

SOUTHWEST FLORIDA POLICE CHIEFS ASSOCIATION INC.

(A Florida Not-For-Profit 501 (C) (3) Corporation)

BYLAWS



ARTICLE I

PURPOSE AND GOALS

The purpose of the Association is to promote efficient law enforcement services through the cooperation and coordination of all law enforcement agencies within Southwest Florida. The goals of the Association are:

1. To uphold the honor of law enforcement;
2. To advance the sciences of crime prevention, detection, and apprehension of criminals;
3. To promote the advancement of police administration;
4. To establish and elevate the standards in all phases of law enforcement;
5. To seek out and evaluate systems for the prevention of crime and the apprehension of the guilty;
6. To keep abreast of the laws of the State of Florida as well as municipal and county ordinances, within Southwest Florida, and maintain communications with the lawmakers at all levels for the promotion of legislation for public safety;
7. To maintain open channels of communication with congressional and state legislators, representing the Southwest Florida region for the promotion of legislation for public safety;
8. To promote cooperation and communication between all governmental and law enforcement officials in Southwest Florida.
9. To promote cooperation and communication between all law enforcement agencies and the residential, and business communities in the Southwest Florida region.

ARTICLE II

MEMBERSHIP QUALIFICATIONS

REGULAR MEMBER: The highest full-time commanding officer of any local law enforcement agency, public safety academy, or state attorney's office, such as Commissioner, Administrator, Director, Chief, Sheriff, or the like, having actual responsibility of any law enforcement agency or affiliation with law enforcement, such as any public safety academy or state attorney's office or any full-time commanding officer of any federal or state law enforcement agency, such as an area commander having jurisdiction in the Southwest Florida area. Only one member of any agency may be classified as a Regular member. The Secretary, regardless of class of member, shall be considered a regular member.

ASSOCIATE MEMBER: A duly sworn law enforcement or constitutional officer of a legally constituted law enforcement agency within Southwest Florida, who is assigned at a command level position, and has been recommended by the individual in charge of that agency, or one who has been recommended by a regular member. Associate Members will have voting privileges as associate members, and they may hold any office within the organization with the exception of the office of President, which is restricted to a regular member who is a Chief Executive with a legally constituted law enforcement agency within Southwest Florida.

In the event a regular member cannot attend a meeting, he/she may designate an associate member as his/her representative to vote in his/her proxy. Said designation must be presented in writing to the presiding officer.

SUSTAINING MEMBER: To be a sustaining member, the applicant must be a person in good standing within their community who has shown a strong desire to further the aims of quality law enforcement. The applicant must be proposed by a regular member of the Southwest Florida Police Chiefs Association, and must receive a unanimous recommendation of approval by the Board of Directors present. With the exception of not-for-profit organizations, annual dues of sustaining members shall be \$100.00. Sustaining members may attend and participate in meetings, but shall have no voting privileges.

HONORARY MEMBER: The Association may choose to honor any person by majority vote of the regular members present, with an honorary membership. An honorary member may participate in meetings, but has no voting privileges and may not hold any elected office within the Association. An honorary member is someone without the necessary qualifications, usually because of their public achievement.

LIFETIME MEMBER: Any member, who has served as a regular member of the Association for a minimum of five (5) years as an active member, and is now retired from law enforcement shall be considered for a lifetime membership. Such membership shall require a vote of affirmation by two-thirds of the regular members present at a regular meeting. Such a member shall not have a voting privilege or hold elected office; however they may participate in meetings and committees.

SUSPENSION OF MEMBERSHIP: Any member of the Association who has been charged with a criminal offense or is being administratively investigated for any misconduct that would bring discredit to the Association, will have their membership suspended by a majority vote until such time as the member is proven innocent or guilty. If the criminal or administrative investigation results in being convicted/sustained and/or termination from agency due to conduct, membership will be revoked utilizing the procedures set forth below.

REVOCATION OF MEMBERSHIP: Any member, who has had their membership suspended as stated above, may have that membership revoked from the Association by a majority vote of the regular members present at a regular meeting, only after due process has run its course in the case(s) pending against that member. Once membership has been revoked, there will be no means available for membership to be awarded to that individual.

ARTICLE III

APPLICATION FOR MEMBERSHIP

SECTION 1 – MEMBERSHIP APPLICATION PROCESS

Individuals seeking membership in the Association must submit an online application through the Association's official website: <http://swfpca.org/>. Applications shall be directed to the Membership Committee scheduled meeting for review.

The Membership Committee shall evaluate all submitted applications and present its recommendation to the Association within sixty (60) days of receipt. A vote on the application shall be conducted by the membership at a regularly scheduled meeting.

SECTION 2 – MEMBERSHIP ELIGIBILITY CRITERIA

Applicants currently under criminal investigation or investigation for violations of Florida Statutes (F.S.) §943.13(4), Florida Administrative Code (F.A.C.) Rule 11B-27.0011, or for any conduct that could bring disrepute upon the Association shall not be considered for membership until the conclusion of such investigation.

