

**GACP  
Constitution  
and  
By-Laws**

# CONSTITUTION AND BY-LAWS

*(Amended November 19, 2007)*

## PREAMBLE

We, the members of the Georgia Association of Chiefs of Police, recognizing our responsibilities to the communities we serve and our obligations to society in general, and with the knowledge that our profession requires the highest ideals and standards of conduct, hereby adopt the following code of ethics for police executives, and commend them to all persons in the police profession for their guidance.

- Section 1. The name of this body shall be “Georgia Association of Chiefs of Police, Inc.” and the insignia shall be the seal of the State of Georgia, surrounded by a wreath of Mountain Laurel, with the words Georgia Association of Chiefs of Police superimposed on the shield.
- Section 2. The Georgia Association of Chiefs of Police is dedicated to providing police services in the State of Georgia that are aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, and improved police legitimacy, through a proactive reliance on community resources that seeks to minimize crime-causing conditions.
- Section 3. The Georgia Association of Chiefs of Police strives to ensure that all our citizens are served in a professional, ethical and equitable manner that respects individuals, protects our democratic ideals and system of government, pursues greater accountability of police, greater public share in decision-making, and greater concern for civil rights and liberties.
- Section 4. The Georgia Association of Chiefs of Police promotes the ideals of partnering between public and private law enforcement agencies, social service agencies and public and private groups.
- Section 5. The Georgia Association of Chiefs of Police aspires to increase the levels of police professionalism, improve the level of training, and enhance educational credentials and professional development for law enforcement executives.
- Section 6. We will put honesty, truth, and justice above all other considerations, and we will not allow friendship, enmity, social position, political influence, or personal motives to hinder us from the impartial and ethical performance of our duty.
- Section 7. We will neither solicit, nor accept any gift, privilege, favor, or advantage from any person, which will place us under any obligation to overlook any violation of a law, or will violate the ethics of our profession.
- Section 8. We will support and defend all the provisions of the Constitution of the United States and the Constitution of the State of Georgia, and will not deprive any person of any right guaranteed by these great documents. We will at all times endeavor to carry out the desires of the citizens as legally expressed through proper legislative, judicial, or executive channels of government.
- Section 9. We shall have efficient police administration and the need for professional fitness on the part of police executives and subordinates as our objective. We pledge

ourselves to advance the science of police service through training courses and other methods adequate to meet the many requirements of our profession.

Section 10. We will be fair with subordinates, showing only that favor which has been honestly earned by meritorious service to the public; demanding that all police officers perform their duties and enforce the laws with impartiality, good judgment, and courtesy.

Section 11. We pledge our cooperation to all officials and agencies involved in the promotion of justice and the improvement of the general welfare. We will not allow envy, jealousy, or any other improper motive to interfere with such cooperation.

Section 12. We recognize our responsibility to keep the public informed about matters of their legitimate interest.

## **ARTICLE I PURPOSE**

Section 1. The Georgia Association of Chiefs of Police shall be governed by its Constitution, which shall be adopted and amended by its General Membership, in accord with the provisions set forth herein.

Section 2. The Constitution shall set forth the Association's name and purposes, membership qualifications and classifications, the establishment of Officers and their functions, the establishment and functions of the Nomination and Election Committee and the establishment and function of the Conference Committee, qualifications for office, election processes, the duties of the Association's Executive Board, the duties of officers and District Representatives, the procedures for removal of Officers and Executive Board Members, the filling of vacancies in offices and on the Executive Board, duties and responsibilities of the Executive Director, the manner and procedure for amending the Constitution, the requirements of dissolution, and other matters of a similar nature.

Section 3. The By-Laws of the Association shall set forth the manner in which the Association shall conduct its general business affairs. The Executive Board of the Association shall adopt and amend the Bylaws through which it oversees the general business affairs of the Association and its operation. The Association's Bylaws shall not contradict the Constitution, and shall govern, with more particularity than the Constitution, the manner in which the Association shall operate. They shall cover such matters as: membership dues, meetings of the Executive Board, the order of business and rules of order for General Membership meetings, awards and recognition of members and others, election rules and regulations, the adoption and amendments of budgets, budget controls and annual audits, the establishment of committees other than Standing Committees established by the Constitution, and matters of similar nature.

Section 4. The Constitution may be amended only through a vote of 2/3 of the active members in attendance at a General Membership Meeting through a written ballot, where notice of such a vote has been provided to the General Membership in accord with the Provisions of this Constitution.

Section 5. A By-Law may be adopted or amended only with the affirmative vote of five (5) of the seven (7) Executive Board Members, voting at a duly called meeting, where proper notice of said By-Law vote has been provided.

## **ARTICLE II MEMBERSHIP CLASSIFICATIONS**

Section 1. There shall be the following membership classifications within the Association: Active, Life, Professional, Corporate, Associate, Chaplain, and Honorary Life.

Section 2. Active Membership

- a) Any full time certified law enforcement peace officer, as defined by Georgia Code and/or POST Rules, engaging in the management of local, state, or federal law enforcement agency in the State of Georgia. This shall also include any law enforcement agency as defined by Title 35 of the Official Code of Georgia, and shall also include the chief executive or head of any campus law enforcement department of any public or private university in Georgia having the authority to enforce the criminal or traffic laws through the power of arrest and whose duties include the preservation of public order, the protection of life and property, and the prevention, detection, or investigation of crime, provided that said chief executive or department head is a Peace Officer certified by the Georgia Peace Officers Standards and Training Council.
- b) Elected officials who are chief executives of law enforcement agencies may be active members, but will not be eligible to hold office in the Association.
- c) Each agency will be entitled to only one voting member.

