

THE BYLAWS OF THE CALIFORNIA ASSOCIATION OF CRIMINALISTS

As Amended – May 2009

ARTICLE I

Purposes

The objects and purposes of this Corporation shall be to:

SECTION 1

Foster an exchange of ideas and information within the field of criminalistics.

SECTION 2

Foster friendship and cooperation among the various laboratory personnel.

SECTION 3

Encourage and, if possible, financially support worthy research projects.

SECTION 4

N/A

SECTION 5

Encourage the compilation of experience data of value in the field.

SECTION 6

Promote wide recognition of the practice of criminalistics as an important phase of jurisprudence.

SECTION 7

Promote a high level of professional competence among criminalists.

SECTION 8

Encourage uniform qualifications and requirements for criminalists and related specialists.

SECTION 9

Disseminate information to the law profession concerning minimum qualifications for physical evidence consultants.

SECTION 10

Provide a board of review in cases involving differences of professional opinion when requested.

SECTION 11

Encourage the use of improved testing procedures and methods of presentation of conclusions.

SECTION 12

Encourage the recognition of this Association and its purposes among other appropriate groups and societies.

SECTION 13

Lend assistance, whenever possible, in the formulation of college curricula and law enforcement programs.

SECTION 14

When appropriate, to review and act upon any pending legislation which appears to be related to the field of criminalistics.

SECTION 15

Establish, maintain, and enforce a code of ethics for criminalists.

SECTION 16

Establish, maintain and manage an Endowment Fund to fund scholarships, research projects, special classes and other activities in keeping with the objects and purposes of this Corporation.

- A.** Endowment Fund principal, income or other assets will not be used to offset CAC expenses, routine or extraordinary.
- B.** Endowment Fund principal will not be used for any purpose.

SECTION 17

Support certification testing programs for individuals engaged in the practice of criminalistics.

Article II

Members

SECTION 1

Membership in this Corporation shall be limited to persons who:

- A.** Are presently employed as laboratory scientists professionally engaged in one or more fields directly related to the forensic sciences; have demonstrated ability to conduct work requiring college level education in appropriate physico-chemical or biological sciences; and have been elected to membership by three-fourths of the members present and eligible to vote at a regular business meeting of the Corporation.
- B.** Are college-level students pursuing a course of study toward a career in a forensic science and have been elected to Affiliate membership by the Board of Directors. Affiliate Members who have completed their course of study may retain their membership status while actively seeking employment for 3 years after the completion of their degree and for six months after beginning employment in the forensic sciences. Interns, laboratory technicians, and volunteers employed in a forensic science laboratory may be affiliate members as long as they are employed by a forensic laboratory.
- C.** Have been a Full Member or Corresponding Member for at least 5 years and who have retired from active full time professional activities.

SECTION 2

There shall be five classes of membership in the Corporation:

- A.** Full Members: Persons entitled to be classified as Full Members are all those persons who were classified as members in the unincorporated association, the California Association of Criminalists, or those persons who have subsequently been elected to the class of Member.
- B.** Provisional Members: All persons who were formerly provisional members of the predecessor unincorporated association, the California Association of Criminalists, and all persons elected to membership other than as Corresponding Member, shall be classified as Provisional Members for not less than one year. A Provisional Member may be proposed for a class of Full Member after one year. After three years of membership, a Provisional Member not elected a Full Member will become a Corresponding Member.
- C.** Life Member:
 - 1.** All persons who were Life Members of the predecessor unincorporated association, the California Association of Criminalists, or those persons who were subsequently elected to the class of Life Member.

2. Any Full or Corresponding Member who has an exemplary record of service to the CAC and the Field of criminalistics and who has been elected a Life Member by the Board of Directors.
3. Life Members shall retain all rights and privileges of a Full Member but shall be excused from all assessments, dues and registration fees.

D. Corresponding Member: All persons who were corresponding members of the predecessor unincorporated association, the California Association of Criminalists, and applicants who, because of their place of residence or employment, are unable to regularly attend meetings and seminars, and who meet the basic qualifications for membership in the Corporation, shall be classified as Corresponding Members. Corresponding Members will not be required to attend seminars and they shall not be eligible to hold office. They shall be subject to all dues and assessments levied against a Full Member or Provisional Member.