If the investigation results in a criminal conviction, a sustained administrative violation, and/or termination from a law enforcement agency due to the aforementioned violations or conduct, the applicant shall be deemed ineligible for membership in the Association.

SECTION 3 – MEMBERSHIP APPLICATION VETTING PROCEDURE

A. REGULAR MEMBERSHIP APPLICANTS

The Membership Committee shall conduct a comprehensive review of each applicant, including but not limited to the use of public records requests, open-source information, and other relevant investigative tools. This review is to ensure that the applicant has not been terminated from any law enforcement agency for violations of F.S. §943.13(4) or for breach of moral character standards as defined in F.A.C. Rule 11B-27.0011.

B. ASSOCIATE MEMBERSHIP APPLICANTS

For Associate Member applications, the Membership Committee shall contact the applicant's employing agency head (e.g., Chief, Sheriff, or Chief Executive Officer) to verify the applicant's current employment status and standing. Additionally, the Committee shall confirm that the applicant has no history of termination for violations of F.S. §943.13(4) or any established violations of moral character standards as defined by F.A.C. Rule 11B-27.0011.

SECTION 4 – MEMBERSHIP APPROVAL PROCESS

Upon completion of the vetting process, the Membership Committee shall present its findings and recommendation to the Association at a regularly scheduled meeting, no later than sixty (60) days from the date of application receipt. Following this presentation, a vote shall be conducted by the membership to determine the approval or denial of the

application. The applicant will be notified of the membership's decision by the President within ten (10) days after the meeting.

ARTICLE IV

ANNUAL DUES - INITIATION FEE

The fiscal year of the Association begins on October 1st. Annual dues for all members of the Association, to include not-for-profit Sustaining Members is \$75.00. All other Sustaining Members will be at a rate of \$100.00. Annual dues for all members of the Association are payable October 1st. Initial members joining the Association after July 1st will have their annual dues carried over to the next fiscal year. A member who has been affirmed as a Lifetime Member by vote, will be exempt from the annual dues requirement.

Any member, who fails to pay his/her dues before December 1st of the applicable year, shall automatically be suspended with loss of membership privileges. Failure to pay will be immediately reported to the Secretary by the Treasurer. The Secretary will notify the delinquent member in writing immediately, with a copy of the notification forwarded to the President. If the delinquent member fails to pay dues within forty-five (45) days of notification, the member's name will be stricken from the rolls of the Association. If the person seeks to rejoin the Association after being stricken from the rolls, they will be required to make a new application through the Membership Committee.

ARTICLE V

OFFICERS OF THE ASSOCIATION

The officers of the Association shall consist of the following:

President;

Vice-President;

Secretary;

Treasurer; and

Immediate Past President

The office of the Secretary and the Treasurer may be occupied by the same individual/officer.

ARTICLE VI

DUTIES OF OFFICERS

SECTION 1- DUTIES OF THE PRESIDENT

The Chief Executive Officer of the Association shall be the President. The President shall be a regular member of the Association, and the Chief Executive Officer of a legally constituted law enforcement agency within Southwest Florida. The President shall execute

any and all instruments and documents to be executed in the name of the Association. The President will preside over all meetings of the Association as per established Parliamentary Procedure and the Bylaws of the Association. The President will **vote only to break a tie vote of the regular members of the Association**, and shall be an ex-officio member of all committees. The President will appoint all standing committees and may appoint special committees as necessary. The President will also appoint the Chairman of each committee within the Association.

SECTION 2 - DUTIES OF THE VICE-PRESIDENT

The Vice-President shall aid and assist the President in conducting the meetings, and in the absence of the President, shall preside, and while so presiding, shall have the full powers and authority of the Office of President.

SECTION 3 - DUTIES OF THE SECRETARY

The duties of the Secretary of the Association shall include the duties ordinarily performed by a recording secretary. The Secretary shall have full charge of the minute book and the general roll book of the Association. The Secretary will maintain an attendance log at each regular meeting, and special meeting, and maintain records of membership status. The Secretary shall keep an accurate record of the proceedings of the meetings. The Secretary shall read the minutes of the previous meetings, all communications, reports, and petitions. The Secretary will notify officers of their appointment to committees. The Secretary shall keep the Seal of the Association. The Secretary shall further provide a copy of the Charter and the Bylaws of the Association to each member, and it will be the duty of the Secretary to notify any member of the Association who falls behind in dues or attendance.

SECTION 4 - DUTIES OF THE TREASURER

The Treasurer shall attempt to collect all monies due and membership dues of the Association, giving receipt thereof, and keep suitable books and records of same. All monies shall be deposited in a bank in which the Association has an account, and a detailed statement shall be given at each regular meeting of the Association showing all transactions and balances. The Treasurer will draw all checks on the treasury of the Association. The Treasurer can authorize expenditures for marketing, financial auditing, certification requirements, and payment of services up to \$800.00 as authorized by the President with the consent of the Board of Directors. Expenditures greater than \$800.00 must be approved by the Association by two-thirds vote of the membership in attendance of a regular meeting, with the exception of luncheon expenses. The books and records of accounts, as well as all papers in the custody of the Treasurer shall be open for examination to any regular member of the Association.

