

# NORTH CAROLINA ASSOCIATION OF CHIEFS OF POLICE

## CONSTITUTION

### ARTICLE I

#### Name and Purposes

Section 1. NAME. The name of this organization is the North Carolina Association of Chiefs of Police.

Section 2. PURPOSES. The purposes of the Association are to advance the science and art of police administration, law enforcement and crime prevention; to develop and disseminate approved administrative and technical practices and promote their use in police work; to foster police cooperation, unity of action, and the exchange of information and experience among police officers of this state; to enhance recruitment, retention, and training in the police profession of qualified persons, and to encourage adherence of all police officers to high professional standards of conduct.

### ARTICLE II

#### Membership

Section 1. CLASSES OF MEMBERSHIP - The membership of the Association shall consist of the following classes: Active-Voting Members, Life Members, Professional Non-Voting Members, and Associate Non-Voting Members.

- a. Active-Voting Members Qualifications: Any North Carolina sworn full-time Chief of Police of any municipality, county, or, campus law enforcement agency established pursuant to G.S. §116-40.5; or any salaried Agent in Charge of any state, federal or tribal law enforcement agency with the power of arrest and assigned to duty in the State of North Carolina; or any Level II campus law enforcement agency Chief employed by an institution accredited by the Southern Association of Colleges and Universities when such campus law enforcement agency is administered and governed solely by the institution.
- b. Life Member. The Board of Directors may consider, upon their retirement from law enforcement, any prior Active-Voting Member for Life Membership who has been a member-for five or more years and honorably contributed to the wellbeing and the success of the Association. Upon recommendation by the Board of Directors, the Association, by two-thirds (2/3) vote of the Active-Voting Members present at any annual meeting, may elect the nominee to Life Membership. Life Members shall have all the rights and privileges of Active-Voting Members, except that of holding office and voting. Life Members shall be exempt from payment of dues. The Secretary or Executive Director of the Association shall issue each Life Member a Lifetime Membership Card. If a Life Member, is employed in a position that would cause them to be eligible as an Active-Voting Member, their Life Membership shall be inactive for the period of such employment.
- c. Professional Non-Voting Member Qualifications. Any full-time salaried member of the agencies named in Article II, a. with a minimum rank of captain or the equivalent; or any sworn chief officer of a special or company police agency governed by Chapter 74E of

the North Carolina General Statutes; or any N.C. Sheriff or command-level N.C. Deputy Sheriff. Professional Non-Voting Members shall not vote or hold office.

- d. Associate Non-Voting Members. The Board of Directors may grant associate membership to any individual or organization that is dedicated to the advancement of the purposes of the Association. Individual Associate Members shall pay the same annual dues as Active-Voting Members. Organization Associate Members shall pay annual dues as established by the Board of Directors. Associate Non-Voting Members shall not vote or hold office.

Section 2. APPLICATION FOR MEMBERSHIP - Applications shall be submitted on forms and in such manner as the Board of Directors may prescribe. Eligibility for membership shall be determined by the Constitution. All applications shall require the approval of the Executive Director and upon such approval an applicant shall become a member of the Association.

Section 3. DUES - The amount of the annual dues of members shall be recommended by a vote of the Board of Directors and approved by the membership. The amount may be changed at any annual or semi-annual meeting. The membership year for dues shall be January first through December thirty-first.

Section 4. RESIGNATION - Any member of any class of membership may submit notice in writing to the Board of Directors of his or her resignation.

Section 5. DISQUALIFICATION - Any member delinquent in the payment of dues for the first quarter of the year shall be notified by the Board of Directors, together with notice that, if proper explanation for the failure to pay such dues is not forthcoming, the name of such member shall be submitted to the Board for appropriate action which may include disqualification of membership. No member delinquent in the payment of dues may be a candidate for or hold office.

Section 6. DISCONTINUANCE OF ELIGIBILITY - If a member of any class of membership becomes unable to meet the qualifications set forth in Article II, he or she shall be transferred to that class for which he or she qualifies or be removed from membership by the Board of Directors.