Section 3. Life Membership

- 1) To be qualified for Life Membership in the Association, a member must have retired from full-time law enforcement duty and either:
  - a) be a Life Member as of July 26, 2005; or
  - b) have twenty (20) years experience in law enforcement, of which ten (10) years must have been spent as a dues-paying chief law enforcement officer of the Association, in good standing.
    - i) Honorable service in any branch of the United States Armed Forces shall be counted toward the “twenty (20) years of experience” provision of this requirement.
- 2) The terminology defining “Chief Law Enforcement Officer” shall be generally consistent with the definition set forth under OCGA 35-8-2-4, the Peace Officers Standards and Training Act (POST Act); however, county sheriffs who have been Active members of this Association shall be deemed chief law enforcement officers for the purpose of this section, to wit:
  - a) “Department head” means the chief executive or head of a state department or agency, a county, a municipality, or a railroad who is a peace officer and

whose responsibilities include the supervision and assignment of one or more employees or the performance of administrative and managerial duties of a police agency or law enforcement unit. Such term does not include the Attorney General, the director of the Georgia Drugs and Narcotics Agency, a district attorney, a solicitor general, a county or municipal fire chief, or peace officers employed exclusively as investigators of any such offices who do not exercise any law enforcement supervisory or managerial duties. The provisions of this paragraph shall not apply to any sheriff or to any head of any law enforcement unit within the office of sheriff. (This last sentence is purposely eliminated from this POST Act definition as required under section 2 of this Article.)

- 3) Life Membership shall NOT be granted to persons under investigation by POST, or who have received discipline by POST immediately prior to their request for Life Membership in the form of being revoked, or suspended for conduct which resulted in, or could have been, the main reason that they elected to retire.
- 4) The Executive Board shall reserve the right to recommend a waiver of time requirements for Life Membership in cases deemed to be unique by the Board. Approval shall require unanimous endorsement by the Executive Board and shall be voted on by the Board.
- 5) Nominations for Life Membership in the Association shall be received by the Executive Director, in writing, not less than thirty (30) days prior to the conference at which the Executive Board will vote to confer Life Membership upon the nominee.
- 6) Life Members (retired) may be charged a Conference Registration Fee, with the provision that upon the recommendation and/or needs of the Executive Board of the Association, the registration fee, if any, may be modified. This provision shall apply only so long as a Life Member remains retired from law enforcement.
- 7) If a Life Member returns to duty as a full-time law enforcement Chief Executive, as defined in this Constitution and By-Laws, his/her status shall revert to that of an Active Member, and the member shall be required to pay the same dues as paid by an Active Member. If such a member should subsequently leave duty as an Active Member, their status shall automatically revert to that of a Life Member.
- 8) Life Members shall have the same right to vote as Active Members, but shall not be eligible to hold elective office.

#### Section 4. Professional Membership

- a) Professional membership shall be available to any active or former police officer from a federal, state, or local law enforcement agency, lawyers, judges, law enforcement instructors, elected and appointed government officials, and other individuals who promote the advancement of law enforcement in their official positions.

- b) Private security executives and individuals that interface with the operations of law enforcement through the private sector are also eligible for professional membership.
- c) Professional members will not be eligible to hold an office or vote on any matters.

#### Section 5. Corporate Membership

- a) Corporate membership shall be available to any person representing a business, firm, or corporation engaged in selling products or services to the members of the Association. This shall also include attorneys.
- b) Corporate members will not be eligible to hold an office or vote on any matters.

#### Section 6. Associate Membership

- a) Associate membership shall be available to members of the general public who are concerned and interested in the welfare and advancement of law enforcement.
- b) Associate members will not be eligible to hold an office or vote on any matters.

#### Section 7. Honorary Life Membership

- 1) Honorary Life Membership is a prestigious award sponsored by the Georgia Association of Chiefs of Police to recognize individuals who have made significant or extraordinary contributions to the Association by special acts or by outstanding and ongoing service.
- 2) Any member of the Georgia Association of Chiefs of Police may make nominations for Honorary Life Membership. Nominations must be submitted in writing to the Executive Director of the Association and should include the reason the person is nominated along with supporting documentation. Nominations must be received sixty (60) days prior to the conference at which the vote will be taken to confer the Honorary Life Membership.
- 3) The President of the Association may bestow this honor upon the recipient at either of the semi-annual conferences.
- 4) Recipients of Honorary Life Membership shall enjoy all the privileges of membership provided to non-voting members and they shall not be eligible to hold elective office.
- 5) Permanent records regarding Honorary Life Membership shall be maintained in the Association office.

#### Section 8. Chaplain

- a) Chaplain membership shall be available to any person who is serving in the capacity as a chaplain for a law enforcement agency. The chief law

enforcement officer of the agency will submit a letter with the application attesting that the person is serving as their chaplain.

- b) Chaplain membership will not have the ability to vote on any matters or serve as an officer in the Association.
- c) Chaplain membership will be terminated once the member no longer serves as a law enforcement chaplain.

