

**MARYLAND CHIEFS OF POLICE ASSOCIATION, INC.**

**BY-LAWS**

**ARTICLE I  
EXECUTIVE BOARD**

**Section 1. Positions.**

a) The Executive Board shall consist of the following members:

- 1) President
- 2) First Vice President
- 3) Second Vice President
- 4) Immediate Past President
- 5) Chairpersons of the Executive Committees
- 6) The Sheriff's Association and Federal Officers Liaisons
- 7) Executive Director (ex officio) (non-voting)
- 8) Parliamentarian (ex officio) (non-voting)

b) A member of the Legal Advisors Committee, who shall be a member of the Maryland Bar, shall be appointed by the President to act as legal counsel for the Executive Board. The Counsel is an ex-officio, non-voting advisor.

**Section 2. Authority and Duties of the Executive Board.**

a) The Executive Board shall be the governing body of the Association and shall have authority to take all appropriate measures and to perform all duties required to accomplish the objectives of the Association.

b) The Executive Board will conduct the Association's business affairs, to include, but not be limited to, budgeting, receipts, custody, disbursements of, and accounting for the Association's funds, purchases, contracts, travel vouchers and other expenditures, membership procedures, employment and compensation of staff; the order of business and conduct of business meetings, and the adoption and use of the official seal and insignia of the Association.

c) The Executive Board shall be empowered to employ an Executive Director who shall serve at its pleasure and who shall be supervised by the President.

d) At Executive Board meetings, individual board members by reason of their appointments thereto and irrespective of their membership status, shall be eligible to vote on any business or issue that comes before the Board.

e) If a simple majority of Executive Board members requests in written form of the President that he or she convene a special meeting for a specific purpose, the President shall call such meeting within 30 days of the request.

f) The Minutes of every Executive Board meeting shall be posted on the Association's website, or otherwise distributed to the membership, no later than 20 days before the next general meeting.

### **Section 3. Authority and Duties of the President.**

a) The President shall preside over all general and special meetings of the Association. The President shall act as Chairman of the Executive Board and shall preside over its meetings.

b) The President is an ex-officio member of every Association committee, and shall appoint the Chairpersons and members of all committees not otherwise provided for in the Constitution or these By-Laws. In making such appointments, the President shall consider regional representation on the Committees.

c) The President shall have the authority to call a special meeting of the Executive Board or Association if in his/her opinion the occasion warrants doing so.

d) Without the approval of the Executive Board, the President is authorized to execute contracts at the amount of \$5000 each or less on behalf of the Association with the approval and concurrence of one other member of the elected officers.

e) The President may appoint a chaplain for the Association to serve during his or her term.

f) The President shall serve as the principal spokesperson and representative of the Association.

g) The President shall enforce and uphold the Constitution and By-Laws of this Association.

h) The President shall perform other such duties as may be assigned by the Executive Board or by resolution of the Association.

i) The President may delegate any of these duties.

### **Section 4. Authority and Duties of the First Vice President.**

a) In the absence of the President, the First Vice President shall officiate at all meetings and perform all duties of the President.

b) The First Vice President shall be Co-Chairperson of the Legislative and Annual Training Seminar Committees.

c) The First Vice President will maintain good order and decorum at all meetings and functions.

d) The First Vice President shall perform other duties as required by the President.

**Section 5. Authority and Duties of the Second Vice President.**

- a) The Second Vice President will oversee the accounting of the Association.
- b) The Second Vice President will arrange for a financial review of the Association finances by a professional, independent Certified Public Accountant and will present the findings to the Executive Board after the closing of the fiscal year.
- c) The Second Vice President will promptly review all books, records and other property of the Association with his/her successor in office or to whomsoever the Association or Executive Board may appoint to have authority over the same.
- d) The Second Vice President will insure that the Officers and the Executive Director are bonded in an amount established by the Executive Board.
- e) The Second Vice President shall perform other duties as required by the President.