Section 7. ACTIONS AGAINST MEMBERS - The Board of Directors may censure, suspend, or expel any member for cause; provided that notice of such proposed action and reasons therefore are mailed or given to the member 10 days in advance of the Board of Directors meeting at which the matter is to be considered. A member shall have an opportunity to address the matter in writing directed to the Secretary for consideration by the Board or request a hearing before the Board, which hearing shall be held at such time, place and manner as may be prescribed by the Board. An appeal from the decision of the Board of Directors may be taken at the next annual meeting of the Association, where, by a majority vote of the Active-Voting Members such decision may be sustained, reversed or modified.

## ARTICLE III Officers

Section 1. OFFICERS - There shall be the following officers of the Association:

Immediate Past President, President, First Vice-President, Second Vice-President, Secretary, and Sergeant-at-Arms. All officers shall be Active-Voting Members and are elected by vote of the Active-Voting Members at the annual meeting for a term of one (1) year. Terms of officers and regional directors shall begin upon taking the oath of office after their succession or election at the annual meeting.

Section 2. NOMINATING COMMITTEE - The nominating committee shall be composed of three (3) Active-Voting members appointed by the President at least ninety (90) days prior to the annual meeting.

Section 3. NOMINATION - The nominating committee shall nominate at least one candidate for the offices of Sergeant-at-Arms and regional directors. A nominee for Sergeant-at-Arms must have served as a regional director on the Board of Directors for two years within the previous four years immediately preceding the time of the election. At the expiration of officers' terms, the President shall succeed to Immediate Past President, the First Vice President shall succeed to President, the Second Vice President shall succeed to First Vice President, the Secretary shall succeed to Second Vice President, and the Sergeant-at-Arms shall succeed to Secretary. Prior to the election, each regional director, in consultation with members in that region, shall nominate at least one candidate for regional director of that region and submit the name(s) to the nominating committee for consideration. Additional nominations for Sergeant at Arms and regional directors may be made from the floor at the annual meeting.

Section 4. ELECTION - Elections shall be held at the annual meeting and be by secret ballot unless only one candidate is nominated for a position. The candidate receiving a majority of the votes for each office shall be declared elected. If no candidate receives a majority of the votes on the first ballot, another vote shall be taken between the two candidates receiving the highest number of votes on the first ballot, and the one receiving the higher number of votes shall be elected. Officers and regional directors must remain qualified pursuant to the Constitution at the time of election and during their terms.

Section 5. VACANCIES - If any officer or regional director resigns or ceases to be qualified, the Board of Directors shall declare the office vacant. If the vacancy occurs in the office of Secretary through President, the next lower officer would succeed to the next highest office. If a vacancy occurs in the office of Sergeant-at-Arms during the term of office, the vacancy shall be filled by the Board of Directors from one of the current regional directors. If a vacancy occurs among the regional directors, the President shall nominate an Active-Voting Member from the same region to fill the vacancy, subject to confirmation by the Board of Directors. However, if the vacancy among the regional directors occurs as a result of the election of a regional director to the office of Sergeant-at-Arms at the annual business meeting, the vacancy shall be filled by election by the membership at that business meeting. If a vacancy occurs in the office of Immediate Past President, it shall remain vacant until the next annual meeting. If a vacancy occurs in the position of Executive Director, the Secretary will assume the duties of the Executive Director until such time a new Executive Director is appointed by the Board of Directors. If any office becomes vacant the person appointed to fill the vacancy shall serve until the next annual meeting.

Section 6. PRESIDENT - The President shall preside at all meetings of the Association and act

as Chair of the Board of Directors. He or she shall appoint such standing and special committees and chairs as are authorized by the Board of Directors. The President shall be

responsible for the proper functioning of all committees and shall perform such other duties as may be assigned to him from time to time by the Board of Directors or by resolution of the Association. The President may also appoint any member of the Association to act as the representative of the Association in specifically prescribed matters. The President shall have authority to act in the best interest of the Association between meetings of the Board of Directors.