#### Section 9. Application for Membership

- a) All applicants shall complete and sign the form of application provided by the Association and submit the application to the Association office.
- b) Such application shall include an agreement by the applicant to abide by the Association's Standards of Conduct.
- c) Admission of applicants for all classes of membership shall be by a majority vote of those present and voting at any meeting of the Executive Board, or in such a manner as the Executive Board may determine.

#### Section 10. Termination of Membership

- a) Any member may resign from the Association and such resignation shall be effective as of the date received by the Association, unless said resignation specifies another date.
- b) Members of any classification may be removed from membership for cause by the President. For any cause other than non-payment of dues, the President will advise the member of the charges at least 15 days prior to the proposed date of the action. If removed, such member may appeal the decision of the President to the Executive Board providing that the notice of intent to appeal is provided to the Executive Board no later than ten days following the termination. The member removed will not be allowed to be represented by counsel at the hearing.
- c) Any active member who resigns or is terminated from his or her position as an agency head for any reason and is not re-employed in a similar position within ninety (90) days shall be ineligible for active membership.
- d) Active members, upon retirement, shall be eligible to retain active membership status for the remainder of the current dues year.

**ARTICLE III  
OFFICERS AND COMMITTEES**

- Section 1. The officers of the Association shall be elected from the active membership and shall consist of the President, the four Vice-Presidents, the Immediate Past President, and the Chairman of the District Representatives; all of whom shall hold their respective offices for a period of one year or until their successor is elected or appointed. Collectively the officers of the Association shall be known as the Executive Board and shall be the ruling body of the Association.
- Section 2. The Nominations and Elections Committee shall be responsible for enforcing rules, regulations and constitutional provisions regulating elections, and for monitoring and certifying election results. They shall investigate post election objections based upon a candidate's ineligibility for office or violations of rules or regulations governing elections and report such findings to the Executive Board.

The Nominating and Election Committee shall consist of the immediate five Past Presidents. In the event that one or more of the five immediate Past Presidents are not available to serve on the Nominating and Election Committee, the President of the Association may name any active member of his choice to serve.

- Section 3. The Conference Committee shall consist of three members appointed by the President. The Conference Committee shall bring before the membership at the business meeting of the summer conference a minimum of two locations for the summer conference that will be held two years from the summer conference where the vote is taken. The membership shall vote on the cities presented and a simple majority shall carry. In the event of exigent circumstances that preclude the summer conference location site voted on by the membership, the Executive Board is authorized to select an alternative site. The President shall select the location of the winter conference.

**ARTICLE IV  
QUALIFICATIONS FOR OFFICE AND ELECTION PROCEDURES**

- Section 1. A 4<sup>th</sup> Vice-President shall be elected at the annual summer meeting of the Association by a majority vote of the active members present and qualified to vote.
- Section 2. At the time of the election, all candidates for office in the Association must meet the provisions for active membership in the Association and be in good standing.
- Section 3. A candidate's notice of intent to run must be submitted, in writing, to the Executive Director or his designee, prior to the close of business at the Winter Conference. The notice of intent to run for office shall be forwarded to the Nominating and Election Committee.
- Section 4. In the event that a vacancy should occur on the Executive Board after the cutoff date set forth in the By-Laws for the filing of intent to run, or if no candidates are qualified for election, qualified members may file written notice of intent to run for office during this period, but no later than thirty (30) days before the date of the business meeting at the annual summer training conference where the election will be held.

- Section 5. When candidates file written notice of his/her intent to run for office with the Association, the Executive Director shall forward to the candidate the portion of the Constitution and By-Laws that outline the “Qualifications for Office and Election Procedures”.
- Section 6. When there is only one candidate for the office of 4<sup>th</sup> Vice-President, the Chairman of the Nominating and Election Committee, or his designee, shall declare the candidate elected at the business meeting of the summer conference where the election is to be held.
- Section 7. When there are two or more candidates for the office of 4<sup>th</sup> Vice-President, the candidate receiving the highest number of votes shall be declared elected.
- Section 8. Candidates for vacant offices on the Executive Board shall compete collectively without designating a particular office.
- Section 9. Each voting member shall have one vote for each vacancy on the Executive Board. All nominations for office on the Executive Board shall be voted on by secret ballot, unless there is only one candidate.
- Section 10. The candidate receiving the most votes will be installed in the highest vacant office on the Executive Board. The candidate receiving the second highest number of votes will be installed in the next highest office on the Executive Board. If a third vacancy should exist on the Board of Officers, the candidate with the third highest votes will be installed in that office.
- Section 11. The officer or officers elected shall be installed and take office at the annual banquet at the summer meeting at which the election takes place. Officers of the Association previously elected shall advance to the next higher office, unless removed for cause as set forth in these Constitution and By-Laws.

## **ARTICLE V DUTIES OF EXECUTIVE BOARD AND DISTRICT REPRESENTATIVES**

- Section 1. 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. The Executive Board shall establish and promulgate the rules of the Association by which its business and affairs shall be conducted and governed in accordance with the provisions of this Constitution and By-Laws. Such rules shall include administration, membership procedure, regulations governing and budgeting, receipt, custody, disbursement of, and accounting for all Association funds, purchases, contracts, and other expenditures, order of business and conduct of the Association meetings. Such rules shall not contradict with the Constitution and By-Laws of the Association.
- Section 2. The Executive Board shall consider and report at any regular meeting on all matters coming to their attention during the interim between such meetings. The Executive Board shall have the authority to call a special meeting of the Association upon majority vote of the members of the Board. It shall, through appropriate sub-committees, present subjects for general discussion, suggest means for the advancement of the purpose of the Association, convene when and where practicable to accomplish its function, disseminate literature and in every way

promote the interests of the Association in any and all matters pertaining to its purposes.

