

**BYLAWS OF THE SCIENTIFIC WORKING GROUP ON BLOODSTAIN PATTERN ANALYSIS
(SWGSTAIN)**

I. OBJECTIVES:

The Scientific Working Group on Bloodstain Pattern Analysis (hereinafter referred to as SWGSTAIN) shall serve as a professional forum in which bloodstain pattern analysis (BPA) practitioners, and practitioners from related fields, can share, discuss, and evaluate methods, techniques, protocols, quality assurance, education, and research relating to BPA. This forum shall address substantive and operational issues within the field of BPA and shall work to build consensus-based, or so-called “best practice,” guidelines for the enhancement of BPA.

II. MEMBERSHIP:

A. The membership of SWGSTAIN shall consist of a maximum of fifty (50) individuals and shall consist both of an executive board and a body of regular members. The total number of members comprising the group shall depend, at least in part, upon the number of Subcommittees empanelled by the SWGSTAIN Chair (see description of SWGSTAIN Chair under section B). The term “member” shall be used to designate and describe both Executive Board and regular members.

B. The SWGSTAIN Executive Board shall consist of the SWGSTAIN Chair, the SWGSTAIN Vice-Chair, the SWGSTAIN Executive Secretary, and five (5) regular members. All members of the SWGSTAIN Executive Board shall have voting privileges with the exception of the SWGSTAIN Executive Secretary. The SWGSTAIN Chair has full voting privileges, except on routine business meeting motions where his/her vote will be used to break ties.

1. The SWGSTAIN Chair shall be a representative from the FBI (Federal Bureau of Investigation) and shall be appointed by the FBI Director or his/her designee.
2. The SWGSTAIN Vice-Chair shall be a non-FBI SWGSTAIN regular member and shall be appointed by the SWGSTAIN Chair and ratified by a simple majority vote of the regular members at a scheduled SWGSTAIN meeting.
3. The SWGSTAIN Executive Secretary shall be appointed by the SWGSTAIN Chair.
4. The five (5) SWGSTAIN regular members of the SWGSTAIN Executive Board shall be appointed by the SWGSTAIN Chair and ratified individually by a simple majority vote of the regular members at a scheduled SWGSTAIN meeting.

C. Regular members of SWGSTAIN shall be appointed by the SWGSTAIN Chair upon recommendation by the SWGSTAIN Membership Committee.

1. The SWGSTAIN Membership Committee shall consist of the SWGSTAIN Vice-Chair and two (2) SWGSTAIN Executive Board regular members. The SWGSTAIN Membership Committee shall receive nominations in a form and manner determined by the SWGSTAIN Chair and make recommendations to the SWGSTAIN Chair for final consideration for regular member status. The SWGSTAIN Membership Committee shall, to the extent possible, consider ancillary information such as profession (law enforcement, scientist, consultant, etc.), geography (regional, international, etc.), as well as affiliation (local, state, or federal government agencies; private; academic; etc.) in evaluating its potential membership candidates.
2. SWGSTAIN Membership resides with the individual and not his/her agency or affiliation.

3. Regular members of SWGSTAIN shall have voting privileges for the purpose of ratifying the SWGSTAIN draft documents and other work products, Bylaw amendments, Executive Board members, and other business as deemed necessary by the SWGSTAIN Chair.
- D. SWGSTAIN shall establish an American Society of Crime Laboratory Directors (ASCLD) Representative. This representative will be an ASCLD member, appointed by the SWGSTAIN Chair, and ratified by a simple majority vote of the regular members at a scheduled SWGSTAIN meeting. The ASCLD Representative shall not be considered a member of SWGSTAIN and shall not be granted voting privileges.
 - E. The SWGSTAIN Chair may offer *ex officio* membership to a representative from an agency or organization related to BPA and ratified individually by a simple majority vote of the regular members at a scheduled SWGSTAIN meeting. *Ex officio* members shall not be considered regular members of SWGSTAIN and shall not be granted voting privileges. The SWGSTAIN Chair may extend invitation to all, some, or no *ex officio* members for a given scheduled SWGSTAIN meeting.
 - F. The SWGSTAIN Chair may invite guests to participate in SWGSTAIN meetings. Invited guests shall not be considered members of SWGSTAIN and shall not be granted voting privileges.
 - G. The term of appointment for the SWGSTAIN Chair shall be at the discretion of the FBI Director or his/her designee. The term of appointment for the SWGSTAIN Vice-Chair, SWGSTAIN Executive Secretary, and SWGSTAIN Executive Board regular members shall be three (3) years. Regular members of SWGSTAIN shall be appointed for three (3) year terms. Subsequent terms of appointment for all member positions shall be three (3) years with no limitation of the number of terms served either consecutively or in total.
 - H. The vacancy of a SWGSTAIN membership position occurs upon the death of a SWGSTAIN member, the resignation of a SWGSTAIN member from SWGSTAIN, or the completion of a SWGSTAIN membership term. Should a SWGSTAIN member fall out of good standing, violate the member Ethics Code, or in cases of irregular attendance, the SWGSTAIN Chair may revoke the SWGSTAIN membership upon a unanimous vote by the Executive Board and a simple majority vote of the regular members present at a scheduled SWGSTAIN meeting. Any SWGSTAIN membership vacancy shall be filled in the manner prescribed for initial appointment and said SWGSTAIN membership shall extend through the remainder of the active term initiated by the originally appointed SWGSTAIN member.

