

Constitution and Bylaws
of the
South Carolina Law Enforcement Officers' Association

APPROVED BY VOTE OF MEMBERSHIP

November 10, 2011

Article I ~ Name

The name of the association shall be the South Carolina Law Enforcement Officers' Association.

Article II ~ Principal Office

The principal office of the association shall be in the state capitol of South Carolina or within reasonable proximity thereto.

Article III ~ Definitions

Section 1. The phrase "law enforcement" is defined as all federal, state, county, municipal or special district police or law enforcement agencies in South Carolina.

Section 2. The word "corrections" is defined as all federal prison and probation agencies, as well as state correctional agencies, to include parole and community corrections, as well as county or regional detention centers.

Section 3. The phrase “certified law enforcement personnel” is defined as any person who resides within the State of South Carolina and holds current certification, issued by the South Carolina Criminal Justice Academy, the Federal Bureau of Investigation, the Federal Law Enforcement Training Center, or is otherwise commissioned and in the full time employ of a law enforcement agency.

Section 4. The phrase “certified correctional personnel” is defined as any person who resides within the State of South Carolina and holds current certification, issued by the South Carolina Criminal Justice Academy, the South Carolina Department of Corrections, the Federal Bureau of Prisons, or is otherwise commissioned and in the full time employ of a corrections agency.

Section 5. The phrase “criminal justice practitioners” is defined as any person who resides within the State of South Carolina and holds full time employment as a prosecutor, criminal justice teacher, constable, Department of Natural Resources deputy law enforcement officer, reserve officer, legal advisor to law enforcement or correctional agencies, or similar employment related to law enforcement or corrections.

Article IV ~ Purposes

The purposes of this association shall be to promote:

- Professional interests which are common to those engaged in the fields of law enforcement and corrections.
- Identification and resolution of problems facing the fields of law enforcement and corrections.
- Cooperative action among criminal justice practitioners by advancing the common purposes of association members.
- Action which best preserves and protects constitutional liberties and the safety of the public.
- Activities designed to afford the greatest economy and efficiency in law enforcement and corrections.

- All due consideration and expression of opinion regarding matters which affect law enforcement and corrections.
- Training within law enforcement and corrections professions which will develop professional leaders and administrators.
- Cooperation with other law enforcement and corrections associations.
- The promoting and engaging in all lawful activities in furtherance of the foregoing purposes, or incidental thereto.

Article V ~ Membership

Section 1. Categories

Active

- (a) certified law enforcement personnel employed full time by agencies of the State of South Carolina, its political subdivisions, or by duly constituted law enforcement components of the United States Federal Government.
- (b) certified correctional personnel employed full time by agencies of the State of South Carolina, its political subdivisions, or by the United States Federal Government.
- (c) Full time criminal justice practitioners not otherwise eligible for active membership who are recommended by the President and approved by the Board of Directors.
- (d) Part time and/or volunteer criminal justice practitioners not otherwise eligible for active membership who are recommended by the President and approved by the Board of Directors.

Retired

Individuals retired from any of the above designated categories.

Honorary

Individuals not eligible for any of the above designated categories who are recommended by the President and approved by the Board of Directors as the result, and in recognition of, outstanding achievement or accomplishment.

Life

- (a) Past Presidents of the association.
- (b) Members who have served the association with honor and distinction elected by a majority of the Board of Directors

Sustaining

Businesses who reflect their support of the association by making an annual monetary contribution, in a minimum sum designated by the Board of Directors.

Associate

Individuals who reflect their support of the association by making an annual monetary contribution, in a minimum sum designated by the Board of Directors.

Section 2. Privileges and Benefits

Active (a), (b), and (c)

May:

- (1) Vote
- (2) Hold elective office in the association.
- (3) Receive any legal representation offered by the association.
- (4) Receive in-line-of-duty death benefits
- (5) Serve on committees
- (6) Attend and/or participate in all association events and activities, provided any requirements for that activity are met.
- (7) Receive such other privileges and benefits as authorized by the Board of Directors.

Active (d)

May:

- (1) Vote
- (2) Serve on committees

- (3) Attend and/or participate in association events and activities, provided any requirements for that activity are met.
- (4) Receive such other privileges and benefits as authorized by the Board of Directors.
- (5) In the case of Reserve Officers, Constables, or DNR Deputy Law Enforcement Officers killed in the line of duty shall receive in-line-of-duty death benefits.
- (6) In the case of Reserve Officers and Constables, these individuals may receive any legal representation offered by the association if he or she is current with certification and training and is assigned to a department by written request of the Chief or Sheriff and who are under direct supervision of a full-time certified officer.