- Section 3. The Executive Board shall have the responsibility of implementing the provisions and intent of O.C.G.A. 35-8-20 and 35-8-20.1.
- Section 4. The Executive Board shall adopt an annual budget for the Association and no expenditures shall be made except in accordance with funds allocated under said budget as originally adopted or amended.
- Section 5. The Executive Board shall authorize and give general supervision to the publications of the Association. The Executive Board shall cause the minutes of its meetings to be published to the members of the Association.
- Section 6. The Executive Board shall appoint an Executive Director. As the governing body of the Association, the Executive Board shall fix the conditions of employment, tenure, and compensation of the Executive Director, and shall be responsible for the efficient discharge of his or her duties.
- Section 7. The Executive Board shall take all appropriate steps to keep the membership apprised of the results of its activities and of all matters of pertinent concern to the membership as a whole.
- Section 8. All endorsements of products or services made in the name of the Georgia Association of Chiefs of Police shall be reviewed and approved by the Executive Board, prior to use or the endorsement.
- Section 9. The Executive Board shall hear and decide complaints concerning campaign practices reported to it by the Nominations and Election Committee.
- Section 10. The Executive Board shall meet, not later than 120 days following the winter business meeting, and the following items may be discussed:
- a) Prepare goals and a strategic plan for the next year.
  - b) Review the Executive Director's action plan, complete with budget projections, for fund raising.
  - c) Authorize the 1<sup>st</sup> Vice-President to make District Representative and committee appointments for announcement at the summer conference.
  - d) Any other business coming before the Board.

## **ARTICLE VI DUTIES OF OFFICERS**

- Section 1. The President shall be the official representative and spokesperson for the Association; serve as the chairman of the Executive Board; preside at meetings of the Association; appoint all committee members and District Representatives, including those not provided for in the Constitution and By-Laws; and call special meetings of the Executive Board whenever the President deems special meetings are necessary.

- Section 2. The First Vice-President shall assist the President in conducting the business and policies of the Association. In the absence or inability of the President to perform the duties of the office, the First Vice-President shall be directed to assume the duties of the President and perform such other duties as are prescribed by the Executive Board. In addition to all other duties required by the President, the First Vice-President shall perform such other duties as may be required by a majority vote of the Association. The First Vice-President will also determine that all Association funds are collected and disbursed according to accepted accounting principles and in accordance with the Constitution and By-Laws of the Association and policies adopted by the Executive Board. The First Vice-President shall appoint an adequate number of active members to serve as Sergeant at Arms, for the purpose of enforcing the herein prescribed election rules and such other election rules as may be promulgated by the Nominating and Election Committee.
- Section 3. The Second Vice-President shall assist the President in conducting the business and policies of the Association. In the absence or inability of the President and First Vice-President to perform the duties of President, the Second Vice-President shall be directed to assume the duties of the President and perform such other duties as are prescribed by the Executive Board. In addition to all other duties required by the President, the Second Vice-President shall perform such other duties as may be required by a majority vote of the Association. The Second Vice-President will also determine that all Association funds are collected and disbursed according to accepted accounting principles and in accordance with the Constitution and By-Laws of the Association and policies adopted by the Executive Board.
- Section 4. The Third Vice-President shall assist the President in conducting the business and policies of the Association. In the absence or inability of the President and other Vice-Presidents, the Third Vice-President shall be directed to assume the duties of the President and perform such other duties as prescribed by the Executive Board. In addition to all other duties required by the President, the Third Vice-President shall perform such other duties as may be required by a majority vote of the Association. The Third Vice-President will also determine that all Association funds are collected and disbursed according to accepted accounting principles and in accordance with the Constitution and By-Laws of the Association and policies adopted by the Executive Board.
- Section 5. The Fourth Vice-President shall assist the President in conducting the business and policies of the Association. In the absence or inability of the President and other Vice-Presidents, the Fourth Vice-President shall be directed to assume the duties of the President and perform such other duties as are prescribed by the Executive Board. In addition to all other duties required by the President the Fourth Vice-President shall perform such other duties as may be required by a majority vote of the Association. The Fourth Vice-President will also determine that all Association funds are collected and disbursed according to accepted accounting principles and in accordance with the Constitution and By-Laws of the Association and policies adopted by the Executive Board.
- Section 6. The Immediate Past President shall serve as a voting member of the Executive Board and assist the President in carrying out the business of the Association when requested.
- Section 7. The Chairman of the District Representatives shall be responsible for attending Executive Board meetings, communicating information from the Board to the

District Representatives, and to ensure that District Representatives fulfill their responsibilities assigned to them by the President, by the Executive Board, and under the Constitution and By-Laws.

Section 8. There shall be two (2) non-voting District Representatives from each District, one of who shall be appointed by the President, and the other shall be elected by the active Members from each district. The purpose of the District Representatives is to serve as an advisory body to the Executive Board, to represent the members in their respective districts, and to assist in disseminating information to the members in their district. The District Representatives shall review and advise the Executive Board on matters pertaining to the Association.