III. OFFICERS AND DUTIES:

- A. The SWGSTAIN Chair shall manage the activities of the SWGSTAIN Executive Board and perform all duties incident to the office of SWGSTAIN Chair, including but not necessarily limited to the following: scheduling SWGSTAIN meetings, preparing SWGSTAIN meeting agendas, presiding at SWGSTAIN meetings, appointing SWGSTAIN Executive Board Members, appointing SWGSTAIN Regular Members, establishing SWGSTAIN committees, inviting guests to SWGSTAIN meetings, assigning tasks to SWGSTAIN members and/or SWGSTAIN Subcommittees, acting as the principle spokesperson for SWGSTAIN, and forwarding appropriate SWGSTAIN recommendations on to the FBI Director as necessary.

- B. The SWGSTAIN Vice-Chair will assist the SWGSTAIN Chair in his/her duties as needed. The SWGSTAIN Vice-Chair, in the temporary absence of the SWGSTAIN Chair, shall be authorized to conduct SWGSTAIN business, to include presiding over SWGSTAIN meetings in accordance with the agenda set by the SWGSTAIN Chair. The SWGSTAIN Vice-Chair will serve as the Chair of the SWGSTAIN Membership Committee.
- C. The SWGSTAIN Executive Secretary shall perform such duties as may be assigned by the SWGSTAIN Chair and shall perform all administrative duties incident to the office including, but not necessarily limited to the following: preparing summary minutes of SWGSTAIN meetings, maintaining records of SWGSTAIN meetings and bylaws, and keeping custody of SWGSTAIN records. The SWGSTAIN Executive Secretary may be assisted by staff provided by the FBI if necessary.
- D. The SWGSTAIN Executive Board shall review and evaluate all recommendations made by SWGSTAIN Subcommittees and vote on such recommendations. A unanimous vote of the SWGSTAIN Executive Board members shall constitute an act of the Board. A vote by the SWGSTAIN Executive Board shall be considered the final action on any SWGSTAIN Subcommittee recommendation.

IV. MEETINGS:

- A. SWGSTAIN shall meet a minimum of one (1) time, but no more than twice (2), per calendar year. SWGSTAIN meetings are dependent on available FBI resources.
- B. All SWGSTAIN members shall be notified of SWGSTAIN meetings as far in advance of the meeting date as possible; however, in all cases, no less than two (2) weeks advance notice of a scheduled SWGSTAIN meeting shall be given to all SWGSTAIN members.
- C. The FBI shall make travel and/or lodging arrangements for all SWGSTAIN members. In accordance with federal regulations, the FBI cannot make travel arrangements for non-United States citizens; however, the FBI shall make all other arrangements for such SWGSTAIN members. The FBI shall not be responsible for the travel and lodging arrangements for SWGSTAIN members to attend SWGSTAIN meetings planned in conjunction with professional meetings that are open to the public as a part of such forums.
- D. The SWGSTAIN Executive Board and SWGSTAIN regular members shall receive no compensation or honoraria in lieu of salary or wages for their time spent attending SWGSTAIN meetings or working on SWGSTAIN business.