Retired

May:

- (1) Vote.
- (2) Serve as a member of a committee or committees.
- (3) Attend and/or participate in association events and activities, provided any requirements for that activity are met.
- (4) Receive such other privileges and benefits as authorized by the Board of Directors.
- (5) Serve as a member of the Board of Directors as the Retiree Representative.

Life

May:

Exercise all the privileges and benefits of the category of membership enjoyed prior to election to this category.

Honorary and Sustaining

May:

- (1) Serve as ex-officio members of a committee or committees
- (2) Attend and/or participate in association events and activities, provided the requirements of that activity are met.

- (3) Receive such other privileges and benefits as authorized by the Board of Directors.

Associate Members

May:

- (1) Receive a current year of contribution SCLEOA window sticker.
- (2) Receive special discount offers extended by the SCLEOA.

Section 3. Duration of Membership and Resignation

Membership in the association may terminate by voluntary withdrawal as herein provided, or otherwise in pursuance of these by-laws. All rights, privileges, and interest of a member in or to the association shall cease on the termination of membership. Any member, by giving written notice of such intention, may withdraw from membership. Such notice shall be presented to the Board of Directors at the next succeeding meeting of the Board of Directors. Withdrawals shall be effective upon fulfillment of all obligations to the date of withdrawal.

Section 4. Suspension or Expulsion

Any membership may be suspended or terminated for cause. Sufficient cause for such suspension or termination of membership shall be a violation of the bylaws or any lawful rule or practice duly adopted by the association, or any other conduct prejudicial to the interests of the association. Suspension or expulsion shall be by two thirds vote of the Board Members present at a called Board of Directors Meeting provided that a statement of the charges shall have been sent by certified or registered mail at the last recorded address of the member at least twenty (20) days before final action is taken thereon. This statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the charges shall be considered and

the member shall have the opportunity to appear in person to present any defense to such charges before action is taken thereon.

Section 5. District Designations

District designations for elections and candidates for district representative are determined by the district in which the member is employed and/or assigned.

Article VI ~ Dues

The annual dues for each member of the association shall be determined by the Board of Directors.

Article VII ~ Meetings

Section 1. Annual Conference

There shall be held an Annual Conference of the association, held at such time and location as shall be designated by the Board of Directors, for the election and installation of officers, for the receipt of annual reports, for the holding of memorial services, award services, training sessions, and for such other purposes as shall be designated by the Board of Directors.

Section 2. Special Meetings

Special meetings of the association may be called by the Board of Directors at such time as the same shall be deemed necessary to the furtherance of the business of the association and shall be held at some suitable location within the State of South Carolina as shall be designated by the Board of Directors. Notice of time and place shall be mailed to each member at his or her last recorded address at least ten (10) days in advance of the meeting.

Section 3. Quorum

A quorum is not required to conduct business at any Annual meeting of the association.

Section 4. Parliamentary Rules

The usual parliamentary rules as laid down in *Robert's Rules of Order* shall govern all deliberations, when not in conflict with these bylaws.

Article VIII ~ Board of Directors

Section 1. Authority

The Board of Directors shall have supervision, control, and direction of the affairs of the association, shall determine the policies or changes therein within the limits of the bylaws, shall actively prosecute its purposes and shall have discretion in the disbursement of its funds. The Board of Directors may adopt such rules and regulations for the conduct of its business as shall be deemed advisable, and may, in the execution of the powers granted, appoint such agents and employees, and establish the duties and responsibilities of such agents and employees, as it may consider necessary. The Board of Directors may establish such policies and procedures as may be necessary for the general administration of association business.

Section 2. Composition

The Board of Directors shall consist of the President, President-elect, First, Second, and Third Vice-Presidents, Secretary, Treasurer, Sergeant-at-Arms, a District Representative representing each of the State's Judicial Circuits, the Past Presidents of the association, and a Retiree Representative.

Section 3. Duration

Directors shall, upon election, immediately enter into the performance of their duties upon being installed at the Annual Meeting of the association and shall continue in office until their successors shall be duly elected and installed, or unless he or she resigns, is removed, or is otherwise unable to fulfill an unexpired term.

Section 4. Meetings

Except that the Board of Directors shall have a regular meeting at the time and place of the Annual Meeting, the Board shall meet upon call of the President at such times, at the offices of the association, as he or she may designate, and shall be called upon demand of a majority of its members. Notice of all meetings of the Board of Directors shall be sent by mail or other mode of transmittal to each member of the Board at his or her last recorded address at least ten (10) days in advance of such meetings.

