

Minutes of the 2014 BOD Annual Meeting (BOD version)

Submitted by Bonnie L. Beal

These minutes contain information not provided to all Diplomates.

The ABFDE Board of Directors met for their Annual Meeting April 25 and 26, 2014 in Houston, TX. Present were: President Kirsten Singer, Vice President Lisa Hanson, Secretary Bonnie Beal, Treasurer Jim Green, Sean Espley (April 26th only), Marie Durina, Frank Hicks, Rick Horton, Jim Josey, Gary Licht, Janet Masson, Bill Riordan, and Rosalind Spencer.

The 2013 BOD Meeting Minutes were unanimously approved and distributed.

Treasurer's Report – Jim Green

In accordance with the SOP's, an external audit was requested on 1/26/13. The audit covered years ending June 30, 2010 and June 30, 2011. The years included entries by prior and current Treasurers Jeff Taylor and Jim Green, respectively.

The Hobbs Group randomly selected checks and related receipts, deposited checks and related deposit slips, transfers between accounts, policies, and other information. All were collected and submitted.

On October 17, 2013 the final report by the Hobbs Group was received. The report showed minor discrepancies. Examples included a lag time of payment of two bills exceeding 30 days. Another was a difference in the date a transfer of funds occurred between accounts and date it was recorded in QuickBooks. A few payments were made without a co-signer signature on the check. No discrepancies of any significance were identified.

Income and expense information was provided to the Hobbs Group to facilitate the preparation of the 2012 "Return of Organization Exempt From Income Tax" form. Allyson DeHart, an accountant with The Hobbs Group, filed the form on the Board's behalf in November, 2013. Payment in the amount of \$75 was made to The Hobbs Group for this filing action.

The Department of Consumer and Regulatory Affairs (DCRA) form BRA-25 was not completed last year. The submission is required every other year and will be filed again this year.

For the past several years, we have paid an annual premium of \$3,960.00 to RSUI Indemnity Company for the Board of Directors' liability insurance. Their premium for 2014 was raised \$400 to \$4,360.00. A few weeks ago, our insurance agent recommended we review a competitive quote from CAN Insurance; \$3,004.00. The same liability coverage is provided as our current carrier with deductions lower than provided under the CFM policy. An application was completed and submitted to CAN Insurance for their review. We expect to have the policy issued in the near future.

Interest in the amount of \$9.52 accrued in the CD during 2013. The interest was added to the prior balance of the Ames fund (\$4,529.75), to bring the current balance to \$4,539.27. As a reminder, the Ames Fund account is not a separate fund; it is simply a dedicated balance that currently exists in the regular checking account. Kirsten explained why the Ames Fund was created which was to handle Daubert issues or education issues regarding the Board or Daubert or something along those lines. It was established in the early 2000s. We commonly discuss at our annual meeting whether to keep or dissolve the fund. Some people may be upset if it was dissolved or used for another purpose.

Kirsten recommends we retain the Ames Fund for a while longer since she and other have been approached to testify at potential Daubert hearings. If funding is needed, we can fund the subject matter experts to go. Some potential uses for the fund may be for Public Relations use in the printing of brochures. It was asked what the specific restrictions or guidelines were for this fund. Kirsten said she was unable to find specifics. Marie remembered it may be used for dissemination of information.

The fund was used to send Derek to Australia one time and that trip did not go over well with the Diplomates. Kirsten asked if we should develop something more formal for the Ames Fund. It was stated it may help in continuity as the Board changes to have something in writing. Kirsten recommended something be drafted in the Treasurer's SOPs explaining what it was established for. Jim said he would draft something for the SOP. It was stated that Jim could ask Howard or Dan about the Ames Fund.

The 2013 – 2014 Diplomate dues payments totaled \$26,074.44.

Fortunately, no payments were made to ACT during the past year for their validation services. (The last payment made was in 2011 for \$17,162.67, causing a significant impact on our checking account balance.)

Six application payments were received for total deposits of \$1,568.45.

Payment in the amount of \$100.13 was made to the Corporate Service Company on January 5, 2014 to maintain statutory representation in D.C. (Our Corporation documents were initially filed in D.C.) Jan asked what this payment was for; Jim explained that when the Board was created the initial filing to be a Corporation was filed in D.C. We have to maintain an office in D.C. through the Corporate Service Company.

The two main routine expenses incurred are the Hobbs Group and Corporate Assets.

A dues payment was made to FSAB in the amount of \$842 on 10/18/13.

It is encouraging to note all balances are higher, albeit slightly, from a year ago: CD \$7,577.03 (Currently earning 0.08% interest. Expires 8/14/14.); Savings \$324.17 (Interest accumulates at 0.01 per month.); Regular checking \$27,170.88 (3/31/14 balance: \$25,149.83.) The two most recent Profit and Loss Statements are provided

below. Routine income and expenses were consistent between the two recent reporting years. The expense for the audit kept our income from exceeding that of the prior year.

Rick Horton asked why we pay a processing fee to PayPal. Jim stated he was unaware PayPal, as a business, would offer free processing. The current fee for a \$250 dues payment is \$7.50. Rick will check into Friends/Family due to possible no cost to use PayPal.

ABFDE Profit & Loss Statement

Ordinary Income/Expense	Income 4-1-13 through 3-31-14	4-1-12 through 3-31-13
Application Fee	1,568.45	1,250.00
Brochures	85.90	0.00
Coffee mug	0.00	115.00
Hilton 2nd Edition		
Edition	336.74	712.87
Total Hilton 2nd Edition	336.74	712.87
Membership Dues	26,074.44	28,000.82
Total Income	28,065.53	30,078.69
Expense		
ABFDE BoD Mtg 2014		
Airfare	3,014.41	0.00
Total ABFDE BoD Mtg 2014	3,014.41	0.00
ABFDE BoD Meetings	0.00	11,237.91
Total ABFDE BoD 2013	3,941.42	1,415.30
Total ABFDE BoD Meetings	3,941.42	12,653.21
ABFDE BoD - Other	2,000.00	0.00
Total ABFDE BoD	5,941.42	12,653.21
ABFDE BoD Mtgs ABFDE	6,849.97	0.00
Total ABFDE BoD Mtgs	6,849.97	0.00
ABFDE Workshop 2013 Administration	0.00	510.65
Audit - 2013	6,788.25	7,086.72
Bank Error	4,075.00	0.00
Bank Fees	-15.00	0.00
Check copies	0.00	101.95
FSAB		6.00
FSAR Membershin Dues	842.00	857.00
Total FSAB	842.00	857.00
Insurance - nonemployee	0.00	3,960.00
Legal Fees	88.50	0.00
Northeast Trophies & Awards	37.75	0.00
Overpayment	250.00	0.00
Plaques	48.15	0.00
Postage and Delivery	83.86	107.99
Prep of 2011 Form 990	0.00	500.00
Reconciliation	0.00	-44.95
Refund - Hyatt	-2,263.54	0.00
Reimbursement	122.55	0.00
Statutory Rep.	100.13	96.41
Stop Payment on 2 checks	873.71	0.00
Supplies and Materials	570.37	0.00
Trademark renewal	519.45	0.00
Transferred from business	-1,500.00	0.00
Voiced	-424.50	0.00
Total Expense	26,002.48	25,834.98
Net Ordinary Income	2,063.05	4,243.71

Credentials Report – Bonnie Beal

The Credentials Committee received five applications this year; four of the five applicants have passed onto the testing phase. The committee is awaiting documentation for the fifth applicant.

The Chair is having difficulty receiving the applicant's training records. The applicant is in the process of a major move. The Chair will continue to get the training records.

After reviewing the ABFDE Testing Committee Guidelines, it was updated to avoid some confusion when evaluating candidates and added information so the guideline can be kept with the candidate's packet demonstrating why the candidate did or did not move onto testing. A review of the Credential's records was conducted. Two files from 2008 were found; one from Kenya and one from Canada. These two applications appear to be from examiners educated and trained outside the US/Canada continent. Since no further information or contact has been documented these two files will be shredded. Three applications, past their two and a half years testing time, need a copy of the letter of notification from the Testing Committee Chair placed into their file. These three applications will be scanned and the originals sent to Anne Roper for filing.

Continuing Education Committee Report – A. Frank Hicks

There were 8 workshops approved for a total of 42 recertification points. The workshops were held across the country at national, regional, and local meetings.

Frank stated they pushed the envelope approving recertification points for the Rochester Institute of Technology – Printing Applications Laboratory course. They are not sure if any FDEs will even attend the course but they did approve them to get 6 points. It was stated that most FDEs that take the course are trainees and not Diplomates. Another stated that years back Diplomates have taken it and thought it was a very good course. There is a minimal number that needs to attend in order for points to be awarded. He wanted us to be aware of this workshop.

FSAB Committee Report – Bonnie Beal

The ABFDE was reaccredited under former Secretary Nicolaidis in February 2012. This accreditation is for five years. A new application will need to be completed prior to the year 2017. FSAB requires an annual report from all accredited organizations by March 31 of each year. Our FSAB Annual Report was submitted on March 26, 2014, along with the Substantive Changes and updated RPG. We have not heard back from FSAB regarding the report at this time.