- a) The President shall appoint one District Representative from each District. The President may remove any appointed Representative for such reasons, as he deems appropriate.
- b) The active members of each District shall elect a District Representative at a duly called District meeting. Such election shall take place not later than sixty (60) days before the first day of the annual summer training conference. Proper advance notice of such election must be given to all District members by the incumbent District Representative. Each District shall inform the Executive Director of the election and identity of its elected representative not later than sixty days before the first day of the annual summer training conference. If a district fails to notify the Executive Director of its duly elected Representative by the sixtieth day prior to the opening of the annual summer training conference the First Vice-President shall have the authority to appoint the second representative from that district. A district may remove an elected Representative for such cause, as the active members in the district deem appropriate. The President of the Association shall have the power to fill any vacancy which exists among District Representatives.
- c) Both elected and appointed District Representatives shall begin their term at the same time that the First Vice-President takes his/her oath of office as President, and their terms shall coincide with his/her.
- d) District Representatives shall be required to call at least one district meeting before each semi-annual conference.
- e) The District Representatives shall select one of their members to serve as Chairman who will represent the District Representatives at the Executive Board meetings as a voting member. The vote for the Chairman will be held at the summer conference when the incoming District Representatives' appointments are to begin.

**ARTICLE VII  
REMOVAL OF OFFICE**

- Section 1. A two-thirds vote of the Executive Board of the Association shall be required to remove any Executive Officer of the Association. In such event, the next Executive Officer in line will advance to the position so vacated.
- Section 2. The removal of an Executive Officer of the Association shall require a finding by the Executive Board that the Officer has become incapacitated for an extended period in fulfilling the duties of the office in a competent and efficient manner, or the Executive Officer has been indicted or convicted of a felony or crime of moral turpitude, or the individual has acted in a manner that reflects discredit upon the reputation of the Georgia Association of Chiefs of Police.
- Section 3. Any person subject to removal under this Article shall be provided a fifteen (15) day advanced notice of the meeting at which the removal vote will be taken. Said Executive Officer shall have an opportunity to be heard by the Executive Board before the vote is taken. The Executive Officer will not be allowed to be represented by counsel at the hearing.

**ARTICLE VIII  
VACANCIES**

- Section 1. If the office of President is vacated, the First Vice-President shall become President immediately and shall serve for the remainder of the vacated term. If the remainder of the term to be served is less than six months, the First Vice-President who has served in the vacated term shall remain eligible to serve as President for an additional year.

If the remainder of the vacated term is six months or more prior to the next summer conference, he shall not be eligible to serve another term as President, but shall move to the office of Immediate Past President.

Any Vice-President position vacated before the term is completed shall follow this same procedure.

- Section 2. If an individual holding office on the Executive Board of the Association or holding a position as District Representative of the Association should be terminated, reassigned, transferred, placed on a leave of absence, given termination leave while still on the payroll, or otherwise be removed from the day-to-day administration of his/her agency, or is not re-employed as an agency head within 90 days from the date of any of the above actions, the individual shall be removed from his/her position as a member of the Executive Board or as District Representative and his/her position declared vacant.

A member of the Executive board who accepts another position as head of a law enforcement agency in another jurisdiction within the state of Georgia and assumes the new position within 90 days from the date of his/her termination from the previous employing agency shall not be affected by this section.

A District Representative, who accepts another position as head of a law enforcement agency outside the district where he/she is presently serving as District

Representative, shall relinquish the position of District Representative unless he/she is re-appointed a District Representative in the district he/she is moving to. A Chairman of District Representative who is re-appointed as a District Representative in the new district shall maintain his/her position as Chairman.

Section 3. Vacancies on the Board shall be filled by appointment for the unexpired time by the President.

## **ARTICLE IX DUTIES AND RESPONSIBILITIES OF EXECUTIVE DIRECTOR**

There shall be an Executive Director whose duties, subject to policies rules and direction of the Executive Board, shall be, but not limited to:

- a) Serve as secretary of the meetings of the Association and the Executive Board.
- b) Give due notice of all such meetings and keep the official minutes thereof.
- c) Maintain the records, files, and library of the Association and handle its general correspondence.
- d) Conduct a continuous effort to increase all classifications of membership.
- e) Conduct a continuous effort to increase the revenues of the Association.
- f) Prepare an annual budget of the Association for consideration and approval by the Executive Board, keep complete records of all monies owed to the Association and of expenditures incurred by the Association, and take all appropriate measures to assure the prompt collection of and accounting for Association funds.
- g) Direct the preparation and distribution of all publications as the Association may publish or sponsor.
- h) Assist the committees of the Association by furnishing them with technical information and assisting in the preparation of their reports.
- i) Supervise such research programs or special studies as the Executive Board may prescribe.
- j) Perform such duties as may be assigned to him by the President or the Executive Board.
- k) Shall hire, manage and supervise all Association staff employees with the Executive Board having the final word in disciplinary related matters.
- l) Shall insure that all vendors are treated equitably.

In order to perform the foregoing duties, the Executive Director may employ such staff and incur such other expenses, as the Executive Board, in its budget, shall authorize.

## **ARTICLE X AMENDMENTS OF CONSTITUTION**

Section 1. Any active member may request a change to the Constitution by submitting a proposed amendment to a District Representative. The District Representative shall forward the proposal to the Executive Director who shall forward the proposed amendment to the Chairman of the Constitution and By-Laws Committee and the Executive Board. All proposed amendments to the Constitution must be submitted to a District Representative not later than 90 days before the general membership meeting at which the amendment can be voted upon.