**Section 6. Authority and Duties of the Parliamentarian.**

- a) The President may appoint to the Executive Board a Parliamentarian.
- b) The Parliamentarian shall provide advice and counsel to the President and Executive Board to insure that the meetings are conducted in accordance with Robert's Rules of Order and the Association's Constitution and By Laws.

**ARTICLE II  
EXECUTIVE DIRECTOR**

**Section 1. Position.**

- a) The Executive Director may be appointed, on an annual basis, by the Executive Board. Conditions of this appointment shall be determined by the Executive Board.
- b) At the end of his or her term, the President shall make to the incoming President a recommendation whether to renew the appointment of the Executive Director. At the last Executive Board meeting of the calendar year, the Executive Board shall consider the President's recommendation and take the necessary action.

**Section 2. Authority and Duties of the Executive Director.**

a) Subject to the policies, rules and direction of the Executive Board, the Executive Director shall:

- 1) Serve as the chief administrator for the Association;
- 2) Maintain the records and files of the Association and handle its general correspondence;
- 3) In consultation with the President and the Finance Committee Chairperson, prepare the Association's annual proposed budget for presentation to and approval by the Executive Board;
- 4) Coordinate with the committee chairs responsible for Association meetings, conferences, seminars, and other activities;
- 5) With the cooperation of the committee chairs, submit reports concerning the Association's activities, operations, finances or interests as directed by the Executive Board;
- 6) Supervise the preparation and distribution of the Association's publications, promotional material and any reports that may be required;
- 7) Schedule and arrange for quarterly and Executive Board meetings, including locations and meals, if applicable, and give notice of the meetings;
- 8) Post and retrieve colors during meetings;
- 9) Record all meetings of the Executive Board and general membership and issue the official minutes of those meetings;
- 10) Receive and collect all moneys from dues and other sources; and pays accounts payable and transacts related business on behalf of the Association;
- 11) Render a financial report at each Executive Board and general membership meeting, and when requested by the Executive Board;
- 12) Arrange and execute bank signature cards for the newly seated officers each year;
- 13) The Executive Director shall be bonded, at the expense of the Association, in an amount to be determined by the Executive Board;

14) Insure that the Association's tax returns are completed and filed according to applicable laws;

15) Perform other such duties as may be assigned or modified by the President and/or Executive Board.

b) Should the Executive Director position become vacant for any reason, the President shall assume responsibility for these duties, provided that the President may assign such duties to members until such time as the Executive Board appoints a replacement Executive Director.

### **ARTICLE III MEETINGS**

#### **Section 1. General Business Meetings.**

a) General business meetings shall be held four times each calendar year, spread over the four quarters of the year, one of which is the Annual Meeting. The date, time and location of the general business meetings will be determined by the President.

b) The President shall establish the agenda for each general business meeting.

**Section 2. Executive Board Meetings.** Executive Board meetings shall be held no less than four times each calendar year, with each meeting taking place prior to the next general business meetings of the Association, with the date, time and location determined by the President.

#### **Section 3. Special Meetings.**

a) Special meetings of the Association or of the Executive Board may be called at the option of the President, provided that all affected members are notified of the meeting and of the topic to be considered. Notice may be by personal notice, publication or other reasonable means.

b) The subject matter of any Special Meeting and any action that may be taken as a result of any special meeting shall be limited to that previously announced in the meeting notice.

#### **Section 4. Quorum.**

a) At any general or special meeting fifteen (15) members eligible to vote, other than members of the Executive Board, shall constitute a quorum for the transaction of business, regardless of the number of active members.

b) At Executive Board meetings seven (7) members shall constitute a quorum.

**Section 5. Rules of Order.** The meetings of the Association shall be governed in all cases not provided for in the Constitution and By-Laws by the latest edition of *Roberts Rules of Order*.