Public Relations Committee Report – Marie Durina

This report covers the period of May 2013 through March 2014.
NIST Symposium on Measurement Science and Standard in Forensic Handwriting Examination

This NIST-sponsored symposium was held in Gaithersburg, MD on June 4-5, 2013. This was the first symposium of this kind and ABFDE was listed as a collaborator. The purpose of this conference was to enhance the current state of forensic handwriting analysis through the use of advancements in measurement science and the latest research investments in quantitative analysis capabilities.

NIST organized this event in collaboration with the American Academy of Forensic Sciences – Questioned Document Section, American Board of Forensic Document Examiners (ABFDE), American Society of Questioned Document Examiners (ASQDE), National Institute of Justice (NIJ), and Scientific Working Group for Forensic Document Examination (SWGDOC). In addition to presentations by Dr. Kam, Dr. Srihari, and Dr. Merlino, several ABFDE Diplomates also presented at the symposium. These included:

Ted Burkes; John Paul Osborn; Peter Tytell; Rigo Vargas; Linton Mohammed; Kirsten Singer; Marie Durina; Lisa Hanson; Brent Ostrum; Jan Masson; Jane Lewis; Brian Lindblom; Tom Vastrick

The symposium was attended by a live audience as well as webcasted for "virtual" attendees. This led to the question as to how many recertification points would be available to diplomates who attended in person vs. those who attended "virtually" via webcast. It was decided that physical attendees would receive 8 points toward recertification and webcast attendees would receive 4 points for attendance. Some attendees were concerned about this discrepancy and were of the opinion an equal amount of points should have been awarded to all attendees. As webcast seminars and symposiums of this kind may become more prevalent in the future, a determination should be made about how and when the ABFDE will award recertification points to diplomates.

Texas White Paper and ABFDE Position Letter

On January 18, 2013 President Kirsten Singer submitted a letter on behalf of the ABFDE to the Executive Office of the United States Attorneys setting forth the ABFDE's position regarding testimony in United States courts by qualified forensic document examiners. Due a change in management at the AUSA's Office, this comprehensive letter was not given an audience at the AUSA's office, but was retained for possible future use.

In November 2013, the State of Texas released a White Paper addressing issues in forensic science and appearing to be very much in favor of certification for all forensic practitioners. The original letter intended for the AUSA's office was slightly revised and updated, and found a new target audience with some of the stakeholders involved in the Texas White Paper, specifically the participants from the Texas Criminal Justice Integrity Unit. For more information on this group see:

<http://www.cca.courts.state.tx.us/tcju/members.asp> The updated letter was mailed to 15 individual participants of TCJIU on March 18, 2014 along with a copy of our brochure entitled "Profile of a Forensic Document Examiner". While we are not overly confident about the immediate impact of our letter upon this group, we are viewing as an attempt to go on the record about our profession and an opportunity to make small inroads for

possible networking in the future with those who have a close relationship with the justice system.

Updating of the Recertification Application Form on ABFDE Website

In May 2013, several attempts were made to revise the Recertification Application form currently on the ABFDE website. The current form is of extremely poor quality and several versions of a new, improved form were proposed. Three versions of the new form were discussed, and members of the BOD expressed various concerns via e-mail regarding content, especially with regard to what should be required of diplomates (i.e., the requirement of proficiency testing, and what constitutes being "actively engaged" in the profession.) Treasurer Green discussed an inexpensive source to have the form become a "fill-able PDF form" that would facilitate on-line submission by diplomates. It was decided to revisit this issue at a later date, in the hope that a new form could be adopted or at the very least, the appearance of the current form on the website be upgraded. The proposed version of revised Recertification Application is attached to this report.

Inquiry about ABFDE Code of Ethics

In January, 2014, the Public Relations Committee received an inquiry from Carolyn Gannett, a teacher of courses in ethics for the California Criminalistics Institute. Ms. Gannett expressed concern about the removal by the ABFDE of the paragraph on liability that was previously in its ethics code. She stated, "in order to mitigate an association's liability when exercising ethics investigations and sanctions, that a statement of member liability concerning ethics was strongly recommended, maybe even required, to be included somewhere in the Bylaws." In the teaching of her courses on ethics throughout the State of California, Ms. Gannett vigorously tracks ethics-related material for a multitude of forensic organizations, and often uses material on various websites as examples of what constitutes "acceptable" and "non-acceptable" examples of ethical models.

President Singer promptly responded to Ms. Gannett to assure her that the paragraph she cited is still present in the Rules and Procedures Guide, and advised her that the Guide was revised per FSAB in 2012 to separate sections and make them more readily available on the ABFDE website.

Ms. Gannett was advised the liability paragraph is on page 15, under Section III Code of Ethics and Standard Practices, and was also provided with the following information:

2009

DIPLOMATE/CANDIDATE LIABILITY

Any Diplomat or candidate of the American Board of Forensic Document Examiners, who has violated any of the provisions of the Code of Ethics and Competency, or portion thereof, may be liable to censure, suspension or

expulsion by action of the Board of Directors, as provided in the Professional Review Procedures

2012

B. Diplomate/Candidate Liability

Any Diplomate or candidate of the American Board of Forensic Document Examiners, who has violated any of the provisions of the Code of Ethics and Competency, or portion thereof, may be liable to censure, suspension or expulsion by action of the Board of Directors, as provided in the Professional Review Procedures.

Ms Gannett was advised that, in addition, ABFDE maintains annual Directors and Officers Liability insurance; and Diplomates must sign a "Statement of Affirmation and Agreement" when they submit their annual dues.

Finally, Ms. Gannett was provided the following text recommended by our legal counsel as an amendment to our Bylaws in 2011:

Bylaws amended:

5. Denial and Revocation of Certificates

- f. In an effort to promote the purpose of the organization, all diplomates are subject to review as outlined in the Professional Review Procedures. By agreeing to the terms and conditions placed upon the diplomates as a condition of certification and membership, all diplomates agree that any complaint made by one diplomate against another diplomate for Professional Review is done in order to maintain the purpose, integrity and reliability of forensic examination.

New Textbook includes Forensic Document Examination and Reference to the ABFDE

In 2011, author Richard Walton began working on a textbook entitled "Practical Cold Case Homicide Investigations Procedural Manual" intended for use by law enforcement and private investigators of homicides and death investigations that have become "cold cases". Mr. Walton contacted the San Diego Sheriff's Crime Lab seeking input from a forensic document examiner on Chapter 27 of the book "Questioned Documents", which had been drafted several years earlier by a now-deceased detective. The chapter was extensively re-written to include information about what constitutes a qualified forensic document examiner, and referring readers to legitimate FDE organizational websites including the ABFDE, ASQDE, SAFDE, and SWAFDE. The textbook was ultimately published and was made available for purchase in February, 2014. It is hoped that its contents will aid investigators in their attempts to close unsolved cases that were previously thought to have no resolution.

Website

The ABFDE website has been updated to include a current Directory of Diplomates. Additional updates include current versions of the following RPG documents posted by Secretary Bonnie Beal: Code of Conduct, General Provisions, Background Purposes, Code of Ethics, Bylaws, Duties of Officers and Committees, Procedure for Application and Certification, and an Outline of Substantive Changes. Laureen Leaver has proven invaluable in helping the BOD keep the website current and her assistance and diligence in this regard is extremely appreciated.



American Board of Forensic Document Examiners, Inc.

APPLICATION FOR RECERTIFICATION IN DOCUMENT EXAMINATION

INSTRUCTIONS TO APPLICANT: Please type or print all information. Each item in the application must bear an entry. State "None" where something is not applicable.

NAME _____

Certificate Number _____

Date of Certification _____

ADDRESS _____

HOME PH: _____

BUSINESS PH: _____

E-MAIL: _____

1. List employers from the last five (5) years, starting with your most recent position. If necessary, use extra sheets of paper for additional employer information. Identify the material being furnished and show your name and address on each sheet.

Employer: _____

Position/Title: _____ Length of time in position: _____

Supervisor (Include address and phone number): _____

Exact nature of duties: _____

2. Select one or more of the following activities in which you are currently engaged:

- forensic document examination
- direct supervision of other forensic document examiners
- training forensic document examiners

AFFIRMATION TO ABIDE BY THE CODE OF ETHICS

The American board of Forensic Document Examiners requires all applicants for re-certification to possess and maintain integrity and a good reputation in his/her profession. By affixing your signature below you agree to abide by the Code of Ethics and Professional Conduct as defined in the American Board of Forensic Document Rules and Procedures Guide, **and** affirm that all of the information provided in this application is true and correct to the best of your knowledge.