Section 5. Quorum

A quorum will constitute fifteen (15) members of the Board of Directors. A quorum can constitute a teleconference, video conference or electronic attendance. A quorum does not require physical attendance.

Section 6. Order of Business

The order of business at meetings shall be set by the President and Executive Director and made available prior to the Board meeting. The usual parliamentary rules as laid down in *Robert's Rules of Order* shall govern all deliberations, when not in conflict with these bylaws.

Section 7. Executive Committee

The Executive Committee of the association shall consist of the President, the president-elect, and the First, Second, and Third Vice-Presidents, Immediate Past President, Secretary, Sergeant –At-Arms, and Treasurer; serving as ex-officio General Counsel and Executive Director

The Executive Committee shall, in an emergency, act upon the business of the Association. Such action shall be of a temporary nature and shall require a vote of the Board of Directors to become permanent. The Board of Directors shall be notified of actions taken by the Executive Committee as soon as is practical and by the most expedient method. Five members shall constitute a

quorum for the transaction of business. Meetings may be called by the President or by a majority of the members of the Executive Committee.

It shall be the responsibility of the Executive Committee to oversee the activities of the employees of the association and to make such recommendations, as may be appropriate concerning the same to the Board of Directors.

Section 8. Compensation

Directors as such shall not receive any compensation for their services as Directors, but the Board may, by resolution, authorize reimbursement of expenses incurred in the performance of their duties. Such authorization may prescribe procedures for approval and payment of such expenses by designated officers of the association. Nothing herein shall preclude a Director for serving the association in any other capacity and receiving compensation for such services.

Section 9. Resignation or Removal

Any Director may resign at any time by giving written notice to the President or to the Board of Directors. Such resignation shall take effect at the time specified therein, or, if no time is specified, at the time of acceptance thereof as determined by the President or the Board.

Section 10. Vacancies

Any vacancies that occur on the Board by reason of death, resignation, or otherwise may be filled by the nomination of the President and election by the members of the Board for the unexpired term.

Article IX ~ Officers

Section 1. Elective Officers

Officers of the association, elected on a state-wide basis, shall be a President, President-elect, First, Second and Third Vice-President, Secretary, Treasurer, Sergeant-at-Arms, Immediate Past President and a Retiree Representative. Furthermore, members shall elect a District Representative for each of the State's Judicial Circuits.

Section 2. Duties

a. President

The President shall serve as Chief Elected Officer and Chairman of the Board of Directors of the association. If the President loses his or her standing as an Active (a) or (b) member, he or she shall have ninety (90) days to regain such standing. Should such standing not be regained within said period of time, the President shall be removed from the office. The President shall preside at meetings of the association and the Board of Directors and of the Executive Committee, and shall be an ex-officio member, with the right to vote, of all committees except the Nominating Committee. The President shall also, at the Annual Meeting of the association and at such other times as are deemed proper, communicate to the association or to the Board of Directors such matters and suggestions as may in his opinion tend to promote the welfare and increase the usefulness of the association, and shall perform such other duties as are necessarily incident to the office of President or as may be prescribed by the Board of Directors. Unless otherwise provided, the President shall appoint such committees and chairpersons as necessary. The President shall be the principal representative and spokesperson of the association. The President shall appoint a Chaplain of choice to serve during the tenure of the President.

b. President-elect

The president-elect shall serve as the immediate rising Chief Elective Officer. The president-elect shall act in the absence of the President in all capacities listed above and shall assist in conducting the affairs of the association. The president-elect shall serve as an ex-officio member of each standing committee.

c. First Vice-President

The First Vice-President shall serve as the immediate rising president-elect. The First Vice-President shall be the Chairman of the Strategic Planning Committee and serve as an ex-officio member of each standing committees.

d. Second Vice-President

The Second Vice-President shall serve as the immediate rising First Vice-President. The Second Vice-President shall be the Chairman of the Constitution and Bylaws Committee and serve as an ex-officio member of each standing committees.

e. Third Vice-President

The Third Vice-President shall serve as the immediate rising Second Vice-President. The Third Vice-President shall be an ex-officio member of each standing committees.

f. Secretary

The Secretary shall be responsible for ensuring the recordation of all proceedings of the association and/or the Board of Directors, and shall maintain the official minutes after approval of the same by the Board of Directors. The Secretary shall attest all official documents and perform such other duties as are usual for such office.

g. Treasurer

The Treasurer shall keep an accurate record of all receipts and disbursements of association funds. The Treasurer shall serve as Chairperson of the Finance Committee and assist in the preparation of the annual budget. The Treasurer shall receive and review the regular audits of association finances and present the annual budget to the Board of Directors. The Treasurer shall present a statement of finances at the Annual Conference.