**Section 6. Agency Voting.**

a) No department or agency shall be entitled to cast more than one vote for the election of Association officers, changes to the Constitution and By-Laws and the annual budget. At any general or special meeting, votes will be cast by the department's or agency's highest ranking Active Member present at the meeting. In the absence of an Active Member, a Life Member may represent the organization of his or her present or former affiliation.

b) This section does not apply to Executive Board meetings.

c) All other voting activities are regulated by Article VII, section 1 (d).

#### **ARTICLE IV APPLICATION FOR MEMBERSHIP**

**Section 1. Process.**

a) Application for all classes of membership shall be made on the required form and shall be submitted to the Executive Director. Applications must be accompanied by full payment of the current annual dues.

b) Each applicant must be sponsored by a Member in good standing for membership in the Association. The nominating member shall certify that he/she is personally acquainted with the applicant, believes the statements contained in the application to be true and that the applicant is eligible for membership. Membership for deputies, assistants, bureau and division commanders, and any other employees, must be sponsored by their chief executive officer who shall be a member in good standing.

c) An active member applying for Retired membership need not reapply for membership but must notify the Executive Director of his/her change in status. Any Retired member who returns to active employment and meets the qualifications of Active membership shall be re-classified by the Executive Director as an Active Member.

d) The Executive Director shall screen all applications for membership and upon being determined eligible according to the Constitution and By-Laws, make a recommendation to the Executive Board. At its next scheduled meeting the Executive Board shall vote on each nominee, with a majority vote of those in attendance required for membership.

e) The Executive Director, at the next general business meeting of the Association, shall present the names of those applicants approved for membership by the Executive Board. Any member in good standing may oppose an applicant for membership by a showing of good cause. If an objection is made, the application is shall be investigated and reconsidered by the Executive Board. After reconsideration, the decision of the Executive Board is final concerning whether the applicant is accepted for membership.

f) Any change in the eligibility for membership requires the member to make written requests for retention of membership to the Executive Director.

## **ARTICLE V COMMITTEES**

### **Section 1. Generally.**

a) The President-elect shall appoint the Chairpersons of the Association's Executive and Standing Committees.

b) The President shall appoint members of the Committees as soon as practicable following appointment of the Chairpersons.

c) The President may, as the need dictates, appoint Special Committees. Such Special Committees shall exist only for limited purposes and for a time to be specified by the President. Unless otherwise stated, Special Committees cease to exist following the annual Training Seminar business meeting.

d) All Association committees shall perform the duties set forth in these By-Laws and as deemed appropriate by the President or Executive Board.

### **Section 2. Executive Committees.**

a) Annual Training Seminar Committee

1) The First Vice President shall serve as Co-Chairperson.

2) Shall be responsible for organizing the annual training seminar to be held in the third quarter of each year.

3) The Committee shall submit a proposed budget to the Executive Board at its second quarterly meeting for its review.

4) The Committee shall submit to the Executive Board a final report at its fourth quarterly meeting of that year's annual training seminar.

b) Finance Committee

1) Must promote the financial condition of the Association. The committee chairperson shall work with the Executive Director to develop the Association annual budget and shall assist the Second Vice President in arranging for the annual financial review.

2) Any action taken by this committee regarding money to be raised shall be approved by the Executive Board.

c) Legislative Committee

1) Shall identify, prepare and present legislative positions for the Association.

2) Shall function jointly with legislative committees of other Maryland law enforcement associations. Shall remain informed of all legislation affecting law enforcement and report such findings to the Association.

3) Every effort shall be made to have representation from all segments of law enforcement without undue duplication.

d) Private Sector Committee

1) Shall provide support to the Association by serving as liaison with private corporations.

2) Shall solicit for Associate membership qualified individuals from the private sector whose interests coordinate with and whose qualifications can contribute to the mission and goals of the Association.

3) Shall coordinate and develop with the Association and affiliated crime prevention and homeland security strategies to enhance public safety throughout the State.