SIGNATURE

DATE

Recertification Committee Report – Rick Horton

As of March 25 the ABFDE has 112 active Diplomates. Three (3) new Diplomates completed the testing process and were issued an ABFDE Certificate of Qualification and Membership Card. They are: Carolyn Bayer-Broring, Alan Kreitl, and Hillary Hoover. Sixteen (16) Diplomates met the recertification criteria for the next five (5) year period and have received, or are in the process of receiving, their Certificate of Recertification and new Diplomate Membership card. They are: Art Anthony, Brian Carney, Jerry Gayle, Robert Gohl, Jim Green, Lee Ann Harmless, Gaile Heath, Mary W. Kelly, Laura Mancebo, Larry Olson, Gerald Richards, Dennis Ryan, Ellen Scheutzner, Howard Seiden, Grant Sperry, and Elaine Wooton. One (1) Diplomate failed to meet the recertification criteria during the past five (5) years and may not receive their Certificate of Recertification and Diplomate Membership card. This Diplomate is Paige Doherty. She was contacted numerous times but no response has been forthcoming. Two (2) Diplomates retired/resigned. They are: Nancy Berthold and Rick Johnston. One (1) Diplomate passed away. He was Jim Daniels.

Two (2) files are being maintained for each Diplomate. The appropriate Manager keeps a file containing items pertaining to Diplomate activity, including annual updates with supporting documentation and all significant correspondence relating to recertification; and the Administrative Office keeps a file containing annual Notice of Points Awarded (NOPA) forms, letters, Recertification Applications, and copies of Member cards and Recertification Certificates.

Rick stated that he thinks the Demystifying workshops are helping. We got down to 109 Diplomates but gained three. We will be losing the older examiners in the coming years, the average age of our Diplomates is 60 years old, and we need to work hard in getting our younger generation into the certification process.

Rules and Procedures Committee Report – A. Frank Hicks

Shortly after the 2013 BOD meeting, proposals were made to change the Application for Recertification in Document Examination and ask for information such as how many cases an examiner had worked in the preceding five years and to make it a requirement to participate in proficiency testing. These topics were discussed at length and it was decided to make this a topic for discussion at the 2014 BOD meeting.

As a result of a complaint against one of the ABFDE Diplomates, a motion was made and seconded "For the BOD to vote to determine if a Diplomate's acceptance of a retainer fee and follow up e-mail correspondence with the client constitutes that Diplomate having an arrangement as an "expert consultant" with that client, even when no report has been prepared by the Diplomate." After much discussion via emails, a vote was taken and the motion passed 10-1. In accordance with ABFDE Rules and Procedures, no further action, such as convening a Professional Review Committee, will be taken until all litigation concerning the issue has been completed.

The ABFDE President received a letter from the Canadian Association of University Teachers to ask the ABFDE to join as an "intervener" in a criminal case in Canada. Other professional forensic document examination organizations have also been invited to intervene in this case. Much discussion has been had on this issue and it was decided to bring the topic up for discussion at the 2014 BOD meeting in Houston, TX.

Secretary Beal has proposed some changes to the wording of several areas of our Rules and procedures Guide. These were emailed on April 9, 2014, and will be discussed at the BOD meeting in Houston.

Test Preparation and Validation Committee Report – Rosalind Spencer

One new practical problem was received and distributed for validation this year. A number of other new practical tests are in the pipeline. It is important that the pool of tests be refreshed periodically, to keep it relevant. Practical tests may include some contextual bias. Probabilistic conclusions, if properly reasoned, will be acceptable.

Rosalind stated if we would like to submit a practical exam, she only needs one or two versions of it, not three or four.

The pool of multiple-choice written questions has been completely refreshed, thanks to the hard work of the Directors and Diplomates. The second review of the first written test was held at the ASQDE meeting in August 2013, with good results. Work on the second written test is in progress and a review will occur this August at the ASQDE meeting.

It was asked if there were any particular kinds of test problems that were needed; any particular area where we are short on. It was stated printing process/technology problems are always needed, including multi-faceted.

Workshop – Jim Josey

There was one ABFDE workshop held during this reporting period. The workshop was held on February 19, 2013 and was a full day workshop titled “ABFDE Demystifying Certification 101”. It was held at the USSS building in Washington. This is an ongoing workshop that was borne as a result of requests by FDE Trainees and newly trained FDE’s to provide more information regarding preparing for ABFDE certification. The workshop was organized and presented by Lisa Hanson and Kirsten Singer. Diplomates in attendance to lend support to the workshop included Jeffrey Payne, Kathleen Storer, Bonnie Beal, and Gregory Dalzell. Feedback after the workshop has been very positive.

We need to inject some new blood into our workshops and encourage our new Diplomates to help put on the workshops.

Our registration with Grants.Gov has lapsed and was not renewed. This was primarily because we have not applied for any grants. Additionally, because of the lack of new grants that we could qualify to apply and the constant maintenance required to maintain passwords we have decided not to reapply at this time. We applied for this to help us get grants for training new examiners. Every time one came up it appeared someone always had a backdoor for the grant. We had worked with NFTC who had agreed to help us get the grant, sponsor it and we were going to have our training down there using their facility. This was about two years ago. Then next thing we know they had secured a grant for a different discipline. So this fell through and Grant.gov contacted us stating we were not applying for grants and that the system was changing. Since we had not been applying for grants we may not want to re-apply. He still has all the instructions if we decide to try again in the future.

Historian – Bonnie Beal

The following documents have been archived electronically: 2013 Board of Directors Meeting Minutes and Newsletters: May 2012, September 2012, January 2013, March 2013 Special Election, May 2013, September 2013, and January 2014

Please see the Historian SOP for proposed changes. In this day and age it would be helpful if the documents were archived in digital format. It would also cut down on what needs to be stored at the Secretary's home/office, as well as, expense of mailing to the next Secretary.

Testing Committee Report – Lisa Hanson

This report covers the period beginning May 5, 2013 and ending April 25, 2014

Three (3) candidates successfully completed the certification testing program and achieved Diplomate status. They are: Hillary Hoover, Carolyn Bayer-Broring, and Alan Kreitl.

There are eight (8) candidates are currently in the testing process. They are:

07-02 –Currently able to take Reworks but Candidate is not in the country. Staying in contact.

Termination-date: 3-10-16

08-06 – Candidate took 5 Practicals and passed. Waiting for Candidate to decide where they will take their Oral Boards. Termination-date: 10-19-15

09-03 - Candidate can take 5 Practicals after completion of mentorship (s/b 7/2012). Candidate has re-applied in order to continue mentorship. Re-applied & Accepted 9/5/13. Will be contacting with time reminder letter soon as there has been no contact since welcome back conversation and sending of the Notary Letter. Termination-date: 3-5-16

12-03 – Candidate passed written examination 9-5-13. Candidate failed 3 Practicals 4-14-14. Will wait 6 months before retesting. Candidate has been made aware of areas of study that may need to be refreshed. Termination-date: 4/19/15

13-01 – Candidate passed written examination 9-5-13. Candidate has taken Practicals that are being distributed to Evaluators presently. Would like to test in Hawaii. Termination-date: 11/29/15

13-02 - Candidate passed written examination 5-25-13. Candidate would like to test in Hawaii. Will send reminder letter to Candidate to schedule time for Practicals. Termination-date: 11/16/16

13-03 – Candidate passed written examination 9-5-13. Candidate has Passed Practicals. Would like to test in Hawaii. Termination-date: 11/29/15

14-01 – Applied & Accepted 2-25-14. Candidate has requested to take Written Examination at this year's MAAFS meeting in May. Termination-date: 8/25/17

One candidate withdrew from the testing process. This candidate was: 11-01 – Candidate failed one Practical. Candidate has shown interest in the Mentoring process, however, due to family issues at this time the Candidate withdrew from the process 1/18/14. Candidate has said they will re-apply in the future if s/he if life permits.

In accordance with FSAB standards, attached are the "Performance Characteristics" and "Current Status of Each Candidate" spreadsheets are maintained. These statistics are maintained to record and track the performance of testing candidates during the various phases of the certification examination process.

1. Written Examination (100 questions)

Four (4) Written examinations have been recorded involving four candidates.

Pass=4

Fail=0

Average Score=82.5%

2. Practical Examination

Six (6) Sets of Practical examinations have been recorded involving 6 candidates.

Pass=5

Fail=1

3. Practical Examinations

Problem Description	# Issued	# Passed	# Failed	# Rework
Photocopier (#8312002A)	1		1	
Photocopier (#8312002B)	1	1		
Photocopier (#8312002D)	2	2		
Anonymous Letter to Margaret #1	3	3		
Anonymous Letter to Margaret #2	2	2		
Registration Signature Problem (Shirley)	1	1		
Postal Money Order #1	3	3		
Liles Rubber Stamp Problem	3	3		
McNamara Will	1	1		
Gervais Licensing Agreement #1	2	2		
Gervais Licensing Agreement #2	2	1	1	
Kathleen Stanford Storer	1	1		
Garcilazo Signature	2	2		
"Photocopy" Rubber Stamp Problem	3	3		
Concerned CoWorker	1		1	

4. Oral Examination

Three (3) oral examinations have been conducted resulting in three (3) passing evaluations.

5. Future Testing

There is presently one Candidate eligible to take the Written Exam and two Candidates eligible to take the Practical Examination and two Candidates eligible to take the Oral Examinations.

There will be two (2) Candidates that, if they have completed their Mentorships, will be able to request their Practicals.