- Section 2. The Constitution and By-Laws Committee shall have the function of editing the proposed amendment to ensure its meaning is clear and shall determine the effects of the amendment, if any, upon other provisions of the Constitution. The Constitution and By-Laws Committee shall report to the Executive Director and District Representatives the edited amendment, its purpose and meaning, and the effects, if any, of the amendments on other sections of the Constitution. The District Representatives shall make a recommendation on whether to adopt a proposed Constitutional amendment to the general membership. In voting whether to recommend a proposed Constitutional amendment each District shall have one vote. Only those amendments, which have received an affirmative vote by both Representatives of not less than 4 out of 11 Districts' will be submitted to the general membership for a vote. The District Representatives shall vote on the proposed Constitutional amendments in time for it to be published in final form, along with any reports and recommendations on the proposed amendment not less than 25 days prior to the general membership meeting at which the proposed amendment will be voted upon. The vote by the District Representatives may be conducted in person, writing, or through electronic means, as the District Representatives deem appropriate. The Executive Director shall receive and preserve all written or electronic records of votes by the District Representatives and shall maintain such records for a period of six months. The proposed Constitutional amendment shall be published to the general membership not less than 20 days before a general membership meeting. Publishing may be accomplished through written correspondence, or the association newsletter, or on the association's website, or through electronic mail or fax to the general membership,
- Section 3. The Constitution may be amended by a written ballot only, with the 2/3 affirmative vote of the active members present and eligible to vote at any regular meeting of the Association.

## **ARTICLE XI DISSOLUTION**

- Section 1. If at any regular or special meeting called for this purpose, three-fourths of the active membership present vote in favor of dissolution by a written ballot, the Association shall be dissolved within sixty (60) days of the date of such vote.
- Section 2. Immediately after a vote favoring dissolution, the Executive Board shall proceed to settle any financial obligations pending against the Association and to dispose of all property held by the Association. Any funds remaining after all claims have been settled and all property disposed of shall be turned over to such non-profit, tax exempt charitable, scientific, or educational organizations as selected by the Executive Board.

## **By-Laws**

### **ARTICLE I DUES**

- Section 1. All dues shall be paid at the time of application for membership, and thereafter not later than January 31, of each membership year. A member whose dues have not been paid by January 31 shall be delinquent, and no longer eligible to vote. Any member who becomes delinquent in paying dues shall be required to pay an additional reinstatement fee, as determined by the Executive Board.
- Section 2. Membership dues will be as follows:
- a) Active membership dues will be \$100 per year.
  - b) Life Members, who are no longer employed in full-time law enforcement duties, shall not be required to pay membership dues.
  - c) Professional membership dues will be \$100 per year.
  - d) Corporate membership dues will be \$250 per year.
  - e) Associate membership dues will be \$25 per year.
  - f) Honorary Life member shall not be required to pay membership dues.
  - g) Chaplains shall not be required to pay membership dues.
- Section 3. Any member who resigns or who is dismissed from his position shall be ineligible for a dues refund.

### **ARTICLE II MEETINGS**

- Section 1. There shall be two meetings during each calendar year. One meeting is to be held at the first half of the year and another at mid-year. The meeting at the first half of the year, or "winter" meeting, and the mid-year or "summer" meeting is designated for training and conducting Association business as deemed necessary. These meetings will be held at the call of the President upon at least thirty (30) days previous notice mailed by the Association to each active member of the Association. A quorum shall be those active members in attendance at such meetings.
- Section 2. Monthly meetings of the Association may be held for the purpose of disseminating information for the good and welfare of the Association. Such meetings may be called upon order of the President at a time, place, and date specified in such order.
- Section 3. Special meetings, other than annual meetings, may be called at any time or place upon the call of the President upon written request of at least thirty (30) or more active members or when requested by a majority of the Executive Board. At such special meetings, no business shall be transacted except that specified in the call. Notice of special meetings and the business to be transacted shall be mailed to each voting member of the Association at least five (5) days in advance of such special meetings. A quorum for these called meetings of the Association shall be 25 or more active members, or a majority of the Executive Board.
- Section 4. On all questions, the vote may be taken by voice or hand vote. Upon a motion made and duly carried by a vote of the majority of the active members present, a roll-call vote shall be taken on any question. In such case, the Executive Director

shall call the roll and the vote of each active member shall be entered into the minutes and published in the official minutes of the meeting.

### **ARTICLE III RULES OF ORDER**

- Section 1. Any questions coming before the meeting for which no provision has been made in the Constitution and By-Laws shall be governed by the rules as specified in “Roberts Rule of Order.”
- Section 2. Each member who speaks or offers a motion shall rise in his place and respectfully address the presiding officer, giving his name, title, and the department represented.
- Section 3. All motions and resolutions, if requested by the President, shall be presented in writing.

### **ARTICLE IV ORDER OF BUSINESS**

1. Meeting called to order.
2. Reading of minutes of previous meeting.
3. Presentation of the financial report.
4. Report of President.
5. Report of Executive Director.
6. Reports from Executive Board Members.
7. Report of Training Director/Coordinator.
8. Reports of Committees.
9. General discussion of topics and matters concerning the Association.
10. Unfinished business.
11. New business.
12. Selection of next place of annual or other meeting.  
Adjournment.