h. District Representatives

The District Representative shall be the senior association official for his or her respective District. Each shall hold, at a minimum, a District-wide Spring and Fall meeting to conduct District business and encourage prospective members to join the association. District Representatives shall, at each regularly scheduled Board of Directors meeting, present a report of the concerns of members in his or her District and will present a report of his or her monthly activities to the President as well. District representatives shall represent the district in which they are employed, assigned, or reside. District Representatives shall also submit a quarterly report to the President on or before Board of Directors Meetings.

i. Immediate Past President

The Immediate Past President shall be the Chairperson of the Nominating Committee.

j. Sergeant-at-Arms

The Sergeant-at-Arms shall perform those duties pertaining to the maintaining of good order for association meetings and shall perform such other duties and responsibilities as shall be assigned by the President.

k. Retiree Representative

The Retiree Representative shall serve on the Board of Directors and support the interest of retired members of the association.

1. Chaplain

The Chaplain shall provide spiritual guidance to the association.

Article X ~ Election of Officers

Section 1. Qualifications

- (a) All elected officers of the association shall be, and shall have been, Active (a), (b) or (c) members for no less than three (3) consecutive years. In no event shall a member hold more than one elected office per term and in no event shall a member seek more than one elected office per term. In order to serve as the Retiree Representative, the individual must have retired as a full time law enforcement officer and be in good standing with your last agency of record.
- (b) District Representatives may only serve in the Judicial Circuit in which they are employed and/or assigned.

Section 2. Term

- (a) Each statewide officer of the association shall serve in his or her respective office for a period of approximately one (1) year, beginning with the Installation Ceremony at the Annual Conference and ending, unless otherwise earlier terminated under the provisions of these bylaws, at the Installation Ceremony next ensuing. In the event there should be no Annual Conference, or should the date of the Annual Conference be more than one year after the previous Annual Conference, the Board of Directors shall determine the appropriate time and place for the installation of new officers. In any such event, duly installed officers shall serve until such time as their respective successors shall be installed.
- (b) District Representatives elected in even numbered districts shall serve a two-year term of office with the first year of service being an even numbered year. The District Representatives elected in odd numbered districts shall serve a two-year term of office with the first year of service being an odd numbered

year. The term shall begin with the Installation Ceremony at the Annual Conference and ending, unless otherwise earlier terminated under the provisions of these bylaws, at the Installation Ceremony next ensuing. In the event there should be no Annual Conference, or should the date of the Annual Conference be more than one year after the previous Annual Conference, the Board of Directors shall determine the appropriate time and place for the installation of new officers. In any such event, duly installed officers shall serve until such time as their respective successors shall be installed.

- (c) Retiree Representative is elected in even numbered years and shall serve a two-year term of office with the first year of service being an even numbered year. The term shall begin with the Installation Ceremony at the Annual Conference and ending, unless otherwise earlier terminated under the provisions of these bylaws, at the Installation Ceremony next ensuing. In the event there should be no Annual Conference, or should the date of the Annual Conference be more than one year after the previous Annual Conference, the Board of Directors shall determine the appropriate time and place for the installation of new officers. In any such event, duly installed officers shall serve until such time as their respective successors shall be installed. If, while serving as the Retiree Representative, the Representative returns to active status in law enforcement, he/she will be required to vacate that position immediately.

Section 3. Succession

- (a) The Third Vice President shall automatically become the Second Vice President after a year of service. Likewise, the Second Vice President shall become the First Vice President, the First Vice President will automatically become the president-elect, the president-elect will become the President, and the President will automatically become the Immediate Past President after a year of service.

- (b) In the event that more than one Vice President position becomes available, interested candidates should simply apply and campaign for the position of Vice President. The Vice President positions will be filled by the individual receiving the most votes. The individual receiving the second most votes will fill the next Vice President position, and so forth until all seats have been filled.
- (c) No person may serve as President without having served in, and been duly elected by the general membership to a Vice President's position.

Section 4. Requalification

If an elected officer loses his or her standing as an Active (a) or (b) member, said members shall have ninety (90) days to regain such standing. Should such standing not be regained within said period of time, the officer shall be removed from the office.

Section 5. Administration of Elections

- (a) The Third Vice President, Secretary, Treasurer, and Sergeant-at-Arms shall be elected annually by ballot of the Active (a), (b), (c) and (d) members, Retired members, and Past President's who are life members on a state-wide basis.
- (b) The District Representatives shall be elected bi-annually, even district representatives in even years and odd district representatives in odd years, by ballot of the Active (a), (b), (c) and (d) members, Retired members, and Past President's who are Life members within the Judicial Circuit in question.
- (c) Each member possessing a voting franchise shall be entitled to only one (1) vote.
- (d) Elections are to be conducted according to procedures promulgated by the Elections Committee and approved by the Board of Directors. The results of

the election of officers shall be tabulated and announced at the Annual Conference.