There may be one (1) Candidate that, if s/he begins and completes his/her Mentorship, will be able to request his/her Practicals.

A Testing Committee Oral Examination Panel is tentatively available during the upcoming Annual ASQDE Conference in anticipation of Candidates who may qualify during the next four months.

Written examinations and Oral examinations will be offered at all upcoming national and regional meetings in accordance with the needs of the candidates and the availability of ABFDE Directors.

The Certification 101 workshops have been well received and Lisa just provided another one prior to the BOD meeting. Art Anthony, Jim Lee, Grant Sperry, and Gaile Heath helped her at the SAFDE meeting. She has another one in a couple of weeks at the MAAFS meeting at Penn State. She stated the support of the Diplomates who have helped has been crucial to the success and she could not do this without the Diplomates' help.

Secretary Report – Bonnie Beal

The BOD voted and awarded Diplomat status to three new Diplomates. The BOD also voted on a measure to determine when a document examiner is considered an "expert consultant" when accepting a case. The motion passes that a document examiner is considered an "expert consultant" when the Diplomat has accepted a retainer fee and has had follow up email correspondence with the client, even if no report has been issued.

The RPG was reviewed and recommendations were made for some editorial changes. In addition, the Confidentiality Agreement for the Credentials Committee has been updated. These changes were detailed in the Outline of Substantive Changes dated June 14, 2014. A copy of the Outline of Substantive Changes will be distributed to the Diplomates along with a copy of the 2014 BOD meeting minutes.

1. Board of Directors Votes

On September 4, 2013, the BOD was asked to vote on whether or not to award candidates Hillary Hoover and Carolyn Bayer-Broring Diplomat status. A majority affirmative vote was reached on September 4, 2013.

On January 15, 2014 a motion was put before the BOD "to determine if a Diplomat's acceptance of a retainer fee and follow up e-mail correspondence with the client constitutes that Diplomat having an arrangement as an "expert consultant" with that client, even when no report has been prepared by the Diplomat." A majority affirmative vote (10-yeas) and one no vote were received January 17, 2014. The motion passed.

On February 27, 2014, the BOD was asked to vote on whether or not to award candidate Alan Kreitl diplomat status. A majority affirmative vote was reached on February 28, 2014.

2. RPG and other forms

I have been reviewing the RPG and found some areas that need clarification or changes. I have also updated the Confidentiality Agreement for the Credentials Committee so the person only needs to print their name once and from then on they are called the "Reviewer". Changes were also made to the ABFDE Credentials Committee Guidelines and the Secretary Standard Operating Procedures.

3. ABFDE Website

In March 2014, the ABFDE website was updated with the new substantive changes and updated RPG. The directory has been updated to add Alan Kreitl. Moving around on the website, I noticed some areas that need updating and I would like to add forms into the form area on the BOD-area of the website.

Nominations – Frank Hicks

No elections for Directors were held in the past twelve months.

Professional Review Committee – Lisa Hanson

There were no cases submitted to the professional Review Committee during this calendar year of 2014.

This concludes the Committee reports.

Old Business

ACT –Beal

Kirsten brought the new Directors up-to-date on the ACT. We have outlaid a bunch of money to hire the ACT Company to help us update our testing; written, practicals and oral boards. They sent out a survey that was completed by over 70% of the Diplomates which was an extremely high response which was excellent and lends itself to validating the questions that we are upgrading and having to test. Unfortunately, the time ran out working with Cindy Hill with ACT so we are on our own and we are unfortunately stymied right now. It has been very hard to get this thing moving along and it is not where we would hope it would be but it is a lot of work and it requires Diplomates participation and that has been difficult to obtain as well. Several of us have worked on updating the test questions. According to ACT they need to be taken by 50 Diplomates which we are at right now only at fourteen. Beal stated that it has been difficult getting the organizations to provide time during their meetings to allow the Diplomates to take the test. It was asked if it was hard getting the Diplomates to take the test because of the Diplomate's reluctance or due to the organizations not providing the time. It was stated that it appears to be both. It is difficult to get the organizations to give us time within their meeting time, normally they give us time before the meeting starts and then it is difficult for the Diplomates to get the extra time to come early. The Diplomate is awarded 5 points to take the test. We discussed other alternatives to getting the Diplomate to take the test. We do not want to do it through Survey Monkey. We want the test to be proctored. A few ideas were discussed and the consensus was to send the test to the Diplomate's boss and have them proctor the test. For private examiners, have an office personnel proctor the test. It was asked, why do we need 50 Diplomates to take this test? What is the purpose? It was stated that it was for these Diplomates to evaluate the

test and provide feedback on the questions, are there issues is the wording bad, those types of issues. It was also expressed that it is a shame the organizations will allocate time for Dr. Kam but not for the Board when this is just as important. We also discuss if we wanted to set aside to money to bring Cindy back to review our test. It was decided to hold off for now and see if we could get the Diplomates to take the tests at their offices. It was stated that they did not think there was an issue the practical examinations since we conduct an oral board and it would be fine to go to three practical exams instead of five. Bonnie is to reach out and see if the Diplomates can take it at their work and be proctored. Bonnie is also going to see if she can proctor the test in DC at the USSS offices. Kirsten is to provide the information she has on the practical exams so together we can create something to let the Diplomates know what we need, multi-faceted practical exams. If we recognize that we need Cindy Hill then we will contact her.

Training Syllabus Update – Riordan & Licht

This is another project that is very big and difficult. There are many, many references that Gary and Bill are going through. There are many articles that are out-dated or difficult to find. Kirsten has asked ASQDE if they would allow access to the QDAD for people going through the certification process. They agreed, there will be passwords provided by ASQDE. They are going through making sure each article is still relevant, if the papers are still legible, and if they are still available. A question was raised, are we to be culling the articles that are listed but they wouldn't help you on a written test. The answer was yes, we need to use the ACT blue print that has the various categories that our profession indicated we still examine and the frequency we examine in those categories. Use that to determine what articles should be on the syllabus. ACT recommends we are to send out another survey every six to seven years to update the questions by seeing what the profession is examining. The syllabus is in three platforms now, Excel, Access and Word. Which platform should we be using? Gary will look into possibly downloading Access for free, otherwise, we will stay with Excel and maybe Word. If we want to scan in articles to add to the QDAD we should contact Grant Sperry or Farrell Shiver to see what the requirements are before scanning.

SWGDOC Update – Singer

The guidelines developed by SWGDOC will be transitioned over to be guidelines or standards once the FSSB and OSACs are up and running. At this time, the SWGDOC is continuing to work on the QD guidelines. For a more detailed description of what the OSACs are and their development go to www.nist.gov/forensics/osac/index.cfm.

It is going to be a more cumbersome process with less document examiners (~14) doing the work of the current 40 examiners on SWGDOC. Standards are harder to pass; guidelines are best practices and are easier to pass.

Organization of Scientific Area Committees (OSACs) is to coordinate and develop standards and guidelines for the forensic science community. They have been created to basically take the place of the SWGs. The authority is going to be NIST, they will develop guidance groups to replace the SWGs. Congress is to provide funds to NIST to administer the OSACs. There has been some confusion in the relationship of the OSACs with the NCFS (National Commission on Forensic

Science). Gerry LaPorte and Patricia Manzolillo will be representing our profession as ex-officio members. NCFS will focus on policy issues and the OSACs are practice focused.

The organization of the OSACs will consist of Scientific Area Committees (SACs) which will report to a Forensic Science Standard Board (FSSB). Each of the SACs will have discipline specific subcommittees: Biology/DNA, Chemistry/Instrumental Analysis, Crime Scene/Death Investigations, Information Technology/Multimedia, and Physics/Pattern Recognition. QD falls under the Physics/Pattern committee. There will also be a Quality Infrastructure Committee and a Legal Resource Committee. So the FSSB will be the final approver of the standards that will then be posted as standards. They are to ensure consistency across the OSACs. FSSB will consist of seventeen members, including 5 OSAC chairs, six representatives at-large of forensic science organizations (AAFS, ASCLD, AFDE, IAI, NAME, and SALT), five members from research and measurement communities. Below that is the quality infrastructure and legal resource and below them will be the five SACs.

The SACs primary duties are to recommend the creation or abolishment of subcommittees. They may identify or develop standards that affect the entire scientific area of that SAC. They will set priorities. There will be 15 members per SAC which will consist of subcommittee chairs, members from FSSB, forensic science organizations relevant for the specific scientific area of the SAC, researchers, and measurement scientists. The subcommittees will develop documents for approval by the SACs which are guidelines and standards by FSSB. The documents already with the SWGs will be transitioned over to be standards and guidelines.