E. Affiliate Member:

1. Any college-level student, intern, laboratory technician, or volunteer employed in a forensic science laboratory pursuing a course of study or a career in a forensic science. Any application for Affiliate Membership shall be submitted by, and with the recommendation of, a full, life, or provisional member of the Corporation.
2. Any person meeting the requirements of Article II, Section 1(C), and who has been elected an Affiliate Member by the Board of Directors.

SECTION 3

Change in Membership Classification

It shall be the function of the Board of Directors to propose the acceptance of new Provisional Members or the advancement of Provisional or Corresponding Members to the class of Full Member. Proposals for acceptance or advancement shall be voted on by the membership as soon as practicable at a regular business meeting.

Proposals for change in the class of membership of a member shall be based upon consideration of the member's efforts and attainments in the field of forensic science, his attendance at seminars and his participation in the activities of the Corporation. Provisional or Corresponding Members must complete one of the following requirements to be eligible for consideration for Full Member status:

During two consecutive years or less, obtain at least six points from the list below:

(or)

During three consecutive years or less, obtain at least nine points from the list below:

Points are awarded as follows:

- CAC Workshop or Seminar attendance – one point/day
- CAC Study Group Meeting attendance – one point/day
- Active participation on CAC committee – two points (to be determined by chair)
- Active participation as a CAC study group chairperson – two points (to be determined by the regional director)
- Presentation of a paper at CAC seminar – three points
- Publishing a paper in Science and Justice – three points
- Publishing a technical paper in the CAC News – one point
- Other CAC related activity – points to be determined by CAC Board of Directors

Should a member in good standing no longer be able to participate actively in the Corporation, he may apply to the Board of Directors for permission to become a Corresponding Member.

SECTION 4

Each member of those classifications other than Affiliate present at a regular business meeting shall be entitled to one vote. Life Members and Full Members shall be entitled to one vote by proxy if such proxy is exercised by any Full Member or Life Member at a regularly scheduled meeting. (See Article III, Section 12.)

SECTION 5

A membership is not transferable or assignable.

SECTION 6

Termination of Membership

- A.** Termination Upon Request of Member: A member may terminate his membership in the Corporation by a written request directed to the president of the Corporation. The president shall inform the membership of the Corporation of such termination at the next regular business meeting.

Any member who resigns while charges of the Association's Code of Ethics are pending against the member shall be excluded from future membership unless such membership is approved by a vote of three-fourths of the Board of Directors.

- B. Termination for Failure to Pay Dues:** Membership may be automatically terminated upon failure of a member to pay dues as prescribed by the Board of Directors, or any regular assessment prescribed by the Board of Directors.
- C. Termination for Cause:** A member may be suspended or expelled from the Corporation for unethical conduct, conduct detrimental to the profession of criminalistics or conduct detrimental to the welfare of the Corporation. Any member or non-member of the Corporation may initiate proceedings to discipline a member of the Corporation for cause by petitioning the Ethics Committee of the Corporation.

The Ethics Committee shall be a standing committee of three Full Members or Life Members appointed by the President. Each member shall serve a three-year term and the terms shall be staggered.

If any member of the Ethics Committee works in the same laboratory as a member accused of an ethical violation or for any other reason desires not to participate in the investigation of an accused member the President shall appoint a replacement member of the Ethics Committee. Such replacement shall serve only for that particular investigation from which the regular member withdraws, and the regular member shall continue to serve on the Ethics Committee for all other Committee business.

Claims of unethical conduct on the part of any member shall be directed to the President and shall be decided by the Board of Directors after investigation by the Ethics Committee. When the Board of Directors determines that an ethical violation has occurred, the accused member may appeal the decision of the Board of Directors to the general membership.

The Board of Directors shall establish a policy for the allegation, investigation, hearing, and appeal of charges of unethical conduct by any member and the sanctions to be imposed should violations be found to have occurred. Such policy shall be approved by a majority of the members present and eligible to vote at a regular meeting of the Association.

- D. Termination Following Conviction:** A member may be expelled from the Corporation following his conviction of a criminal offense. Such expulsion would follow official verification of the conviction, exhaustion of all appeals and a three-fourths vote of the members present and eligible to vote at a regular business meeting.
- E. Termination for Lack of Participation:** A member may be expelled for demonstrated lack of participation, interest in, or support of the Association. Expulsion will follow a three-fourths vote of the members present and eligible to vote at a regular business meeting.
- F. Affiliate Members who are students who fail to furnish required proof of student status will be automatically dropped from membership in the Corporation.**

SECTION 7

The Board of Directors may determine from time to time the amount, time and manner of payment of dues, if any, and the amount, time and manner of payment of any assessments payable to the Corporation by members of each class of membership.