### **ARTICLE V AWARDS AND RECOGNITIONS**

- Section 1. The Georgia Association of Chiefs of Police shall present an “Outstanding Chief” award to an active member of the Association. Nominations may be made by anyone wishing to nominate a Chief providing the Chief they wish to nominate is in good standing with the Association. The Executive Director will accept nominations throughout the year, but all nominations must be received by the Executive Director no later than June 1 of each year. Nominations received after June 1 will be considered for the following year’s award. Nominations may be made by letter or on forms provided by the Association. The Executive Director may encourage and promote nominations for this award in any ethical manner deemed necessary to obtain a sufficient number of nominations to determine the most qualified individual as the Association’s “Outstanding Chief”.

The Executive Director shall submit a list of all nominees whose nominations meet the qualification standards specified herein to the Executive Board. The Executive Board shall select the Outstanding Chief from the list of nominees.

Criteria to be considered in making the selection shall include the member's service to the Association, service to the community, and accomplishments as a law enforcement administrator.

The award shall be presented at the annual banquet held during the summer conference.

Section 2. All other awards, certificates, or recognition by the Association shall be at the prerogative of the President of the Association.

## **ARTICLE VI ELECTION RULES AND REGULATIONS**

Section 1. Candidates shall be limited to a maximum expenditure of \$750 campaign expense, which includes the actual cost or value of items purchased or donated as in-kind contributions to the candidate's campaign. This cost does not include reasonable travel expenses around the state (mileage, room and board). Where there is doubt about the value of in-kind contributions, the elections committee can set the value of an in-kind contribution.

Section 2. No candidate for office in the Association shall sponsor, or have sponsored on his/her behalf, a hospitality room.

Section 3. Each candidate for office will be provided an opportunity to speak for five minutes on behalf of his/her candidacy at the general business meeting at the winter and summer conferences.

Section 4. A financial statement shall be filed with the Nominating and Election Committee prior to the close of business the day before the election.

Section 5. Sanctions.

a) Violations of the campaign practices shall be reported to or ascertained by the Nominating and Election Committee.

1. If a breach of campaign practice rules is ascertained before the election, the Nominating and Election Committee will inform the candidate of the breach, asking them to cease and desist. If the candidate does not cease and desist, or if the breach is serious, the Nominating and Election Committee shall take the report of the breach to the Executive Board.
2. If elected, before the breach is found, it may serve as grounds for forfeiture of office by majority vote of the Executive Board.

b) The Executive Board may do the following:

1. If the breach is discovered before the election, the Nominating and Election Committee may recommend to the Executive Board, depending on the severity of the violation, that the candidate's name be removed from the ballot.

2. If the breach is discovered after the election, the Nominating and Election Committee may recommend to the Executive Board, depending on the severity of the violation, that the candidate be removed from office.
3. The Nominating and Election Committee may recommend to the Executive Board to exonerate the candidate.

Section 6. There shall be no campaigning within (50) feet of the ballot boxes during the hours of the elections. Campaigning shall include, but not be limited to, personal contact, signs, stickers, balloons, or any other items bearing the candidate's name for election purposes.

Section 7. No Executive Board Members shall campaign or openly support a candidate for office of the GACP. This is not intended to prevent the chairperson of the district representatives from seeking the office of 4<sup>th</sup> Vice President on the GACP Executive Board.

Section 8. No member of the Executive Board may run for election as a Vice president while serving as a current Executive Board member. Any member of the Executive Board (including Chairman of the District Representatives and Immediate Past President) who chooses to run for office as an elected Vice President must first resign his/her office on the Executive Board before announcing his/her candidacy.

Section 9. If the office of Immediate Past President becomes vacant for any reason, including, but not limited to, the incumbent Immediate Past President having become ineligible under the Association's Constitution and Bylaws to hold office on the Executive Board due to his/her retirement, resignation, or removal from duty as an active Police Chief or Chief Executive Officer of a Law Enforcement Agency without obtaining a new position as a Police Chief or Chief Executive Officer of a Law Enforcement Agency within 90 days of such retirement, resignation or removal, the President of the Association may fill the Executive Board vacancy thereby created, subject to a confirmation vote of a majority of the members of the Executive Board with a replacement for the Immediate Past President from among the Active Members of the Association who previously have held the office of President.

## **ARTICLE VII BUDGET**

Section 1. The Executive Director is hereby charged with the responsibility for the preparation, in advance of each fiscal year, of a complete budget covering all operations of the Association. This budget shall include all estimated income of the Association and all proposed expenditures during the fiscal year.

Section 2. Adoption of Budget.

- a) The fiscal year of the Association shall be from July 1 to June 30.
- b) The Executive Director shall submit the proposed budget to the Budget committee between April 1 and May 1, prior to the fiscal year to which it applies, in order that final adoption may be made by June 15. When an amendment is indicated, the Executive Director shall recommend revision of the budget, which may take effect if approved by the Executive Board provided

no increase is made in the total expenditures previously authorized. All amendments to the budget, and all expenditures for non-budgeted items, shall be referred to the Executive Board for its determination or ratification.

- c) The Executive Board shall adopt the annual budget of the Association no later than June 15 preceding the fiscal year that it covers.