Section 7. VICE PRESIDENTS. The First Vice-President shall oversee the preparation of the program and supervise the planning of training seminars, oversee the budget, and perform other functions as designated by the President. The Second Vice-President shall serve as Liaison to the North Carolina Sheriffs' Association, North Carolina Police Executives Association, North Carolina Law Enforcement Officers' Association, other law enforcement or judicial organizations; work directly with the Association's Legislative Counsel to address legislation affecting the law enforcement community; and perform such other functions as designated by the President.

Section 8. SECRETARY - The Secretary shall be responsible for oversight of staff activities and the affairs of the Association. He or she shall monitor the financial transactions of the association, the work of staff members, and notify the Board of Directors of matters requiring the Board's attention. The Secretary shall temporarily assume the responsibilities of the Executive Director in his or her absence or if the position becomes vacant.

Section 9. TREASURER - The Executive Director shall serve as Treasurer of the Board of Directors and of the Association. He or she shall be responsible for the custody of all funds and securities belonging to the Association; determine the manner of depositing and safeguarding such funds and securities; receive all monies from dues and other sources belonging to the Association; and disburse funds only in accordance with this Constitution and the rules established by the Board of Directors. It shall be his or her duty to make a full financial report to the Association at its annual meeting; and to provide for an independent annual audit of the financial affairs of the Association to be submitted to the Board of Directors. He or she shall promptly deliver all monies, securities, books, papers, and other properties of the Association to his or her successor in office or to whomever the Board of Directors may designate.

Section 10. SERGEANT-AT-ARMS - The Sergeant-at-Arms shall ensure the security of all meetings of the Association as to credentials and identifications of participants, and orderliness of the members. He or she shall be the official tally clerk for votes taken at meetings. The Sergeant-at-Arms shall appoint such aides as deemed necessary to fulfill these duties. In the absence of the Sergeant-at-Arms at any meeting, the President shall appoint a temporary alternate to assume the duties of the Sergeant-at-Arms.

Section 11. ASSOCIATION STAFF – The Board of Directors is authorized to contract and hire staff to perform administrative duties and other functions of the Association. These may include, but are not limited to, an Executive Director, Legislative Counsel and other support staff as deemed appropriate.

ARTICLE IV  
Board of Directors

Section 1. MEMBERSHIP - The Board of Directors shall consist of the officers as provided in Article III, Section 1, and one Active-Voting Member regional director from each of ten geographical regions as follows:

Region I - That area bounded by and including the counties of Cherokee, Graham, Clay, Swain, Macon, Jackson, Haywood, Madison, Yancey, Mitchell, McDowell, Buncombe, Henderson, Polk, Transylvania, and Rutherford.

Region II - That area bounded by and including the counties of Watauga, Ashe, Alleghany, Wilkes, Avery, Caldwell, Alexander, Iredell, Burke, and Catawba.

Region III - That area bounded by and including the counties of Stanly, Anson, Union, Cabarrus, Mecklenburg, Gaston, Lincoln, and Cleveland.

Region IV - That area bounded by and including the counties of Surry, Stokes, Yadkin, Forsyth, Davie, Davidson, and Rowan.

Region V - That area bounded by and including the counties of Caswell, Rockingham, Guilford, Alamance, Randolph, Chatham, Montgomery, Moore, Lee, and Harnett.

Region VI - That area bounded by and including the counties of Richmond, Scotland, Hoke, Cumberland, Sampson, Robeson, Bladen, Columbus, and Brunswick.

Region VII - That region bounded by and including the counties of Person, Granville, Vance, Warren, Orange, Durham, Wake, Franklin, and Johnston.

Region VIII - That region bounded by and including the counties of Wayne, Greene, Lenoir, Jones, Duplin, Onslow, Craven, Carteret, Pender, and New Hanover.

