

# EXHIBIT K

# Academy News

## President's Message



*Joseph P. Bono, MA*

A few words on some important decisions since the last newsletter are in order. The American Academy of Forensic Sciences has settled a federal lawsuit brought by a former member of its Questioned Documents Section, James A. Blanco, who was expelled from the Academy in 2008, following an ethics investigation. The settlement brings an end to proceedings that began in 2006 when an ethics complaint was filed against Mr. Blanco. The Board of Directors deliberated long and hard, and with due diligence, in reaching an agreement which we believe is in the best interests of the Academy, not for a week, a month or even a year, but rather, long term.

The Board examined the issues from every angle, considered the ramifications of the alternatives, carefully weighed the options and the advice of its counsel, and then resolved to enter into a settlement. This was not an easy decision for the Board and was one of those instances when the Board's vote was not unanimous. While I recognize that it is a matter upon which reasonable minds might disagree, the vote of the Board demonstrates the overwhelming support for the decision and the resulting actions described later in this message.

On June 13, 2008, following an evidentiary hearing, the Academy's Ethics Committee found clear and convincing evidence that Blanco had

violated Section 1(a) of the Academy's Code of Ethics and Conduct by submitting an erroneous and misleading report to be used in the judicial process, thereby diminishing confidence in forensic scientists and their disciplines. The Ethics Committee also found, by clear and convincing evidence, that Blanco had violated Section 1(c) of the Code of Ethics and Conduct by knowingly misrepresenting the data used to arrive at the conclusions in his report. As a result, the Ethics Committee recommended that Blanco be expelled from the Academy. And in September 2008, the Board voted to accept the recommendation of the Ethics Committee.

The settlement of the Blanco suit in September 2010 did not undermine the decision of the Ethics Committee or the Board decision in September 2008. The Board's actions a few weeks ago produced a decision eliminating any uncertainty in the result. It is possible that a lengthy litigation process would not have produced those same results. At the same time the Academy's assets are protected. Keep in mind that the records of what transpired in this case are permanent and available in the public domain, and they document the sequence of every step in this process. There should be little uncertainty in reasons for the settlement agreement.

*continued on page 3*

### ATTENTION ALL MEETING REGISTRANTS!

The 2011 AAFS Annual Scientific Meeting Pre-Registration Form is provided in this issue of the *Academy News*, on page 12. Attendance at all special functions (breakfast seminars, luncheons, special sessions, and workshops) is by **pre-registration only**.

The deadline for pre-registration is **January 26, 2011**. The deadline is firm.

To ensure your full participation, don't delay! Send in your registration form today, or go to the AAFS website ([www.aafs.org](http://www.aafs.org)) and register online! Pre-registration forms received after January 26, 2011, will be processed as on-site registrations which will **VOID** your registration/attendance for **ALL** special functions (breakfasts, luncheons, workshops, and special sessions).



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## Future AAFS Annual Meeting Dates

**February 20-25, 2012**  
Atlanta Marriott Marquis  
Atlanta, GA

**February 17-22, 2014**  
Washington State Convention & Trade Center  
Seattle, WA

**February 18-23, 2013**  
Marriott Wardman Park  
Washington, DC

**February 16-21, 2015**  
The Peabody Orlando  
Orlando, FL

**February 15-20, 2016**  
Rio Las Vegas Hotel  
Las Vegas, NV

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## Kurt M. Dubowski to Receive Gradwohl Medallion

The American Academy of Forensic Sciences Board of Directors is very pleased to announce that **Kurt M. Dubowski, PhD**, Fellow in the Toxicology Section, has been named R.B.H. Gradwohl Laureate—the Academy’s highest honor. Dr. Dubowski will receive the Gradwohl Medallion during the Annual Business Meeting in Chicago, IL, on Wednesday, February 23, 2011.

The Gradwohl Medallion is conferred upon only those persons who have attained exceptional distinction in the advancement of the forensic sciences, who have given outstanding service to the AAFS over a long period of time, and who have achieved outstanding recognition in a public position through service to the forensic science profession. Gradwohl Laureates are not named regularly, but rather only when recognizing an individual of exceptional distinction. Since the award was established in 1974, only 11 other professionals have been given the honor.

## Three Distinguished Fellow Awards to be Presented in Chicago

The AAFS Board of Directors has named three 2011 Distinguished Fellows who will be recognized for their contributions to the Academy and to the profession during the 63rd Annual Meeting in Chicago, IL. **Mary Fran Ernst, BLS**, Fellow in the General Section; **Patricia J. McFeeley, MD**, Fellow in the Pathology/Biology Section; and **Richard Rosner, MD**, Fellow in the Psychiatry & Behavioral Science Section, will be conferred with the honor of “Distinguished Fellow” during the Annual Business Meeting in Chicago on Wednesday, February 23, 2011.

## President’s Message cont.

Section 1 of the settlement agreement reads:

**Vacation of Expulsion and Resignation.** The parties agree to the following: (1) AAFS hereby vacates its September 16, 2008 expulsion order of the Board of Directors of AAFS; (2) Simultaneously with AAFS’s vacating of its September 16, 2008 expulsion order, Blanco’s resignation from the AAFS will be deemed to have been tendered and accepted; and (3) Blanco will never reapply for membership in the AAFS in the future.

**No money was paid to anyone in this settlement, nor were any Ethics Committee findings overturned or vacated.**

While I can understand the opinions of some regarding the whys and wherefores of the Board’s decision, I believe that the Board acted in the best interests of the membership by concluding this litigation. The sequence of events concluded with the exact same result (termination of membership) that would have been hoped for had the lawsuit continued over a period of years.

Finally, I want to again thank the Board for the collective wisdom and courage displayed in bringing this issue to closure. Any group of leaders can function when difficult decisions are not a part of their responsibilities. In this instance, the decision was difficult and required resolve because we knew that the resulting settlement would not be popular in the minds of many. At the same time we realized that the decision was in the best long-term interest of the welfare of the Academy. And while there will always be those who disagree and dissent, which is their right and one which I will always support, at the same time I will always believe that the correct decision was made in this instance.

As we prepare for the upcoming meeting, I look forward to seeing everyone again in Chicago in February for more important discussions, in both formal and informal sessions. This has been

a challenging year for forensic science professionals in all disciplines; however, it has been a year in which we have had a unique opportunity to think about what we must do to strengthen our role in the judicial process. I appreciate the letters of support which I have received throughout the year. I also appreciate and respect those with dissenting points of view. When asked why I do not respond directly to those with opposing views, my thought processes remain unchanged: those with opposing viewpoints have the same rights as I have in expressing their opinions. In the end, I believe that the truth (there’s that term which keeps coming up again) will always prevail. Words matter; however, repetition is not the determining factor in the veracity of an argument. Time is the determining factor, and patience will always trump bravado in seeking the best ways to advance our profession, especially in these times when too many claim to be “experts in all things forensic.”

The **2010 AAFS International Educational Outreach Program** visit to France was a great success. **Eric Baccino**, a Fellow in the Pathology/Biology Section, was instrumental in making our visit to France one of the most beneficial the Academy has ever experienced. This visit served as a continuation of the friendship and cooperation between the forensic science and judicial communities in France and the United States. To Dr. Baccino and our colleagues in France, I extend a special thank you for the fond memories and educational opportunities during our nine days in your beautiful country.

The **Board of Directors** has accepted a recommendation of the **Executive Committee** based on a committee report to remind members that they should cite Academy membership when speaking in public. At the same time, when this happens, statements by Academy membership must not be misconstrued as speaking for the Academy, which is allowed only by the President and President-Elect.