4) Shall work with the Training Committee and Maryland Police Training Commission to develop training programs to benefit the private security industry.



e) Strategic Planning Committee. Shall develop a strategic plan for the Association, including the annual review and modification of the plan and relevant goals and objectives.

f) Training Committee. Shall develop, organize and present training programs of interest to law enforcement executives throughout the year and at the annual training seminar.

g) Traffic Safety Committee

1) Shall develop programs, projects, initiatives, and press releases to promote Association highway safety activities.

2) Shall work with the Training Committee to coordinate traffic safety training.

3) Shall work with the Legislative Committee to coordinate Association positions on traffic and safety legislation.

4) Shall act as a liaison to the Maryland Highway Safety Office and the National Highway Traffic Safety Administration.

5) The Committee Chair shall represent the Association on the Traffic Safety Specialist Oversight Board and the Maryland Strategic Highway Safety Plan Implementation Team.

### **Section 3. Executive Liaison.**

a) Sheriff's Association Liaison. Shall serve as the Association's representative and act as liaison with the Maryland Sheriff's Association for the benefit of both Associations.

b) Federal Officers Liaison. Shall keep informed of all issues affecting federal law enforcement, and including substance abuse, and report their findings to the Association and shall work to improve relations between federal, state and local law enforcement agencies.

### **Section 4. Standing Committees.**

a) Awards Committee. Shall be responsible for administering the Association's Scholarship and Awards Programs, including the solicitation and screening of nominations, the selection of award recipients, and the presentation of awards at the annual training seminar.

b) Charitable Activities Committee

- 1) Shall facilitate and coordinate involvement of the Association in charitable activities.
- 2) Shall increase the public awareness of law enforcement's support of persons with disabilities.
- 3) Shall provide to the Association reports of the charitable organizations affiliated with the Association, including but not limited to the Maryland Law Enforcement Torch Run for Special Olympics and the Concerns of Police Survivors.

c) Health and Welfare Committee. Shall offer sympathies and condolences of the Association to the family of a deceased member and to report the death of members to the President and alert the membership to any member sick or distressed.

d) Legal Advisors Committee

- 1) The Chairperson shall be a member of the Maryland Bar.
  - 2) Shall promote and study issues regarding the police legal advisor function throughout the State.
  - 3) Shall provide assistance and guidance to the Association's Training Committee, Legislative Committee, and Executive Board
- e) State Association of Chiefs of Police (SACOP) Committee. Shall act as the Association's representative in all SACOP activities.

**Section 5. Special Committees.** The President may, at his/her discretion, appoint any special, ad hoc committee deemed necessary or useful for the continued operation and welfare of the Association. Special committees expire at the end of the term of the President who made the designation.

## **ARTICLE VI FISCAL YEAR AND BUDGETARY MATTERS**

**Section 1. Year.**

- a) The fiscal year of the Association shall be from January 1, to December 31.
- b) The annual budget of the Association shall be approved before the beginning of the fiscal year that the budget covers.

c) The annual budget may be amended during the fiscal year if two-thirds of the Executive Board members present at the meeting where the request to amend is presented vote in favor of the amendment.

## **Section 2. Line Item Expenditures.**

Approved line item expenditures of the Association shall be paid by the Executive Director when due; payment of approved line item expenditures does not require prior approval by the Executive Board or the general membership.

## **Section 3. Dues Payment.**

a) Except as provided below, dues shall be payable on the first business day after January 1. Any member who does not pay the dues by March 31 of each year may be dropped from the membership roster, and is no longer a member in good standing.

b) Life Members are exempt from the payment of dues.

c) In the event that a current Active member resigns, retires, is removed or dies prior to the end of the dues period, the successor officer, if not then a member and upon acceptance for membership, is exempt from payment of dues until the next dues period.

d) Retired members are entitled to reduced dues as determined by the Executive Board.