SECTION 8

All rights and privileges of membership in the Corporation shall be granted to all classes of membership except as specifically provided for by these Bylaws and any amendments hereto. When used herein, all references to the word "member" shall imply any membership classification.

ARTICLE III

Meeting of the Members

SECTION 1

All meetings of the membership, except as herein otherwise provided, shall be held as directed by the Corporation or by the Board of Directors of said Corporation.

SECTION 2

The regular meetings of the membership shall be held on the second Friday of the months of May and October at the hour of 1:30 P.M., beginning with the October meeting, 1970. Should said day in any year fall on a holiday, the regular annual meeting of the membership in such a year be held on said hour on the next business day thereafter.

The Board of Directors may vary the time and place of the regular meetings of the membership so long as two regularly noticed meetings are held during any particular year.

SECTION 3

Notice of the annual meeting of the membership shall be given in writing to membership entitled to vote by the Secretary by sending a copy of the notice through the mail, charges prepaid, to the address of each member as the same appears on the records of the Corporation, or as supplied by a member for the purpose of notice, not less than 30 days before such meeting. The notice shall include the following information:

- A.** The date, time and place of the meeting.
- B.** The names of proposed new members and names of members being proposed for elevation to the class of Full Member or Life Member.
- C.** The agenda of the meeting specifying any items of business to be conducted which will require a vote of the general membership of the Corporation.

SECTION 4

Special meetings of the membership may be called at any time for any lawful purpose by:

- A.** The President or any two other members of the Board of Directors.
- B.** By 5% or more of the members of the Association entitled to vote.

SECTION 5

Notice of special meetings of the membership, stating the item, and in general terms the purpose or purposes thereof, shall be mailed by the Secretary to each member entitled to vote at his address, as the same appears on the records of the Corporation, or as supplied by the member for the purpose of notice, at least 15 days prior to the date of the special meeting.

SECTION 6

When all of the members are present at any meeting, however called or noticed, and sign a written consent thereto, or when the members present, and the members not present at such meeting, give their written consent thereto and such written consent is made part of the records of such meeting the proceedings had at such meeting are valid, irrespective of the manner in which the meeting is called, or the place where it is held.

SECTION 7

Quorum

- A.** A quorum at any regular meeting of the membership shall be equal to the number of members present.
- B.** A quorum at any special meeting of the membership shall be equal to one-third of the number of Full Member and Life Members of the Corporation, represented either in person or by proxy.

SECTION 8

Any regular or called meeting of the membership may adjourn from day-to-day, or from time-to-time without further notice, if for any reason there not be present a quorum to transact business, in person or by proxy, such adjournment and the reasons therefore being recorded in the journal of the proceedings of the members and when a quorum shall attend, any business may be transacted which might have been transacted at any meeting had the same been held on the day on which the same was originally appointed or called.

SECTION 9

The President, or, in his absence, the President Elect, or, in the absence of the President and President Elect, a Chairman, elected by the members present, shall call the meetings of the members to order, and shall act as the presiding officer thereof.

SECTION 10

The Secretary of the Corporation shall act as Secretary of all meetings of the members and in his absence the presiding officer may appoint any person to act as Secretary.

SECTION 11

At the regular annual meeting of the members held in the month of May, the members entitled to vote shall elect by Ballot, a Board of Directors as constituted by these Bylaws and the Articles of Incorporation of the Corporation.

SECTION 12

All proxies must be in writing, dated and executed by the eligible member themselves or by their duly authorized attorneys, and must be filed with the Secretary of the Corporation at or before the meeting of the members.

SECTION 13

At any meeting at which the number of voting members present, in person or by proxy, is less than one third of the number of voting members of the Corporation (see Article II, Section 4), no matters requiring a general vote of the membership of the Corporation can be voted upon, unless such matters were specifically contained in the Agenda of the meeting sent to the membership pursuant to Article III, Section 3(B) and 3(C).

ARTICLE IV

Directors

SECTION 1

The corporate powers, business and affairs of the Corporation shall be exercised, conducted and controlled by a Board of Directors consisting of the President, the President Elect, the Immediate Past President, the Secretary, the Treasurer, a Regional Director-North, a Regional Director-South, a Membership Secretary, an Editorial Secretary, all of whom shall be either Full Members or Life Members. All of the Directors with the exception of the President and Immediate Past President shall be elected by the membership of the Corporation for the terms of office set forth.