Region IX - That region bounded by and including the counties of Halifax, Northampton, Hertford, Gates, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Edgecombe, Martin, Nash, Wilson and Pitt

Region X - That region bounded by and including the counties of Washington, Tyrrell, Dare, Hyde, Beaufort and Pamlico.

Regional Directors shall be elected at the annual meeting. At the election at the annual meeting in 2019, the regional directors elected from regions 1,3,5,7, and 9 shall serve two-year terms and the regional directors from regions 2,4,6,8, and 10 shall serve one-year terms. At the election at the 2020 annual meeting and thereafter all regional directors shall serve two-year terms. To be nominated or elected as a regional director, an Active-Voting Member must be employed within the region he or she is to represent. A regional director who ceases to be employed within the region he or she is to represent is disqualified from that office and a vacancy for that position on the Board of Directors is created. No person may hold concurrently more than one office of the Association, including the office of regional director, which entails membership on the Board of Directors.

Section 2. QUORUM. Eight (8) members of the Board of Directors shall constitute a quorum. A quorum being present, a majority vote of those present shall be required to take any official action.

Section 3. DUTIES - The Board of Directors shall be the governing body of the Association and shall have authority to take all appropriate measures and perform all duties required to accomplish the purposes of the Association. The Board of Directors shall establish rules and procedures for the conduct of the business affairs of the Association. Such rules and procedures may address membership; budgeting, receipt, custody, disbursement, and accounting of funds and expenditures; employment and compensation of staff; order of business and conduct of the annual meetings; and adoption and use of the official seal and insignia of the Association.

Section 4. MEETINGS - The Board of Directors shall conduct meetings at the annual and semi-annual meetings at a time specified by the President, and at such other times as the President or the Board of Directors may determine.

#### ARTICLE V Committees

Section 1. APPOINTMENT - The President shall appoint such committees as are deemed necessary to conduct the business of the Association.

Section 2. EXPENSES - Actual expenses incurred by the committees may be paid by the Treasurer, provided that such expenses are authorized by the Board of Directors.

#### ARTICLE VI Association Meetings

Section 1. TIME AND PLACE - The Association shall conduct an annual meeting and a semi-annual meeting at such times and places determined by the Board of Directors. The time and location of the annual and semi-annual meetings of the Association shall be posted on the Association website at least 30 days in advance of the meetings and require no further notice.

Section 2. SPECIAL MEETINGS - Special meetings of the Association shall be called by the President at the direction of the Board of Directors; provided, that written notice thereof shall be sent by US Postal Service or by Electronic Mail (email) together with the agenda of business to be conducted and time and place of meeting, to each member at least 15 days in advance of the meeting. The notice shall be sent to the member's postal mailing address or email address known to the Association. No official action may be taken at a special meeting unless the subject matter thereof is included in the notice.

Section 3. RESOLUTION - Every resolution shall be in writing and on presentation shall be numbered and referred by the President to an appropriate committee for consideration and report to the membership at the annual, semi-annual or special meeting. Any resolution adopted by the Association shall be published in the minutes of the proceedings.

Section 4. RULES OF ORDER - Robert's Rules of Order shall govern the procedure at any regular or special meeting.

Section 5. QUORUM – The presence of twenty (20) percent of the Active-Voting members shall constitute a quorum for the conducting of any election or other business. A quorum being present, a majority vote of the members present and voting shall be required to take official action.

ARTICLE VII  
Amendments

Section 1. The Constitution may be amended at any meeting of the Association provided that a notice of such meeting describing the proposed amendment or amendments to be voted upon is sent by the US Postal Service or by electronic mail (email) by the Board of Directors to all members at the address known to the Association at least fifteen (15) days before the meeting.

ARTICLE VIII  
Disposition of Assets

Section 1. If the Association is dissolved voluntarily or involuntarily, or for any reason ceases to function, the assets of the Association shall be remitted to the North Carolina Attorney General's office to be used for training local law enforcement officers, or otherwise as provided by law.