### **ARTICLE VIII BUDGET CONTROL**

- Section 1. The Executive Director is responsible for collection of all monies or property due the Association, and shall establish and maintain a systematic method for handling receipts, which will give proper assurance that all such money and property due the Association are actually received and accounted for.
- Section 2. Invoices shall be prepared on a standard form and sent to all persons and organizations in debt to the Association and proper follow-up made of all unpaid invoices. In the event of failure to remit the amount due to the Association, the Executive Director is directed to take such action necessary to make the collection as deemed appropriate and which is consistent with the Constitution and By-Laws. In the case of active and associate members whose dues are delinquent for a period of thirty-one or more days, they shall not be sent further publications of the Association as long as such delinquency continues.
- Section 3. Immediately upon receipt of monies and other funds and securities of the Association, which shall be received, the Executive Director shall deposit them in an interest bearing account of the Association.

### **ARTICLE IX ANNUAL AUDIT**

- Section 1. There shall be an annual audit of all monies received and expended. The Executive Director is authorized with the approval of the Executive Board, to engage a professional accounting firm to complete this audit. The audit report shall be completed and copies made available to all members at the summer meeting. Full audits will be conducted annually unless otherwise deemed appropriate by the Executive Board.

### **ARTICLE X COMMITTEES**

- Section 1. The President shall appoint such committees as may be authorized by this Constitution and By-Laws or by resolution of the Association or by the Executive Board.
- Section 2. The Association shall have the following standing committee to aid in the following accomplishments of its objective:
  - a) Membership

The membership committee shall obtain information from the general membership and all other professional sources for the purpose of making recommendations to the Executive Board on course of action the association may take towards the

furtherance of quality leadership. The committee shall also recommend programs, goals and objectives, and policies that are believed to enhance the professional direction of the Association. Additionally, this committee is to encourage those persons and or businesses that are eligible for persons to secure membership.

b) Constitution and By-Laws

This Committee shall review the Constitution and By-Laws annually to ensure it reflects the goals and objectives of the Association. This committee will also review any suggested changes to the Constitution and By-Laws for any contradictions.

c) Resolutions

The resolutions committee shall accept and consider resolutions submitted by the Executive Board as well as all other members. Once a concept is submitted to this committee, the committee must refine the expression and place it into standard resolution format.

d) Public Relations

This committee should foster professional growth and partnership between the law enforcement community and the public it serves.

e) Training

This committee shall provide general guidance to the Executive Board with respect to training. It should transact the necessary business discussions, research, evaluation and determinations of police training matters to assist the Association with coordinated and cooperative effort in the implementation of effective executive level training for law enforcement managers.

f) Legislative

This committee shall study and evaluate all proposed legislation that may favorably or adversely affect law enforcement, particularly legislation affecting law enforcement managers, and report, as needed, their finding to the Association or the Executive Board. The committee, upon request of the President or Executive Director, may provide for the appearance of its chair or other qualified members to appear before a legislative body to present the officials views of the Association.

g) Corporate / Private Security

This committee is composed of representative members from all facets of the private security sector and the law enforcement community. The role of the committee is to strive to improve the relationship between the private sector and the public sector by the discussion and dissemination of meaningful data on a continuing basis.

h) Finance / Audit

This committee shall have review responsibility over the general operating budget of the Association. This committee shall review the staff prepared budget and make recommendation to the Executive Board or the Executive Director regarding adoption of the annual budget and/or major budget modifications.

i) Conference

This committee shall provide guidance to the Association relative to annual conferences, with particular attention to improving the overall quality of the conferences.

j) Nominating and Election

This committee shall have the duty and responsibility to enforce rules, regulations, and constitutional provisions regulating elections.

k) Sergeant of Arms

This committee is responsible for assisting the Nominating and Elections committee in ensuring that all rules and regulations are followed. Also, this committee assists the President in ensuring that order is maintained during all meetings. In addition, members may be requested to aid the Executive Director or conference overseer in enforcing regulations established for conference events to include vendors, meetings, and banquet functions.

l) Parliamentarian

The Parliamentarian is responsible for giving guidance to the presiding officer concerning any questions of order coming before any meeting. The Parliamentarian will utilize the Constitution and By-Laws and Robert's Rules of Order in defining any question.

- Section 3. The President of the Association, as deemed necessary to carry on the work of the Association, shall appoint such other committees, standing or special. The President shall appoint a Chair for each committee who shall not be a member of the Executive Board. The President shall be an ex-officio member of all committees except the Nominating Committee.

## **ARTICLE XI AMENDMENT OF BY-LAWS**

- Section 1. Any Executive Board member may request a change to the By-Laws by filing with the Executive Director, the Executive Board, and the Chairman of the Constitution and By-Laws Committee, a revision of the By-Laws and an explanation of the reason for the change at least thirty (30) days before the Executive Board meeting at which it is to be considered.

- Section 2. The Constitution and By-Laws Committee shall have the function of editing the proposed By-Law amendment to ensure its meaning is clear, that it is consistent with the Constitution, and to report whether it has any effects upon other By-Laws. It shall provide its edited amendment and its report to the Executive Director for dissemination to the members of the Executive Board and publishing for the Membership.

Section 3. The By-Laws may be adopted or amended by the vote of five (5) out of seven (7) members voting at a meeting wherein proper notice of the proposed by-law or amendment has been provided to the Executive Board members and the general membership not less than 7 days prior to said meeting. Publishing may be accomplished through written correspondence or the association newsletter, or on the association's website, or through electronic mail or fax to the general membership.