V. SUBCOMMITTEES:

- A. The SWGSTAIN Chair may empanel a SWGSTAIN Subcommittee to address a specific topic or set of issues identified to be important to the group or the general discipline of BPA. The SWGSTAIN Chair shall designate a SWGSTAIN member to serve as the Chair of that SWGSTAIN Subcommittee. The SWGSTAIN Chair will appoint, upon recommendation from the SWGSTAIN Subcommittee Chair, a minimum of two (2) additional SWGSTAIN regular members to serve on said SWGSTAIN Subcommittee. The SWGSTAIN Subcommittee Chair shall manage the activities of the Subcommittee and perform all duties incident to the office of a SWGSTAIN Subcommittee Chair, including but not necessarily limited to the following: preparing Subcommittee meeting agendas, presiding at Subcommittee meetings, preparing summary minutes of Subcommittee meetings, maintaining records of Subcommittee meetings, preparing Subcommittee task documents, acting as spokesperson for the Subcommittee, and forwarding appropriate draft documents and other work products to the SWGSTAIN Chair and SWGSTAIN membership.

- B. Upon completion of an assigned task(s) to include a draft document or other work product, the SWGSTAIN Subcommittee Chair shall advise the SWGSTAIN Chair and request to be placed on the agenda of a scheduled SWGSTAIN meeting. The SWGSTAIN Subcommittee Chair shall report to the SWGSTAIN membership during a scheduled SWGSTAIN meeting on the Subcommittee's draft document or other work product.
- C. Upon completion of all the duties assigned it by the SWGSTAIN Chair, and absent any additional emerging tasks, a SWGSTAIN Subcommittee shall be indefinitely suspended or dissolved. The SWGSTAIN Chair shall make any necessary reassignments of SWGSTAIN Subcommittee members from suspended or dissolved Subcommittees to new or existing SWGSTAIN Subcommittees.

VI. PROCESS FOR APPROVAL OF GUIDELINES OR RECOMMENDATIONS:

- A. SWGSTAIN members shall be provided with the Subcommittee's draft document or work product and granted an opportunity to conduct a review. A review shall be considered a written evaluation and/or an oral evaluation captured within the SWGSTAIN meeting minutes of the Subcommittee's draft document or work product. Such review shall be deadlined at the discretion of the SWGSTAIN Chair and this critique shall then be forwarded to the SWGSTAIN Subcommittee Chair for review and response by the Subcommittee.
- B. After a SWGSTAIN Subcommittee has reviewed the critique and made its revisions, the draft document or work product will be re-presented to the SWGSTAIN members for a vote. An acceptance vote of three fourths (3/4) of the SWGSTAIN membership present at the scheduled SWGSTAIN meeting at which the vote is called will be required for forwarding the draft document or work product to the SWGSTAIN Executive Board for action. Should such a vote be called by the SWGSTAIN Chair outside of a scheduled SWGSTAIN meeting (i.e., via electronic-mail, etc.), the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the draft document or work product. Failure to achieve a three-fourths (3/4) vote as described above will return the draft document or work product to the SWGSTAIN Subcommittee and will recommence the process prescribed in this section. A three fourths (3/4) vote of the membership at a meeting during which a revised draft document or work product is being re-presented is required to either suspend work on that SWGSTAIN draft document or work product or terminate the development of that draft document or work product by a SWGSTAIN Subcommittee. A unanimous vote of the SWGSTAIN Executive Board is required for final approval of any suspension or termination of work on a draft document or work product. A split vote by the SWGSTAIN Executive Board will return the draft document or work product to the responsible SWGSTAIN Subcommittee for further development in accordance with this section.
- C. Upon acceptance of a draft document or work product by the SWGSTAIN membership, the SWGSTAIN Executive Board shall vote on the Subcommittee's accepted draft document or work product. A unanimous vote of the SWGSTAIN Executive Board will be required for approval of the draft document or work product. Should such a vote be called by the SWGSTAIN Chair outside of a scheduled SWGSTAIN meeting (i.e., via electronic-mail, etc.), the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the draft document or work product.
- D. Upon approval of the SWGSTAIN Executive Board, a draft document or work product will be offered for public comment according to FBI SWG policy. Draft documents will be offered for a minimum of 60 days for public comment. Comments made in writing will be sent to the Subcommittee where each comment will be formally addressed and the response(s) published according to FBI SWG policy.

- E. After the public comment period closes, the responsible SWGSTAIN Subcommittee will make any necessary revision(s), to the draft document or work product. In accordance with section VI.B., the revised draft document or work product will then be re-presented to the SWGSTAIN membership.
 - E.1. A three fourths (3/4) vote of the membership at a meeting during which a publicly revised document or work product is being re-presented is required to re-offer that document or work product for public comment in accordance with sections VI.D and VI.E.
- F. Upon approval of the SWGSTAIN membership, the draft document or work product will be forwarded to the SWGSTAIN Executive Board for final approval. In accordance with section VI.C., a unanimous vote of the SWGSTAIN Executive Board will be required for final approval of the draft document or work product. A split vote by the SWGSTAIN Executive Board will return the draft document or work product to the responsible SWGSTAIN Subcommittee for revision in accordance with this section.
- G. After final approval by the SWGSTAIN Executive Board, the FBI will publish the final document or work product in Forensic Science Communications (FSC) and/or through other public forums.