Mentorship Program – Hanson

We have had a total of three Candidates choose the mentorship option. Lisa recommends we continue to provide this option, however, we need to have sharper guidelines and deadlines. She has one right now that is out of the country and she has not been able to have much contact with the candidate and it has been going on for over a year. Lisa asked that we discuss a timeline for the mentorship program. She then went on to discuss how two others went through the process, both were having children at the time, and one did well and the other needed more time. They are stating they don't have time right now. She thinks we should stick with time, for these two we used hours. We need to go to a specific time. The points were to determine:

- What practical the candidate failed in
- Set them up with a mentor to provide additional training in that area

Lisa recommends we provide a timeline of four months to complete the mentorship. Kirsten asked if we have anything in writing at this time. Lisa stated we have nothing except for what is in the regular SOP. Kirsten asked that we post that. It was noted that the RPG stated six months duration with at least 80 hours devoted by the mentor and candidate. Lisa recommends we add that a maximum of four practical problems will be provided to assess the candidate in the area of deficiency. It was asked if this was left up to the one doing the mentoring. Lisa stated no, that there can be multiple people providing the practical problems. There was concern because this would require a large pool of practical problems depending on the candidate's weaknesses. Yes, this is why she is recommended at least four, if not more, for one topic. There was concern because we are having trouble getting practical problems for the testing. It was noted that these do not have to be multi-

faceted. They only have to cover the area of weakness. The creation of these practical problems is not like the testing practical problems.

A discussion ensued about people who have failed multiple times and why do we not have a cut-off. Lisa responded, "The reason we can't cut it off is because if someone does fail then we have to always have that option open if they have worked hard enough to get past that and to be certified." One director's concern about allowing the mentor to make their own practical is the Board knowing if the mentor has the knowledge in what it involves and does it accurately tests for what we want it to test for, do we really want to do that? It was asked, do the mentors provide the practical problems or does the Board? At this time, it has been the mentors from the Cert 101 class. Maybe we need to have a validation process for these. Then it was asked what are they failing? It was stated handwriting, copies, cut and paste, faxes. Should we send these over to validation? It was then noted these are not "testing" practical problems but are "re-training" problems. Since they are for training then they do not need to be validated. In order to stop any confusion the words "practical problems" were changed to "mentoring cases" since these are to assess the candidate's progress in the area of deficiency. The RPG was changed to reflect these changes, time, mentoring cases and where the candidate falls within the timeframe of testing.

The changes to the testing area of the RPG were reviewed and a unanimous vote affirming these changes was recorded.

ABFDE Position Letter for DOJ/TX – Durina & Masson

We sent an ABFDE position letter and to each Judge and attorney, fifteen in all, on the Texas Criminal Justice Integrity Unit (TCJIU). This committee was very pro accreditation and certification of all forensic science laboratories and scientists in the State of Texas. The letter started out with applauding their efforts in encouraging certification and accreditation and then launched into what constitutes genuine forensic document examination. Our brochure "Profile of a Forensic Document Examiner" was also included. We have not had any feedback as of yet. It was asked how they knew who to send this to. On the Texas White Paper, all of the stakeholders' names were present with links to their individual websites. It was noted that it appears that there is only two or three people who were pushing this White Paper but people who showed up for the discussion had their name listed even if they did not stay for the whole meeting or provide any feedback. Should we expand to other States or wait for feedback? It was decided to go ahead and send the letter to each State's Attorney General. It was noted that the IAI, years ago, had sent a letter to all State AGs that graphology is not forensic document examination. The Texas law that the courts cannot use scientists who are not from an accredited laboratory is basically ignored. There is a push to require accreditation and/or certification.

Kirsten's letter to the US Attorney General was not well received. He complained that she had used her work email to send the letter and when she sent it again from her gmail account he basically ignored it. She then shared the letter with Ken Melson who stated that it was a little too pro-ABFDE but that he could help us revise it. We did not see how this letter was so pro-ABFDE. It was suggested we add the history of why the ABFDE started, instead of just stating "it started in 1977". If Ken is still interested he may also be able to guide us in how to distribute it to all AUSAs. We need to snail mail the letter and be sure it is coming from the ABFDE and not from any law enforcement agency. It was noted we should be aware that the States may employ document examiners that are

not certified so they may not think much of the letter but this does not negate that we should send the letter.

The PR is tasked with sending the letter to all State AGs, Public Defenders or major attorneys, depending the States' makeup.

Modify Recertification Application – Points for distance learning – Durina

Kirsten felt we were a little blind sided with awarding points for distance learning (e.g., NIST). Because it was a clutch decision she compromised and it may not have been the best decision but we will discuss it now. How do we want to award points for distance learning versus being physically present? A concern was raised on how do we verify the examiner actually took the webinar? For instance, everyone who was signed up received a document stating attendance whether or not the examiner could get onto the site to watch. It was recommended we have a supervisor verify like we do for other training (e.g., visiting a manufacturer). We should have some way to verify the examiner has taken the course. This way if we have questions down the road we have documentation demonstrating the course was taken. We have to objectively demonstrate the examiner has taken the courses claimed and the points awarded. Our books will be audited in the near future and we need documentation. This is similar to accreditation; they will be looking to see if we have anything in our SOPs. They are not going to tell us it is wrong. As long as we have something, whether we take them at their word or have them sign a statement verifying they took these courses. If it is not in our SOPs and we award points for one thing and decide the next time to not do it the same way; that is where we are going to run into a problem. We can all agree, webinars are here to stay. A question was raised, do we see any quality difference between virtual learning versus being physically present? It was stated for the NIST webinar, you can rewind and listen again but if there is participation then there is a difference. In fairness, they should both be awarded the same points, unless there is a workshop component to the learning. The qualifications for webinars should be the same as workshops; they should be pre-approved and they have to be relevant to the field. The RPG for both the recertification and continuing education committees may need to be changed. We need some committee to evaluate and approve the webinars. ABC has one person who decides how many points for each webinar. We need to be careful that it is not self taught research. It needs to be webinar, instructor taught, and QD related. It was noted that webinar and online learning are different. It was recommended we start with webinar first. Webinar will go under the same category as a meeting; an outline will should be required. The RPG, specifically "H. Recertification Requirements 3.1 area" was changed to include webinars. We discussed where to put the documentation requirement; the final placement was under 2.2. The pre-approver will be the person who takes over the Continuing Education Committee. If the webinar is not pre-approved, the examiner should not expect a guarantee that it would be approved. Further in-depth discussion ensued on how to approve (e.g., pre or post). It was asked do we have a list of pre-approved meetings, as stated in 3.1 of the RPG. There is a list under the SOPs of the organizations that are pre-approved. Discussed how we know that the Diplomates, who are removed from the casework, by moving up into administrator positions and are not directly supervising document examiners any more, are maintaining their competency. This is the reason for the redesign of the Recertification Application. We are not going to require a minimum of casework per year. Question asked, what is "actively engaged" mean? It was stated we have the Diplomat pick the category(ies) where they are currently engaged. We are not requiring casework. Marie or Janet is to put the new Recertification

Application to the website. Jim Green to explore making the PDF a fill-able form. No vote was needed.

Practical Evaluation Criteria – Hanson

We have “failed”, “re-work” criteria. We had two candidates where two evaluators put down a re-work and one passed them. We know these are subjective evaluations. Lisa then has to go through and re-evaluated the candidate’s re-works. A discussion regarding moving to a Pass/Fail and areas that would be considered a re-work, instead would be questions for the Candidate on the oral board. This way the Candidate has a chance to defend their work. The only problem is we may have more face-to-face “fails” at the oral board. Lisa is to change the SOP and be sure to put in the “Candidate is to be made aware of...” It was asked, is the Candidate provided specifics on what was missed before the oral board? The answer, no, they are provided a general category but no specifics. We do not have anything for oral boards so it would be nice to have the information that would require a re-work for the oral boards. Cindy has stated that our oral boards are icing on the cake; it is our chance to pull out of them what the candidate does and does not know. This is why our practical exercises do not have to be proctored. We are not asking the same questions of everybody; this is why the criteria needs to be re-vamped. A question, how can you ask the same questions since everyone will be different? The answer is questions can be added to the oral board but there should be base questions that all candidates are asked. A question was posed, will a Candidate be moved on to the oral board if they do not pass a practical? And, will the Candidate be told they passed the practical examination? The answer was no to both, the Candidate has to pass the practical examinations. The Candidate is not told they have passed the practical examination, they are told there are concerns regarding this/these particular examination(s). They would be given the option to defend themselves at an oral board for a re-work or take another practical. The Candidate will be told that they may not pass the oral board. Lisa will write up a procedure for evaluations and send them out to the BOD electronically for discussion.

Miscellaneous

It was stated that the BOD was hurt a few years ago by a few things and now with the 101 Workshop and good PR we are finally starting to move past all the issues from the past and will start getting new people. There is still some misinformation out there but the workshops have helped. Training has changed to train in only what type of cases the agency receives. It was stated the SWGDOC training guide should be used by all agencies and if they are not following the guidelines... We need to publish on website the importance of training and certification. The courts are moving to requiring certification. Further discussion on why we can’t get people to apply for certification. We need to get our new tests and practical examinations up and going for we may have a flood of examiners. We need to do some good public relations.