The President Elect shall be elected to a three year term to be served one year as President Elect, one year as President and one year as Immediate Past President.

The Secretary, Treasurer, Membership Secretary, Regional Director-North, Regional Director-South and Editorial Secretary shall be elected to two year terms.

SECTION 2

Each director shall hold office until his successor shall have been elected and qualified.

SECTION 3

Any vacancy occurring in the office of the director by reason of death, resignation, recall or otherwise except vacancies caused by removal of the Board of Directors pursuant to the provisions of Section 310 of the Civil Code of the State of California, shall be filled as prescribed.

A vacancy in the office of President will be filled by the President Elect who will serve the remainder of the vacated term and the term to which he was elected.

A vacancy in the office of President Elect will be filled by election at the next regular meeting of the members or at any special meeting duly called for that purpose prior thereto. The President Elect so elected shall serve the remainder of the term of President Elect, the one year as President, and the one year term as Immediate Past President.

Other vacancies in the office of director shall be filled by an appointee of the majority of the remaining directors though less than a quorum. Such director, so appointed shall hold office during the remainder of the term of that office until his successor is elected at the next appropriate annual meeting of the members.

SECTION 4

All the directors of the Corporation shall be elected by ballot by the membership of the Corporation at the annual meeting. A President Elect shall be elected at each annual meeting. A Secretary, a Regional Director-North and a Membership Secretary shall be elected at annual meetings held in even numbered years. A Treasurer, a Regional Director-South and an Editorial Secretary shall be elected at annual meetings held in odd numbered years.

SECTION 5

Immediately after the election of directors at the annual meeting of the members the directors shall meet for the purpose of organization and the transaction of other business.

SECTION 6

All meetings of the Board of Directors shall be held as directed from time to time by the board.

SECTION 7

Special meetings of the Board of Directors may be called at any time on the order of the President or on the order of two (2) or more directors.

SECTION 8

A majority of the whole number of directors shall constitute a quorum for the transaction of business, and every act or decision of a majority of the directors present at a meeting at which a quorum is present, made or done when duly assembled, shall be valid as the act of the Board of Directors; but a majority of those present at the time and place of any stated or

special meeting, although less than a quorum, may adjourn the same from time to time, or from day to day, without further notice, until a quorum shall attend, and when a quorum shall attend, any business may be transacted which might have been transacted at the meeting had the same been held on the day on which the same was originally appointed or called.

SECTION 9

The Board of Directors shall have full power and authority to borrow money on behalf of the Corporation, including the power and authority to borrow money from any of the members, directors, or officers of the Corporation, and otherwise to incur indebtedness on behalf of the Corporation, and to authorize the execution of promissory notes, or other evidence of indebtedness of the Corporation, and to agree to pay interest thereon to sell, convey, alienate, transfer, assign, exchange, lease, and otherwise dispose of, mortgage, pledge, hypothecate, and otherwise encumber the property real and personal, and the franchises of the Corporation to purchase, lease, and otherwise acquire property, real and personal, on behalf of the Corporation, and generally to do and perform, or cause to be done and performed, and every act which the Corporation may lawfully do and perform, provided said total indebtedness does not exceed the sum of \$50,000.00.

SECTION 10

The directors of this corporation shall serve without compensation, except their actual expenses.

SECTION 11

Any director may be recalled for nonfeasance, misfeasance or malfeasance of office by a three fourths vote of a constituted quorum of the membership attending a business meeting of the Corporation.

Any Full Member or Life Member may initiate a recall election by presenting, at any meeting of the Board of Directors, a petition stating the reason(s) for recall signed by ten Full Members or Life Members of the Corporation and an affidavit certifying a copy of the petition was served either personally or by certified mail on the director sought to be recalled.

The Board of Directors will vote to accept the affidavit of notification and the signatures on the petition. Finding a petition in order, the Board of Directors shall place the recall election on the new business agenda for the next scheduled business meeting of the Corporation.

SECTION 12

The Board shall review applications for new membership or change in membership status as presented by the Membership Secretary. Approved applications shall be dealt with as detailed in Article II. Applicants who are not approved shall be informed of the reason for denial and shall have the opportunity to appeal to the Board.