VII. MEMBER ETHICS CODE:

- A. SWGSTAIN professional code of conduct. SWGSTAIN is comprised of invited practitioners experienced in some or all of the following: the methods, techniques, protocols, quality assurance, education, and research in bloodstain patterns. Members represent government forensic laboratories, law enforcement, private industry, and academia, each bound by a common Code of Ethics to promote and enhance the development of quality forensic bloodstain pattern practices.
- B. The following are members' obligations:
 - 1. Members must comply with the bylaws of SWGSTAIN.
 - 2. Members must treat all SWGSTAIN work products as confidential documents until they are published.
 - 3. Members must avoid even the appearance of all personal and professional conduct which places SWGSTAIN in the position of endorsing products or services for the member's own financial or persona gain.
 - 4. Members must disclose to the SWGSTAIN Chair any possible conflicts of interest, or the appearance of same, that may arise with respect to the SWGSTAIN membership.
 - 5. Members must not provide any material misrepresentation of education, training, experience, or area of expertise.
 - 6. Members must not provide any material misrepresentation of data.
 - 7. Members must not provide public statements that misrepresent SWGSTAIN policies or positions.
 - 8. Members must report to the SWGSTAIN Chair any sanctions received from their work in the forensic field, or from professional forensic organizations, within 30 days of sanction notification. The report must be submitted both by email and in writing by certified mail return receipt requested.
- C. Member liability. If any SWGSTAIN member is the subject of an ethical complaint filed in SWGSTAIN [as defined in Section B above], and if the complaint is substantiated, then his or her SWGSTAIN membership may be immediately revoked by the SWGSTAIN Chair. Membership in SWGSTAIN entails that all work products produced for the group remains the property of that group. Upon membership revocation, all work product remands to

SWGSTAIN. If SWGSTAIN membership is revoked, then the individual must no longer testify to, or claim any continued association with SWGSTAIN.

- D. SWGSTAIN Chair obligations. The enforcement of this code in each case remains with the SWGSTAIN Chair's responsibility. All ethics issues are routed through the SWGSTAIN Chair. The SWGSTAIN Chair both receives the complaint, and, at the Chair's discretion, notifies the subject of the complaint.

VIII. AMENDMENTS TO THE BYLAWS:

- A. Proposed amendments to the bylaws will be made to the SWGSTAIN Executive Board for consideration.
- B. If the SWGSTAIN Executive Board deems it appropriate, the proposed amendment shall be provided to SWGSTAIN members at least fourteen (14) days prior to a scheduled SWGSTAIN meeting at which they are to be voted upon. The member may be present, vote by proxy, or vote *in absentia*. Votes must be received by the deadline set by the SWGSTAIN Chair. Failure to vote will be considered a vote in favor of the amendment.
- C. An affirmation vote of two-thirds (2/3) of the SWGSTAIN members present at that meeting, voting by proxy, or voting *in absentia* shall be required to approve amendment of the bylaws. Should such a vote occur outside of a scheduled SWGSTAIN meeting, the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the amendment. Regardless of the form by which an amendment is put to a vote, failure to achieve a two-thirds (2/3) vote will reject the proposed amendment.