## **Section 4. Charitable Contributions.**

a) The Executive Board shall during each fiscal year, by resolution, establish the maximum amount of monies the Association may grant pursuant to a request for a charitable contribution. Except as approved by the Executive Board, charitable contributions may not exceed the maximum amount established for each request or the total amount allotted by the Association for the payment of such contributions.

b) A request for charitable contribution shall be forwarded to the Finance Committee for evaluation and recommendation.

c) At the next scheduled Executive Board or general membership meeting, the Finance Committee shall present its recommendation with regard to the contribution.

d) If presented at the next scheduled Executive Board meeting, the Executive Board shall vote on the recommendation of the Finance Committee and, if approved, shall direct the Executive Director to expend the funds.

e) If presented at the next scheduled general membership meeting, the President shall place the recommendation of the Finance Committee before the general membership for approval. If approved by the general membership, the President shall direct the Executive Director to expend the funds.

**Section 4. Miscellaneous Expenses.**

a) The Association budget shall contain a line item allotment of funds for miscellaneous expenses.

b) Expenditures by the officers or the Executive Director of funds from “Miscellaneous Expenses” in excess of \$500.00 shall be subject to approval of the Executive Board.

**Section 5. Annual Audit.**

a) The Second Vice President will cause to be conducted an annual financial review of the Association’s financial records in accordance with accepted accounting procedures.

b) The results of any financial review shall be available for inspection by members of the Association.

**ARTICLE VII  
MISCELLANEOUS RULES OF MEMBERSHIP**

**Section 1. Privileges and Restrictions.**

a) Associate and Retired Members are eligible to serve on the Executive Board and as Committee Chairs, but are not eligible for any elected office.

b) An Active Life Member shall have all the rights and privileges of an Active Member. Unless otherwise indicated, the term “Active Member,” as used in the Constitution and By-Laws includes Active Life Members. However, Life members who are retired from the profession are not eligible for any elected office.

c) No member who is in arrears of dues will be allowed or entitled to vote.

d) Any member in good standing is eligible to vote on any Association business, except for the election of Association officers and changes to the Constitution or By-Laws.

e) Unless otherwise specified in these By-Laws, no member may authorize or cause the expenditure of Association funds.

f) Unless otherwise specified in these By-Laws, no member may represent the Association in any official capacity.

## **Section 2. Certification of Life Membership.**

a) Certification for Life Membership shall be made by a majority recommendation of the Executive Board and shall take place at the business session of any general business meeting of the Association by a majority vote of the members present and voting.

b) Presidents who complete a full term of office automatically become Life Members upon completion of their terms.

## **Section 3. Suspension or Termination of Membership.**

a) Termination of membership in the Association shall consist of three types: death, non-payment of dues, and misconduct.

b) Misconduct is defined as unlawful or improper behavior in relation to the member's public duties or private life; acts which the Member had no right to perform, acts performed improperly, the failure to act in the face of an affirmative duty to act; or any conduct that would tend to reflect negatively on the Association or tend to bring the Association into disrepute. In addition, any member of this Association who shall intentionally communicate information declared "confidential" to any person or persons who are not members of this Association, or who engages in any actions detrimental to this Association may be suspended or expelled from membership in this Association in accordance with Section 4 of this Article.

## **Section 4. Investigative and Disciplinary Procedures.**

a) Any allegation that a member has violated Section 3, above, must be presented in writing to the President, unless the allegation of misconduct is made against the President, in which case, the First Vice President shall assume the duties outlined in this section.

b) The President will convene a special meeting of the Executive Board the purpose of which will be to examine the allegations and make recommendations. The President may appoint a committee to investigate the allegations. The Investigating Committee will report its findings to the Executive Board. Any investigation and related activities shall be conducted with dignity and an appropriate level of confidentiality.

c) The Member who is the subject of the allegations shall be notified of the results of the investigation. Before the Executive Board terminates his or her membership, the member in question shall have the opportunity to appear before the Executive Board to address the findings. The Executive Board will then vote

to retain, suspend or expel the member, with a simple majority vote of the Executive Board required.

d) The President will notify the member of the Executive Board's action by certified mail.