Effective Date: This revised Constitution shall be effective immediately upon adoption.

Adopted: July 23, 2018



## BYLAWS

### 1. Meetings of the Board of Directors

- A. Meetings of the Board of Directors shall be held in accordance with Section 4 of Article IV of the Constitution. No expense for travel of members will be paid for meetings of the Board of Directors or the Association.
- B. Notice of meetings to the Board of Directors, except at the annual or semi-annual meetings of the Association, shall be given at least five days in advance by email or telephone (except in cases of emergency when at least two hours' notice shall be given). The notice shall be sent to each member of the Board by the President, Executive Director or the Secretary. Meetings of the Board of Directors may be held by telephone conference call.
- C. An agenda will be prepared and approved by the President prior to each meeting of the Board of Directors listing in order the matters to be discussed at the meeting. The Board of Directors may consider and act on any matter at a Board of Directors meeting.
- D. Immediately following meetings of the Board of Directors, the Secretary or Executive Director shall distribute to all members of the Board a written record of the minutes thereof. A copy of such minutes shall also be kept by the Secretary or Executive Director as a permanent record of the Association.
- E. The Board of Directors shall take all necessary action in furtherance of any resolution adopted by the Association at its annual, semi-annual or special meetings.

### 2. Membership Procedure

- A. RECORDS. The Secretary or Executive Director shall keep a complete roster of all members of the Association showing all pertinent data including class and length of membership, official positions, committees served on, and status of dues payment.
- B. APPLICATIONS. The method of submission and approval of applications and nominations for all classes of membership shall be as follows:
  - i. Applications for membership shall be sent to the Executive Director on forms provided by the Association, which forms shall provide for the name, title, agency and mailing address of the applicant and set out the different classes of membership. The appropriate dues shall accompany the application.
  - ii. A new member will be notified by the Executive Director of the member's class of membership. Members are considered in good standing for the year in which they are accepted. Applicants approved after the first day of September shall be in good standing during the following membership year.

### 3. Collection and Disbursement of Funds

- A. RESPONSIBILITY FOR COLLECTION AND DISBURSEMENT. The Treasurer shall be responsible for the collection of all monies or properties due the Association and for the payment of such monies or properties owed by the Association as authorized by the Board

of Directors. He or she shall establish a uniform system of handling accounts of all such receipts and disbursements. Ordinary business obligations may be discharged by the Treasurer as they become due, with bills and vouchers to be approved at the next Board meetings.

- B. DEPOSIT OF MONIES. Funds received by the Treasurer on behalf of the Association shall be deposited without delay in an account of the Association at such bank as is approved by the Board of Directors.
- C. EXPENSE ACCOUNTS. All expenses of Association members or committees, for which reimbursement is to be made by the Association, shall be submitted to the Treasurer. If the expense is proper, the Treasurer shall approve the same and forward it to the President for approval, after which it shall be submitted to the Board of Directors for approval. All payments shall be by check. Copies of all such accounts and other bills shall be kept by the Treasurer for the official files and made available for audit if requested.
- D. AUDIT. An annual audit shall be made of the financial transactions of the Association by a Certified Public Accountant. The Executive Director shall provide the CPA with all necessary reports and documents for review.
- E. BOND. The Treasurer shall be bonded by the Association in the amount set by the Board of Directors.

#### 4. Use of the Official Seal

- A. SEAL. The official seal of the Association shall be maintained by the Executive Director and shall be used only in connection with certification of official documents in accordance with standard practice.