SWGSTAIN Bylaw Revision History

Rev. #	Ratification Date	History
0	03/28/2002	Original
1	04/01/2003	Added Section VII. Member Ethics Code
2	11/06/2007	<p>Changed “planned SWGSTAIN meeting” to “scheduled SWSTAIN meeting” throughout.</p> <p>Section II.E added: “The SWGSTAIN Chair may extend invitation to all, some, or no <i>ex officio</i> members for a given scheduled SWGSTAIN meeting.”</p> <p>Section II.H sentence 2 added to as indicated: “Should a SWGSTAIN member fall out of good standing or be absent from three (3) consecutive SWGSTAIN meetings without good cause, violate the member Ethics Code, or in cases of irregular attendance, the SWGSTAIN Chair may revoke the SWGSTAIN membership upon a unanimous vote by <i>the Executive Board</i> and a simple majority vote of the regular members <i>present</i> at a scheduled SWGSTAIN meeting.”</p> <p>Section VI.A sentence 1 deleted: “Following the presentation by the SWGSTAIN Subcommittee Chair,”</p> <p>Section VI.B modified as indicated: “<i>After a SWGSTAIN Subcommittee has reviewed the critique and made its revisions, after revision</i> the draft document or work product will be re-presented to the SWGSTAIN members for a vote. An acceptance vote of three fourths (3/4) of the SWGSTAIN membership <i>present at the scheduled SWGSTAIN meeting at which the vote is called</i> will be required for forwarding the draft document or work product to the SWGSTAIN Executive Board for action. <i>Should such a vote be called by the SWGSTAIN Chair outside of a scheduled SWGSTAIN meeting (i.e., via electronic-mail, etc.),</i> the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the draft document or work product. Failure to achieve a three-fourths (3/4) vote <i>as described above</i> will return the draft document or work product to the SWGSTAIN Subcommittee and will <i>recommence the process prescribed in this section until acceptance is achieved.</i> A three fourths (3/4) vote of the membership at a meeting during which a revised draft document or work product is being re-presented is required to either suspend work on that SWGSTAIN draft document or work product or terminate the development of that draft document or work product by a SWGSTAIN Subcommittee. A unanimous vote of the SWGSTAIN Executive Board is required for final approval of any suspension or termination of work on a draft document or work product. A split vote by the SWGSTAIN Executive Board will return the draft document or work product to the responsible SWGSTAIN Subcommittee for further development in accordance with this section.”</p> <p>Section VI.C added to as indicated: “<i>Upon acceptance of a draft document or work product by the SWGSTAIN membership, the SWGSTAIN Executive Board shall vote on the Subcommittee’s accepted draft document or work product. A unanimous vote of the SWGSTAIN Executive Board will be required for approval of the draft document or work product. Should such a vote be called by the</i></p>

SWGSTAIN Chair outside of a scheduled SWGSTAIN meeting (i.e., via electronic-mail, etc.), the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the draft document or work product.”

Section VI.D modified as indicated: *“Upon approval of the SWGSTAIN Executive Board, ~~an approved~~ draft document or work product will be offered for public comment according to FBI SWG policy. Draft documents will be offered for a minimum of 60 days for public comment. Comments made in writing will be sent to the Subcommittee where each comment will be formally addressed and ~~with~~ the response(s) published according to FBI SWG policy.*

Section VI.E modified as indicated: *“After the public comment period closes, the responsible SWGSTAIN Subcommittee will make ~~and~~ any necessary revision(s); to the draft document or work product. In accordance with section VI. B., the revised draft document or work product will then be re-presented to the SWGSTAIN membership. ~~is re-presented to the SWGSTAIN membership in accordance with section VI.B~~”*

Added Section VI.E.1: *“A three fourths (3/4) vote of the membership at a meeting during which a publicly revised document or work product is being re-presented is required to re-offer that document or work product for public comment in accordance with sections VI.D and VI.E.”*

Section VI.F modified as indicated: *“Upon approval of the SWGSTAIN membership, the draft document or work product will be forwarded to the SWGSTAIN Executive Board for final approval. In accordance with section VI.C., a unanimous vote of the SWGSTAIN Executive Board will be required for final approval of the draft document or work product. A split vote by the SWGSTAIN Executive Board will return the draft document or work product to the responsible SWGSTAIN Subcommittee for revision in accordance with this section.”*

Section VIII.B modified as indicated: *“If the SWGSTAIN Executive Board deems it appropriate, the proposed amendment shall be provided to SWGSTAIN members at least *fourteen (14) days* prior to a ~~planned~~ *scheduled* SWGSTAIN meeting at which they are to be voted upon. The member may be present, vote by proxy, or vote *in absentia*. Votes must be received by the deadline set by the SWGSTAIN Chair. Failure to vote will be considered a vote in favor of the amendment.”*

Section VIII.C added to as indicated: *“An affirmation vote of two-thirds (2/3) of the SWGSTAIN members present at that meeting, voting by proxy, or voting *in absentia* shall be required to approve amendment of the bylaws. *Should such a vote occur outside of a scheduled SWGSTAIN meeting, the SWGSTAIN Chair will set a minimum of a 14-day deadline for the vote. Failure to vote by the deadline will be considered a vote in favor of the amendment. Regardless of the form by which an amendment is put to a vote, failure to achieve a two-thirds (2/3) vote will reject the proposed amendment.”**