NEW BUSINESS

Board Committees and Functions 2014 – 2015 - Singer

ACT Project – Janet Masson

Continuing Education – Bill Riordan

Credentials – Bonnie Beal

Nominations – Rosalind Spencer

Public Relations – Jan Masson

Recertification – Rick Horton
Rules and Procedures – Bonnie Beal
ABFDE Syllabus Update – Bill Riordan and Gary Licht
Test Preparation and Validation – Rosalind Spencer
Testing – Lisa Hanson
Workshop – Sean Espley

FSAB Issues - Singer

These issues were put forth by Carl McClary and Peter Tytell. The first concern they are willing to let go by the wayside but they would like for us to be aware of it. The concern is that members of the BFDE do not meet FSAB's 5.3.3 Requirements.

5.3.3 For certification bodies in the forensic specialties in which the required knowledge and competency is predominantly experience-based, the certificant applicant's education must have included a formal training program requiring extensive per-based review

Note: A formal training program is one that has a predefined list of training topics and is conducted by one or more individuals with expertise in those areas. The nature of the training program, dates training occurred and the name of the individual who trained, should be available. For training that occurred many years ago for which such records were not available, there should be a list of the training that did occur and which is considered equivalent, even if it did not occur over a contiguous time period. The training should be verifiable. Correspondence and conference attendance are not recognized as primary training in the forensic specialties. For skill-based training, the identity and qualifications of the trainer should be documented.

Over the years Karen Runyon and others tried to document through CVs that some members of BFDE did not meet this requirement. Carl and Peter have stated that we are not going to fight this fight at this time.

The concern they want the BOD to consider is, the lack of transparency by FSAB and the lack of Directors and Officers insurance by FSAB. Kirsten has the 5.3 requirements that were changed on an annual basis by FSAB, 2009, 2010, and 2011 without explanation why these changes were made with regard to the certificants and at least 50% meeting the requirements of FSAB. It has been modified over the years with no explanation. Listed below are the requirements for an accreditation body such as the areas highlighted below:

7. Accreditation process

7.1 Accreditation criteria and information

7.1.1 The general criteria for accreditation of CABs shall be those set out in the relevant normative documents such as International Standards and Guides for the operation of CABs.

7.1.2 The accreditation body shall make **publicly** available, and update at adequate intervals, the following:

- a) detailed information about its assessment and accreditation processes, including arrangements for granting, maintaining, extending, reducing, suspending and withdrawing accreditation;
- b) a document or reference documents containing the requirements for accreditation, including technical requirements specific to each field of accreditation, where applicable;
- c) general information about the fees relating to the accreditation;

- d) a description of the rights and obligations of CABs;
- e) information of the accredited CABs as described in 8.2.1;
- f) information on procedures for lodging and handling complaints and appeals;
- g) information about the authority under which the accreditation programme operates;
- h) a description of its rights and duties;
- i) general information about the means by which it obtains financial support;
- j) information about its activities and stated limitation under which it operates;
- k) information about the related bodies as described in 4.3.7, if applicable.

When Derek was approached about providing the minutes he stated that was not going to happen. They are not going to post them and they will never be available. Carl and Peter would like the Board to consider filing a request or a complaint to FSAB to make these things available. Certainly, under FSAB requirements we have to provide our minutes and post them. We have to provide an "Outline of Changes" every year and everything has to be transparent on our website. FSAB does not have to meet the same requirements.

It was asked if Derek had said why and the answer was no, he did not say why. That was one of their concerns.

The other concern was the lack of Directors and Officers liability insurance.

ISO/IEC 17011:2004

Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies

4.5 Liability and financing

4.5.1 The accreditation body shall have arrangements to cover liabilities arising from its activities.

4.5.2 The accreditation body shall have the financial resources, demonstrated by records and/or documents, required for the operation of its activities. The accreditation body shall have a description of its source(s) of income.

Carl and Peter believe this leaves them open to legal threat and maybe is why BFDE isn't being held to requirements or why the requirements are being allowed to change without transparency. This is a theory but they do not have the insurance.

It was asked if anyone knows if FSAB has gotten themselves under the accreditation body they should report to. (ILAC?) The answer was no, they are not. It was stated that is another question, why is FSAB not accredited by whom they should be accredited. Agreed

It was asked if there is another accrediting body under ILAC that we as a Board can be accredited by. We do not know.

The last note is from Carl, he thought AAFS could be brought in as some kind of a compelling factor to get change.

From Carl:

“Another thought – FSAB is still using the AAFS physical address on their website. As such, there is the appearance of support there, even if not financial. When asked at the AAFS business meeting about funds for ISO accreditation, Derek said the possibility of grant funding was possible. I can only think that AAFS will be the first one to be hit up. Therefore, the AAFS could be included on any concerns should they not be willingly addressed by FSAB.”

We have concerns because complaining to FSAB does not go anywhere. There is no one policing FSAB. We could contact the other accredited boards. Yes, there should be more than just us. Let's face it, our profession tends to be sort of a problem child. Other disciplines do not have these issues so this may not necessarily be on their radar; transparency and liability. To Kirsten it is black and white what they should be doing and they are not.

It was asked was BFDE re-accredited and the answer was yes.

In addition, Derek contacted Kirsten, stating that terms were coming to an end and to provide nominations from the Board. We discussed and voted on submitting Jane Lewis as a nominee and provided her CV and other information. Kirsten then asked Derek what was the outcome and Derek stated we did not have to replace Emily Will and he is president for another two years. So we were confused why we were asked to put forth a nomination if she wasn't stepping down. Kirsten tried to pen him down with an answer but to no avail. As long as he (Derek) is on there, there is not going to be another document examiner. They consider him a document person and Emily will is on there for another two years. (A little history) Dennis Mooney was attending for a long time and then we put forth Jane and she was rejected and Emily Will was elected by FSAB. We do not know if any threats were involved. Derek was also on FSAB.

We do not know if we can do anything about the BFDE meeting requirements. An analogy is there is a boss that has all these problems and we do not like them. You try to talk to him in a nice way about it but it does not work. If there is no avenue above his head to go to, then you are going to be stuck with the consequences even if you choose to do that. If we are going to complain where do we complain to, if someone takes it seriously and they will take some action, is one thing but if you are going to complain over someone's head and they do not do anything then this Board is going to have problems all the way down the road. We have audits coming up. We agree with everything that is here but it is taking a really big chance to jump out there without knowing where we are going with this. After further discussion, it was recommended we contact all other FSAB accredited boards and try to write a letter together to get FSAB to be transparent. It was restated that the other Boards do not have the same issues that we have and if someone takes this personally we could be in real trouble; we should tread lightly. We understand and dislike the idea of retribution being a reason for not doing something but it is worth considering. It is our responsibility but if we anger them we will pay the price dearly.

Upon looking at the members of FSAB, there are some on there who are aware of some of the issues in general. One though is a good friend of Derek's. Another one mentioned is not fond of QD. The reason given for not having insurance or not being under ILAC is not enough money. The next time we go for re-accreditation, FSAB is going to go more in-depth. They will randomly review our files of our Diplomates. The assumption that Derek represents this profession is very misplaced. Derek represents Derek in everything he does. If you approach a relationship with Derek with that understanding then you will do a lot better. He does not represent our profession. He would not want

Jane Lewis on FSAB. The only thing they may be able to get us on is our tests. We are not there yet. And unfortunately, if they were to do something underhanded whom do we go to because they are not beholden to anybody. It was stated we may want to contact NIJ since they are not following procedures or wait two years until Derek is off and maybe it will be friendlier. Gary is going to go through Karen's files to see if there is evidence that the members of BFDE do not meet the requirements. No one wants to get involved with us; they see this as an us versus them. We need to see if all other organizations are being as transparent. If not, then we will be able to demonstrate that we are being held to a higher standard. For now we decided to lie low and gather information and start making personal contacts in a quiet way, i.e. IAI and ABC.

Professional Review Committee - Singer

A complaint has come in on one of our Diplomates and a Professional Review Committee needed to be formed. Lisa excused herself. The complainant's litigation has concluded. Kirsten said whoever is President next in the RPG "C 1.4" is a good paragraph regarding complaints. "We cannot do anything until litigation is complete." The President asked for volunteers when it was mentioned that the PRC may need to be anonymous. Directors were to approach Kirsten at the break and she would choose. After the break it was said that the RPG does not mention that the PRC has to be anonymous.

We discussed what is meant by consultation and the vote we issued prior to the meeting. A concern was brought to the floor that the statement was too general and too broad. If the motion had been specifically for the issue brought forth about the Diplomate then the Director would have voted for it. If we are going to put this in the RPGs or wherever we were going to put it then we need to go back and relook at the wording.

The President reread the motion voted on prior to the meeting. "I hereby make a motion for the Board to vote to determine if a Diplomate's acceptance of a retainer fee and follow-up email correspondence with the client constitutes that Diplomate had an arrangement as an expert consultant with that client even when no report was prepared by the Diplomate." The vote was 10 to 1 for the motion.