- (e) If impossible to hold an Annual Conference, such elections shall take place, and the results thereof duly announced, as shall be determined by the Elections Committee and approved by the Board of Directors.
- (f) Within the guidelines of this document and *Robert's Rules of Order*, the conduct of elections shall be accomplished under the auspices of the Elections Committee.
- (g) When selecting District Representatives, each member possessing a voting franchise may only vote for the District Representative representing the Judicial Circuit in which they are employed.

Section 6. Removal from Office

Any officer may be suspended from office for cause by two-thirds (2/3) vote of the Board of Directors. The affected officer shall have the right to a hearing before the Board within thirty (30) days of his or her suspension. Subsequent to the hearing, the Board by two-thirds (2/3) vote shall either remove or restore said officer to office.

Section 7. Vacancies

- a) In the event of a vacancy or disability to serve in any Statewide or District office, said vacancy may be filled by nomination of the President and election by the Board of Directors and such person so elected shall serve for the duration of the unexpired term.
- b) In the event of a vacancy in a Vice President's position, all remaining Vice Presidents should ascend until all Vice Presidents' positions are filled. The President may then appoint, with the approval of the Full Board of Directors, a qualified member to the Third Vice President's position to fulfill the remainder of that year's term. Should that individual wish to remain on the

Board as a Vice President, he or she would have to be elected by the Association's membership before earning the ability to naturally ascend through the chairs to the President's position.

Article XI ~ Committees

Section 1. Standing Committees

There shall exist the following Standing Committees:

- a. Awards
- b. Heroes Helping Heroes
- c. Bass
- d. Ben Willoughby
- e. Conference
- f. Constitution and By laws
- g. Elections
- h. Golf
- i. Legal Representation
- j. Legislative and Retirement
- k. Membership
- l. Memorial
- m. Nominating
- n. Olympics and Powerlifting
- o. Pistol
- p. Scholarship
- q. Strategic Planning
- r. Training

Each Standing Committee shall render quarterly reports of its activities to the President and Board of Directors.

Section 2. Ad Hoc Committees

The President shall appoint such ad hoc committees, as he or she may deem necessary to further the business of the association.

Article XII ~ Association Funds

Section 1. Dues

Annual dues shall be required of all members, except Honorary or Life members. The amount of the annual dues shall be determined by the Board of Directors.

Section 2. Authorized Purpose

No funds shall be utilized for any purpose other than those stated for this association.

Section 3. Controls

All funds of the association shall be maintained in a banking account or accounts in a banking institution insured by FDIC located within, or in close proximity to, the state capitol, as approved by the Board of Directors, and shall be maintained by the Treasurer. No other accounts shall be maintained in the name of the association.

Section 4. Grants and Donations

The President of the association or any member duly designated by the President may make application to governmental agencies, philanthropic organizations, corporations, or persons for grants or contribution of funds or property appropriate to the purposes of the association. No application shall be made to, or contribution received from, any person, agency or organization without first determining that such grant or contribution to the association would be motivated by a desire to further the purposes of the association and not to derive personal benefit or privilege to the donor. No such grants or contributions shall be accepted without the prior approval of the Board of Directors having been first obtained.

Section 5. Administration of Grants and Donations

Any grant or contribution received by the association shall be credited to the general fund unless the terms thereof dictate otherwise. The budgeting, receipt, custody and disbursement of any such grant or contribution shall follow the procedure utilized for general funds of the association, unless the terms of the grant or contribution dictate otherwise.

Article XIII ~ Fiscal Year

The fiscal year provided by these Bylaws shall be the period beginning with the first day of July in each year and ending on the thirtieth day of June of the succeeding year.

Article XIV ~ Dissolution

On dissolution of the association, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific or philanthropic organizations as may be selected by the Board of Directors.

Article XV ~ Amendments

Proposed amendments to these Bylaws must first be submitted to the Constitution and Bylaws Committee for review. Upon approval of the same by said Committee, the same shall be submitted to the Board of Directors for review. Upon approval of the same by the Board of Directors, the proposed amendment(s) shall appear on the annual ballot provided to the voting membership. Two-thirds vote of ballots cast are required to pass any proposal.

Article XVI ~ Repeal of Prior Constitution and Bylaws

Upon the adoption of this Constitution and Bylaws, the same shall supersede and replace all such prior instruments of the association.

Revised 11/11