committee Chair Senn proposed slate of nominees for Officers.

Motion: To accept the slate of nominees for Officers as published. MSCU

Motion: To elect Public Director Melson to the Executive Committee. For: 15. Against: 0. Abstaining: 1. Absent: 2.

President Goldberger requested that President-Elect Will make new committee appointments going forward.

On behalf of the FSAB, President Goldberger and President-Elect Will recognized Immediate Past President Senn for his eighteen years of service and extensive contributions to the Board. Dr. Senn thanked the Board for the opportunity to serve, expressed his enjoyment in doing so, and conveyed his best wishes to everyone.

Motion: Motion to adjourn at 5:15 PM. MSCU