The Director voting against the motion stated "I think what we are voting on may be a legal decision that we are not justified in making. Speaking strictly as a private examiner, what my personal policies are, if I accept a retainer check that would not necessarily mean I would consider myself retained. I also require a signed retainer agreement. What is the definition of "accept"? Does that mean it was received by me at my office or must I have deposited it in order to have accepted it? I know some examiners do not require a retainer agreement, how does that examiner define retention in their business practices. The Director would pass his vote this way, if the examiner does not require a signed retainer agreement and they have received and deposited a check I would vote that constituted retention." It was asked before reading on, you are talking about retention is that the same as consultation? We did discuss acceptance of a retainer fee. "I think more information would be necessary in order to know if this concept of retention could be applied to everyone and I don't think the word arrangement is a good way to express it. I think an important question to ask this examiner is whether after accepting the check and having this email correspondence, they would have considered themselves free to accept retention from another party in the same case. If not, they must consider themselves retained by the first party. As the motion is worded, I would have to vote no. If the wording read, "To determine if (name of Diplomate) acceptance of a retainer fee and the follow up email correspondence between her and the client constitutes (name of Diplomate) having

accepted retention as an expert consultant with that client in this case, then I would vote yes. The motion as worded in my opinion is too broad and too vague and might not be correct to apply to every single instance where this question might arise.” The question is do we need something in writing for any potential future issues on this?

Discussion: As we voted on and as we approved it, that one policy, every single instance for anybody getting a whole new case. Think about it really carefully, do you think that is an accurate, fair standard to apply in every single case. The Director gave a case to point out that he may be retained by one lawyer between the time the secretary has spoken to another lawyer and this lawyer’s check and retainer agreement comes in. Whoever gets their check in first is the one that has retained the examiner. But how the policy is written he would be retained by both even though he has not cashed the check or examined the evidence but has had some correspondence with both lawyers.

There are times when an attorney will send in a retainer check but have no correspondence with the examiner so the examiner cannot be retained by the other side.

The President called a halt and stated that what concerned her was a section in the RPG which states: 1.4 If the complaint involves pending litigation in which the Respondent is a testifying or consulting expert... That was where she got hung up. Do the emails constitute the diplomate being a consulting expert, the diplomate is not testifying, is the diplomate a consultant? This is why I reached out to everybody for and...

Another Director stated: But she had examined documents that is what is key to me.

Another stated, “I don’t think there was any question that documents were (unable to hear people talking over each other)

The President continued, and that is where I probably should have made the call but as the motion went out in my request that there be a motion and now the retainer fee has come up in addition to email correspondence to determine if she was consulting. So we may be contemplating different ideas here?

Director: So I guess the question really is not what constitute retention but what constitutes consulting.

President, I think we got the retainer fee meant she was an expert consultant.

Director: Because when you get retained and you don’t talk to them or get any evidence or anything you are still retained as their consultant but you have not consulted. That was where I thought we might be mentioned about (talking over each other)

Director: When I have a retention check come in a conflict check is conducted and see that s/he was already retained, s/he will not be retained by the second party but the way we approved that motion I would be (retained). By the definition of that motion we agreed on that would have meant I would have been retained.

Director: So do we have two problems with the motion then do we have a problem with the check being deposited as being a retainer and not being deposited and also what about consulting, I mean you are retained as a consultant but what if you have not talked to them at all.

Director: I think that is why her motion I did vote for it.

Director: I think we need to consider them maybe as separate sentences.

Director: Do we even want that in writing in our policy and procedures?

Director: This is probably just for this instance it wasn’t to change the language, right?

President: No, yeah just as one Director stated it wasn’t specific.

Director: It was essentially to deal with this situation.

Director: (unable to determine what was said)

Director: (Difficult to hear) Maybe that is what we should address ... case-by-case situation and in this particular case.

Director: I agree with what the client said, I already...

President: And with thought in mind it was this case. So, first again, I will back up again, do we need to spell out what a consulting expert is or do you think that a reasonable person (which should be...(unable to decipher)) a reasonable person would reach a reasonable conclusion that those emails constitute consulting. Do we need to spell that out...(double talking)

Director:...agreement from everybody about this situation. I really don't think we need to spell it out. (Talking over each other)

Director: We need a motion to rescind that one.

Someone: Is that how it works?

Director: I am trying to think of the right wording ... Robert's Rule.

Discussion do we rescind, amend it so it is specific to this case.

Janet: How about a motion that I move that we consider any question about whether someone is consulting on a case-by-case basis as opposed to adding to the policies and procedures.

Director: To keep it clean we may have to... (indecipherable) we need to reconsider the motion or a motion to reconsider the this that we voted on and then vote again and if we decide to vote no then it is done. We don't have to put it in the rules and procedures. I think that is the right way to go about it. If we make a motion to amend then we have to have the wording.

Director: ...in his email didn't he say if the motion had been worded this way he would have voted yes.

BOD: ...”to determine if (Diplomate's name) acceptance of a retainer fee and follow up email correspondence between her and the client constitutes (Diplomate's name) having accepted retention as an expert consultant with that client in this case.”

Director: Then we amend the first motion and replace it to read what you just read.

Discussion again, one Director state to void the first one and start over.

President: Are we comfortable making a motion to rescind the previous motion.

Director (Gary): I so move.

Director (Frank): Seconded it

Any discussion or objections

It passed to rescind the first motion submitted via email due to the motion being too broad for business procedures in U.S. and Australia.

President: Do we need anything specific regarding proof that the litigation was no longer pending. I asked Mr. Eke for a Judge's order as an example; something to prove that the litigation was final. He sent her a link to the case. Is that sufficient? Everyone was affirmative.

She has the Judge's order, the litigation is completed. She asked if we had any other thoughts or questions on this issue. None was forth coming.

Status of Aus/NZ applications – Beal

We have had two applications; one is in the testing phase and one is in the credentials phase. We do not know why more have not put forth their applications.

Canadian Association of University Teachers (CAUT) Request – Singer & Spencer

Singer: We have all received the emails and responses to our questions. Let's begin by sharing your thoughts on what the Board should do. I also asked Rosalind to talk to Dan Purdy a little bit about it,

his involvement, his thoughts, and we talked to Brian Lindblom, John Paul Osborn, and Bob Radley thoughts on this as well. And I think I shared with all of you guys. So, given the issue, given the responses what are your thoughts?

Spencer: Has anyone seen Dan's response to my enquiry?

Collective no

Spencer: I could read out for all. I asked him his thoughts on CAUT letter issue. He wrote:

The ABFDE's Bylaws state that the Board was created "to establish, enhance, and maintain standards of qualification for those who practice forensic document examination and to certify, as qualified specialists, those voluntary applicants who comply with the requirements of the Board. In this way, the Board aims to make available to the judicial system and others in the public a practical and equitable system for readily identifying those persons professing to be specialists in forensic document examination who possess the requisite qualifications and competence." Does intervening on occasions when the court's ruling is contrary to evidence tendered by Board certified document examiners fall within its mandate.

Given the numerous cases in both Canada and the US where Board certified document examiners are opposed by incompetent and in some cases charlatan 'experts', one must ask what makes the Dr. Diab case unique? Is the ABFDE's certification program directly challenged by the findings of the three French examiners? I don't believe so. The ABFDE clearly cannot intervene in every case where the findings of a certified examiner were successfully challenged by an unqualified expert. It's important that the Board project an image of impartiality. By responding favourably to Mr. Turk's request, would the ABFDE give the impression it is sympathetic to or an advocate for Dr. Diab claims of innocence?

In his letter, Mr. Turk states, *"CAUT along with a coalition of professional document examiner associations plan to seek to intervene in the case."* It's important to know other societies or associations will be intervening and what their respective positions will be since Mr. Turk seeks to form a coalition of organizations *"acting under one umbrella."*

According to Mr. Turk, the Ontario Court of Appeal has not yet reached a decision nor is it known if the case will proceed to the Canada's Supreme Court. Given that, I feel it would be premature to commit resources to this endeavor at the present time. Perhaps Kirsten could reply indicating the matter will be raised at the next Board of Directors meeting and ask to be kept advised of further developments in the interim.

Not sure if you and others agree but those are my 2-cents worth...

BOD: That is a little different from Lindblom and Osborn's responses.

Yes, very thoughtful

What is the purpose of our Board; whereas Brian and the others are part of the case.

Well Dan is too to some aspect

Spencer: I also spoke to Tobin Tanaka who was approached by CAUT on behalf of our agency, as a member of our agency. He just referred it straight to our legal department so as of yet (unable to decipher). I also spoke with Brent Ostrum who was approached by CAUT on behalf of the Canadian Society for Forensic Science (CSFS) and they are going to respond favorably. Because they feel A) it is Canadian and they feel very strongly it affects the whole profession; so badly in some ways.

Director asked, and which organization is going to respond?

Spencer: The Canadian Society of Forensic Science, Brent is the chair that is why it went to him.

Director: Rosalind do you know he said they are going to respond positively are they accepting this intervener?

Spencer: I think so, yes, I haven't seen their response yet but I know they are talking about it.

Singer asked Green if the Society had made a decision yet.

Green: The general consensus was in favor...with concerns. But he told them they would put the vote on hold till the Board had their discussion. The general tendency was it sounds good (indecipherable). He will report back to them without details what the Board has decided to do.