## **ARTICLE VIII ELECTION OF OFFICERS**

### **Section 1. Nominations.**

a) Prior to the second quarter general business meeting, the President shall appoint an ad hoc Nominating Committee which will solicit and accept nominations for the office of Second Vice President.

b) At the second quarter general business meeting, the Nominating Committee will present the candidates for the office of Second Vice President. Additional nominations may be made from the floor. After nominations have been closed, they shall not be reopened. Members nominated for office will have a reasonable amount of time to present themselves before the membership at the general business meeting.

### **Section 2. Voting Procedure.**

The Executive Board shall determine the applicable voting procedure taking into consideration the number of candidates, the requirement that voting be limited to one vote per agency, providing for absentee voting and taking advantage of available technology to provide ease of participation in the election.

### **Section 3. Vacancies.**

a) A vacancy shall occur in an elective office whenever the office holder dies, resigns from the Association, retires, or for any other reason cannot perform the duties of the office. The vacant position shall be filled by ascending progression. If necessary, the Executive Board may appoint a qualified member in good standing, in an acting capacity, to fill the vacated office. A special election shall be held at the next general business meeting to fill the vacant position.

b) A vacant office shall be filled by special election at the next general business meeting. The President will appoint an ad hoc nominating committee to produce a slate of candidates by the next general business meeting.

**ARTICLE IX  
CHANGES TO THE CONSTITUTION AND BY-LAWS**

**Section 1. Permissible Changes.**

The Constitution and By-Laws may be amended, repealed or suspended.

**Section 2. Procedures for Submitting Proposals for Changes.**

- a) Proposed changes to either the Constitution or By-Laws shall:
  - 1) Be in writing;
  - 2) State concisely the reason for the proposed change(s);
  - 3) Clearly identify the Article and Section number that is to be affected by the proposed change(s);
  - 4) Clearly and concisely state the substance of the proposed change(s);
  - 5) Contain the name, address, electronic mail address and telephone number of the person offering the change(s); and
  - 6) Submitted to the President.
- b) If the proposed action originates from a member, the proposal shall be submitted by the President to who may appoint a special Resolution and By-Laws Committee. The Chairperson of the Resolutions to review and By-Laws Committee may offer changes to research the By-Laws as required.
- c) Legal Counsel shall insure that proposed changes(s) conform to the style of these By-Laws and insure that the proper Article(s) and Section section(s) have been selected. If appropriate, the Counsel shall draft legally sufficient language to accomplish the intent of the changes(s).
- d) The Chairperson of the Resolutions and By-Laws Committee shall submit the proposed change(s) to the President and Executive Board prior to the next general business or Executive Board meeting.

**Section 3. Publication.**

The Executive Director shall, following consideration of the changes by the President and Executive Board, have the proposed change(s) included with the meeting announcement for the next general business meeting. If impractical to announce the complete text of the proposed change(s), a general description of the change(s) shall be published in that announcement. Publication via electronic mail and/or posting on the Association's internet website shall constitute publication.

**Section 4. Submission and Voting.**

a) The Chairperson of the Resolutions and By-Laws Committee shall present the proposed changes to the membership at the next general business meeting.

b) The proposed change(s) will then be voted upon by the highest ranking member of the agencies entitled to vote, with the vote limited as described in the Constitution, and in accordance with the majorities established therein.

**Section 5. Effective Date.**

Unless otherwise provided by resolution of the Association, such amendments and/or changes shall become effective immediately following approval.

Revised and approved 2010.

Amended 2012: Art. I, Sec. 6(a)  
Art. V, Sec. 2(a)  
Art. V, Sec. 2(g)

Amended 2016: Art. I, Sec. 3(d)

Amended 2018: Art. I, Sec. 1(a)(4)  
(1/20/18) Art. I, Sec. 5(b)  
Art. V, Sec. 2(b)  
Art. VI, Sec. 5

*11/30/2018 12:23 PM*