#### 5. Committees

- A. DESIGNATION OF COMMITTEES. Committees deemed appropriate to carry on the work of the Association shall be named by the President. The objectives and general duties of such committees shall be designated, and the members of such committees shall be notified of their responsibilities.
- B. COMMITTEE WORK. The President, with the assistance of the Secretary, shall keep in continuous contact with the committees of the Association and shall assist them in preparation of their reports. The President may assign individual Board members to serve in a liaison capacity between the Board of Directors and specific committees.
- C. AUTHORITY OF COMMITTEES. Neither the chair nor members of any committee may incur expenditures payable out of the funds of the Association unless specifically authorized by the Board of Directors; nor shall any committee, its chair or members, solicit funds or receive monies on behalf of the Association or such committees except as authorized by the Association or the Board of Directors. Committees may take all necessary steps for the efficient pursuit of their committee work, but may take no action binding on the Association without approval of the Board of Directors, or the Association at its annual meeting.

## 6. Grants and Contributions

- A. **APPLICATIONS FOR FUNDS.** The President, or any member designated by the President, when authorized by the Board of Directors, may make application to philanthropic organizations, government agencies, corporations or persons for grants or contributions of funds or property for carrying out the general or specific purposes of the Association. No application shall be made to, or contribution received from, any source except after a determination by the Board of Directors that it is motivated by the desire to further the purposes of the Association and not to derive personal benefit or privilege to the donor.
- B. **ACCEPTANCE OF GRANT.** Any member who receives an offer of a grant or contribution for the Association shall immediately notify the President, but no grant or contribution shall be received or fully accepted by the Association except upon the approval of the Board of Directors.
- C. **ADMINISTRATION OF FUNDS.** Any grant or contribution to the Association shall be credited to its general fund, unless under its terms a special fund is prescribed. The budgeting, receipt, custody and disbursement of such grant or contribution shall follow the procedure defined in these rules for general funds of the Association, unless provided otherwise in the terms of the grant or contribution.

## 7. Conference Arrangements

- A. **ARRANGEMENTS.** The Executive Director is responsible for making all arrangements for the annual conference.
- B. **CONFERENCE COMMITTEE.** The First Vice President will serve as the chair of the conference committee. When authorized by the Board of Directors, he or she may appoint members to the conference committee to assist him or her and the Executive Director in coordinating the arrangements of the conference. This will include coordinating with the Chief of Police of the host city in which the conference is being held.
- C. **EXHIBITS.** The Executive Director, in conjunction with the conference committee, is responsible for arranging for hotel headquarters and making provisions for adequate space to be used by the Association for exhibit purposes. The First Vice President is authorized to arrange for contracts for exhibits of police equipment, supplies, or any other appropriate service or product in accordance with a predetermined schedule of charges. All revenues from the sale of exhibit space shall accrue to the general fund of the Association.

## 8. Association Meetings

- A. **PROGRAM.** The program for each annual and semi-annual meeting shall provide for reports by the President, Executive Director and any standing committee or additional committees appointed by the President. An opportunity shall be given for any member to present to the members at any annual, semi-annual, or special meeting any matter which he or she may deem desirable for the good of the Association. Each meeting shall be called to order by the President. A report shall be made as to the election of new members.
- B. **RESOLUTIONS.** Annually, the President shall appoint a resolutions committee of five Active-Voting members. No resolution shall be acted upon by the Association unless it has been referred to, and recommendation received from, the resolutions committee. All resolutions shall be submitted in writing, at a time designated by the President. The

resolutions committee shall make its report at the annual meeting immediately prior to the election of officers.

#### 9. Endorsements for Public Office

- A. ENDORSEMENTS. The Association shall not endorse any candidate in an election for public office, either by the Board of Directors or the membership at an Association meeting. Membership in the Association shall not affect members' freedom of personal political activity.
- B. OTHER ENDORSEMENTS. The Association, by its Board of Directors or vote of its membership, may endorse a candidate for an office or other position in a law enforcement organization if the candidate's holding the office or position would be beneficial to the Association.

#### 10. Amendments

- A. Bylaws may be adopted, amended, or repealed by the membership of the Association in the same manner as amendments to the Constitution pursuant to Article VII, Sec. 1 of the Constitution.

Effective Date: These revised bylaws are effective immediately upon adoption.

Adopted: July 23, 2018