Singer: You can share the responses we have received if that would be helpful.

Discussion: One of the questions was can we speak for ourselves and not go through the intervener so we would have control of what was said. No, it would go through the intervener. A big discussion ensued and we were all decided to not provide an affidavit and revisiting our position statement we decided this request does not fall within our mandate. We constructed a rough draft letter for President Singer to tweak and then provide to CAUT as follows:

ABFDE BOD has considered and discussed your request at the annual BOD meeting. The ABFDE's Bylaws state that the Board was created *"to establish, enhance, and maintain standards of qualification for those who practice forensic document examination and to certify, as qualified specialists, those voluntary applicants who comply with the requirements of the Board. In this way, the Board aims to make available to the judicial system and others in the public a practical and equitable system for readily identifying those persons professing to be specialists in forensic document examination who possess the requisite qualifications and competence."* Intervening on occasions when the court's ruling is contrary to evidence tendered by Board certified document examiners does not fall within this mandate.

Regretfully, the ABFDE cannot intervene in every case where the findings of an ABFDE certified examiner are challenged by examiners not certified by the ABFDE.

It is important that the ABFDE maintain its impartiality. It was viewed that joining your coalition would give the impression of being an advocate for Mr. Diab. The ABFDE is concerned with forensic practice that operates on accepted methods and principles, however our mandate is certification of forensic document examiners. Therefore, we recommend that you contact the Scientific Working Group for Forensic Document Examination (SWGDOC), the organization which publishes standards and guidelines for the field of forensic document examiners. You can find this information at www.swgdoc.org.

Examination protocols for digital images – Josey

I just wanted to tell you something I learned at ???? and as I started pursuing it further I found out this could be a real problem for us down the road. A graphologist by the name of Reed Hayes is talking about the Obama birth certificate he examined from the Internet saying it is the worse forgery he has ever seen. There is a blog site for IT people who do not understand what we do; they only know what Mr. Hayes does. They raked us across the coals, that we weren't qualified to be examining documents of this type that have been prepared and transmitted over the Internet that so many things can go wrong. Josey was very concerned because they seemed to automatically assume that we were all like Reed Hayes. Josey started calling colleagues asking if we had any procedures. Bill Flynn and Joe Parker are writing procedures for examining electronic and PDF documents.

RPG Changes – Beal

Beal provided a copy of the RPG to all Board members prior to the meeting. She projected a copy up on the screen for all to view at the meeting. After discussion each change was unanimously approved. Clean-up changes, such as, deleting extra spaces or adding spaces, changing the word “credit” to “points”, and changing font/size for consistency, etc., were fixed.

The first area that needs tweaking is **Article IX Elections and Terms of Office; 1. Election of Officers**, second sentence which reads at this time, “The elections shall be by ballot, and a majority of votes cast shall be required to elect an officer.” Ms. Beal’s comments were “Doesn’t this mean it should be by paper vote? Or is a verbal vote okay?” After discussion the wording was changed to, “Such election may be conducted by ballot, and a majority of votes cast shall be required to elect an officer.”

The next area was same section **5. Terms of Office of Directors**

There was confusion because earlier it stated the terms start July 1, what is “first Monday” after the annual BOD meeting? After discussion it was changed from:

Each Director’s term of office shall commence on **the first Monday** following the annual Board of Director’s meeting and shall end on June 30 of his/her final year in that office, or when his/her successor has been duly elected and qualified.

To:

Each Director’s term of office shall commence on **July 1st** following the annual Board of Director’s meeting and shall end on June 30 of his/her final year in that office, or when his/her successor has been duly elected and qualified.

Next area was **B. Duties of Committees, 5. Public Relations, 5.5**. This line was deleted because the Secretary is the one who has the seals. Upon discussion, it was decided the Historian shall maintain the seals since they are no longer used at this time. The Historian SOP will be changed to reflect this change.

Section E. Qualifications and Requirements for Certification, 3.1, 3.1.1 changed from:

“Recognized” means that the applicant’s training program met the basic requirements for a training program described in **ASTM E-2388** (Standard **Guide** for Minimum Training Requirements for Forensic Document Examiners). The key requirements are outlined below; please refer to **Standard E-2388** for full details.

To:

“Recognized” means that the applicant’s training program met the basic requirements for a training program described in SWGDOC (Standard for Minimum Training Requirements for Forensic Document Examiners). The key requirements are outlined below; please refer to the above Standard (www.swgdoc.org) for full details.

Same section, **4. 4.1** changed from:

In addition to meeting the requirements in paragraphs **I, II, and III** above, applicants...

To:

In addition to meeting the requirements in paragraphs 3.4.1, 3.4.2, and 3.4.3 above, applicants...

Same section, 3.3.1, Lisa stated she will be working on the wording for the practical test evaluator. No changes at this time.

Same section, **5. Appeals Process, 5.3** changed the colon to a comma and made the capital "T" to a lower case "t" in the word "the" right after the comma.

Section **H. Recertification Requirements, 3.1.2, second note** change "under paragraph II.B" to "under paragraph 3.2.1"

H. Recertification Requirements, 3.2.1, Note added the word "are" and changed the paragraph designation "A.2" to "3.1.2" so it reads:

Note: Points are limited to five points in this category if points are claimed for presenting this paper at a meeting in paragraph 3.1.2 above.

H. Recertification Requirements, 3.10.2 It was asked was this a typo "\$1000" and it was stated no it was not. It was set this high to discourage Diplomates from taking this route too often.

It was asked do we also need to vote on changes to Committee SOPs, and the answer was no, we do not think so. A concern was brought forward that changes should be shared so that someone cannot change a SOP willy-nilly. The concern was in the past things have been deleted from the SOP which got the committee into trouble later on. SOP's have always been unofficial. Yes, but if a change is done there is no record of it. President Singer will look into this.

Departure of Directors

Marie Durina and Frank Hicks tendered their resignations from the Board. It was accepted with sadness. Their dedication and thoughtful insights were invaluable to the Board. Thank you both for your service.

Kirsten asked if there was someone we would like to ask to be on the BOD. The names put forth were: Tom Riley (he had been asked, prior to the meeting, if his name could be put forth and he stated yes), Steve Drexler, Andy Szmanski, and Farrell Shiver. Kirsten will reach out to them and we will vote later upon knowing if one is interested.

Lisa Hanson made a motion to elect Tom Riley as a Director, seconded, unanimous yes vote.

*After the meeting, Kirsten put forth Farrell Shiver as a Director, after speaking with him, an electronic vote was taken and unanimous yes vote was recorded.

We are happy to report that Tom Riley and Farrell Shiver have accepted to be Directors. We welcome them aboard starting July 1, 2014.

Kirsten asked Committee Chairs who would like Tom Riley on their committee, Testing and Recertification Committee said they would like him.

Executive Committee elections in 2015 – Singer

Singer stated, Ms. Hanson and her will be off the BOD next year so we need to be thinking of who to move up into President and Vice President slots at our next meeting. She asked Green when his time was up and he stated he has another two years. I have all the EC as time being up next meeting (2015).

Kirsten asked that we think about and consider who we would like to put forth as President and Vice President. It does not have to be someone who has been on the BOD for awhile. It can be a new Director who is just coming on board.

Lisa volunteered to stay on as the lead person with the Certification 101 workshops. She is writing up SOPs for the workshop so it can carry on but she really enjoys it and would like to stay on this workshop committee.

Kirsten also stated that she would be available for any questions that the new President may have as they adjust to the role. She has a bunch of files to transfer; she is currently trying to scan many of the documents so there will not be so many boxes being mailed out to the new President. Lisa said she is trying to do that too.

Rick Horton agreed to another four year directorship. He was re-appointed by the BOD.

Miscellaneous

To help the secretary and to avoid the expense of printing all of the documents and placing them in binders, the BOD agreed to send the secretary all reports and other information needing to be discussed no later than 4 weeks before the next meeting. The secretary will then place all documents into one long document and provide to the BOD 2 weeks before the meeting. The BOD can either print out the reports or view them electronically at the next meeting.

Rick Horton suggested moving all documents regarding recertification to digital format. The Committee is to discuss this and come up with the best solution/format for turning the files into a digital file.

Secretary explained the out-dated secretary computer (2000 XP, very heavy, only ~500MB and Hz. She asked if this could be updated. An approval was given to purchase new equipment (laptop, hard drive and A/V). Bonnie is to obtain pricing and provide to Jim Josey, Rick Horton and Jim Green for input. Once the equipment has been chosen, work with Jim on purchasing.

Next year's meeting dates

SWAFDE's meeting moves around between March to May, SAFDE is always late April between the 15th to the 30th. Next year's meeting will be May 1-3, 2015. Bonnie is to get pricing for Dulles, Houston, Charleston, SC, and Phoenix.

Kirsten thanked everybody for being here, thank you for the time you give up and the weekends you give up, I know we are all volunteers. She really appreciates the fast responses by email when she needed them and our reasons and thoughtful responses. It has been another great meeting.

Kirsten presented plaques to both Marie and Frank. Thank you!

This ends the meeting minutes.