ARTICLE V

President

SECTION 1

The President shall be the chief executive officer of the Corporation, he shall preside at all meetings of the members and of the Board of Directors. He shall have general charge of the business of the Corporation, shall execute, with the Secretary, in the name of the Corporation, all deeds, bonds, contracts, and other obligation and instruments authorized by the Board of Directors to be executed.

SECTION 2

The President shall also have such other powers and shall perform such other duties as may be assigned to him by the Board of Directors.

ARTICLE VI

President-Elect

SECTION 1

The President-Elect shall be vested with all the powers and shall perform all the duties of the President, in case of the absence or disability of the President.

SECTION 2

The President-Elect shall also have such other powers and shall perform such duties as may be assigned to him by the Board of Directors.

ARTICLE VII

Secretary

SECTION 1

The Secretary shall keep a full and complete record of the proceedings of the Board of Directors and of the meetings of the members; shall keep the seal of the Corporation and affix the same to such papers and instruments as may be required in the regular course of business; shall make service of such notices as may be necessary or proper; and shall discharge such other duties as pertain to the office or as prescribed by the Board of Directors.

ARTICLE VIII

Treasurer

SECTION 1

The Treasurer shall receive and safely keep all funds of the Corporation and deposit same in such bank or banks as may be designated by the Board of Directors. Such funds shall be paid out only on the check of the Corporation signed as directed by the Board of Directors.

SECTION 2

The Treasurer shall supervise and control the keeping of the books and accounts of the Corporation.

ARTICLE IX

Regional Directors

SECTION 1

There shall be two Regional Directors. One will represent those members in the Southern part of the State, together with Southern Nevada, Arizona, New Mexico and Texas. The other will represent those members in the Northern part of the State, together with Northern Nevada, and all other States except Arizona, New Mexico and Texas.

SECTION 2

Each Regional Director shall be responsible for:

- A.** The assignment and direction of the regional meetings in his region.
- B.** Such other duties as may be assigned him by the Board of Directors.

ARTICLE X

Editorial Secretary

SECTION 1

The Editorial Secretary shall serve as the primary editorial liaison between the Corporation and the official journal of the Corporation, the Journal of the Forensic Science Society. The Editorial Secretary shall receive, edit and be responsible for delivery of scholarly papers to the official journal for publication.

SECTION 2

The Editorial Secretary shall edit and transmit to the official journal the Proceedings of the Semi-Annual Seminars which shall consist of the Seminar abstracts and short communications.

SECTION 3

The Editorial Secretary shall edit and publish quarterly the Newsletter of the Corporation.

ARTICLE XI

Membership Secretary

SECTION 1

The Membership Secretary shall review applications for membership for completeness

- A.** Verify that the application lists job duties meeting membership requirements
- B.** Verify that the application lists education meeting membership requirements
- C.** Verify that recommendations by qualified references have been received
- D.** Correspond with applicants for additional information if necessary
- E.** Present completed applications to the Board of Directors for approval

SECTION 2

The Membership Secretary shall maintain the membership files of the Association and perform related duties.

ARTICLE XII

Seal

SECTION 1

The Board of Directors shall provide a suitable seal for the Corporation, which shall be in circular form, and which shall contain the following inscription: California Association of Criminalists Incorporated 1970

ARTICLE XIII

Fiscal Year

SECTION 1

The fiscal year of the Corporation shall be from July 1 to June 30.

ARTICLE XIV

Amendments

SECTION 1

Amendments of these By-Laws may be proposed at any meeting of the Board of Directors or of the Corporation. To become effective they must receive a three-fourths vote of the members voting in person or by proxy at a meeting of the members or by the written consent of three-fourths of the members eligible to vote in person or by proxy.

SECTION 2

Members must receive notice of proposed changes not less than thirty days prior to the vote.

ARTICLE XV

Rules of Order and Procedure

SECTION 1

Meetings of the Corporation shall be conducted according to Robert's Rules of Order, Revised.

SECTION 2

A parliamentarian and a sergeant at arms shall be appointed by the President at each meeting of the Corporation.

Ratified: May 14, 2009

Amended: 10/7/55, 11/20/56, 6/17/57, 11/4/60, 10/28/61, 5/23/64, 10/18/68, 2/11/72, 6/29/74, 5/12/78, 11/7/80, 5/15/81, 5/14/82, 10/20/82, 10/20/83, 5/84, 10/84, 5/85, 10/89, 5/90, 10/90, 5/94, 5/06, 10/08, 5/09