SECTION 5 – DUTIES OF THE IMMEDIATE PAST PRESIDENT

To facilitate continuity in the management of the Southwest Florida Police Chiefs Association, the Immediate Past President is established to act as an advisor and member of the Board of Directors. The Immediate Past President shall be the outgoing President.

THIS SPACE INTENTIONALLY LEFT BLANK

ARTICLE VII

ELECTION OF OFFICERS

SECTION 1 - At the regular meeting in December of each year ending in an odd number, the Association shall elect the following officers to represent the Association: President, Vice-President, Secretary, and the Treasurer.

SECTION 2 - Each officer elected will hold office for two (2) years beginning January 1st of the following year ending in an even number.

SECTION 3 - Nominations for all elected offices shall be made by the Nominating Committee which shall consist of the current and past Presidents of the Association and will be made at the regular monthly meeting in November. Nominations will also be received from the regular members and associate members in attendance at the meeting.

SECTION 4 - In order to qualify for elective office, a person desiring to hold office must be an active regular or associate member in good standing with the Association, depending upon the position to be considered. In addition, a member must have attended at least fifty percent of the meetings held during the previous twelve months at time of nomination and cannot miss three (3) meetings in succession during that same period. This provision can be waived at the discretion of the majority of the Nominating Committee.

SECTION 5 - In the event a vacancy occurs of any office of the Association, the Nominating Committee will submit their recommendations to the general membership for approval. Nominations may also be made by any regular or associate members from the floor.

SECTION 6 - If two (2) or more candidates are nominated for any office, the election will be conducted by secret ballot.

ARTICLE VIII

MEETINGS

Regular meetings, unless authorized by the President at a previous meeting, shall meet on the fourth (4th) Wednesday of February, April, June August, October and December at a time and place designated by the President. Each meeting of the Association will be opened by the Pledge of Allegiance to the Flag of the United States. Special meetings of the Association may be called at any time by the President or upon written request of not less than seven (7) regular and/or associate members. Notice shall be required for holding such special meetings stating the time, place, and nature of business to be transacted. Only that business mentioned in the notification shall be held at a special meeting. A quorum will consist of at least twenty-five percent (25%) of the agencies that make up the Association. No official business shall be transacted or binding on the Association unless there shall be in attendance a quorum. The rules contained in Robert's Rules of Orders, Revised, shall govern this Association in all cases to which they are applicable, and not inconsistent with the Bylaws of the Association. The order of business will be conducted as follows:

1. Calling the meeting to order and Pledge of Allegiance
2. Prayer or moment of silence
3. Introduction of guests and programs
4. Roll call of members
5. Report of the Secretary - Minutes of the previous meeting
6. Report of the Treasurer - Bills acted upon
7. Committee reports
8. Other reports
9. Program Speaker, if applicable
10. Old or unfinished business
11. New business
12. Vendor requests
13. Adjournment

ARTICLE IX

METHOD OF CHANGING THE ASSOCIATION BYLAWS

The Bylaws of the Association may be amended after such change has been sent to, and reviewed by, the Bylaws Committee. The Bylaws Committee itself may suggest revisions of the Bylaws. Any modification of the Bylaws must be read at two (2) consecutive regular meetings of the Association or one (1) regular meeting and one (1) special meeting convened by the President or upon written request of not less than seven (7) regular and/or associate members as long as a quorum exists at all meetings. After the second reading, a vote will be taken and a majority of the regular members present at the second meeting is necessary to authenticate any change in the Bylaws of the Association.

ARTICLE X

STANDING COMMITTEES

SECTION 1 - All committee appointments shall be made by the President with the exception of the Nominating Committee. The President shall also appoint the Chairman of each Committee, with the exception of the various standing committees, to exist no longer than one (1) year.

SECTION 2 - NOMINATING COMMITTEE

A Nominating Committee shall be established and shall consist of regular or associate members. The Immediate Past President will serve as chair of this committee or a designee appointed by the President, if the Immediate Past President is unavailable. These members shall meet prior to the business meeting in November to nominate candidates for the offices to be filled for the next year. The Nominating Committee Chair shall report the committee's recommendations to the general membership at the business meeting in December.

SECTION 3 - MEMBERSHIP COMMITTEE

The Membership Committee shall consist of regular or associate members. This committee shall present the application of all candidates for admission to the Association. The Membership Committee will make their recommendation at a regular meeting of the Association with regard to each application for membership. At this regular meeting, all applications submitted shall be voted on by the regular membership requiring two-thirds (2/3) vote to approve any application for membership. The Membership Committee shall be consulted on all questions pertaining to membership in the Association.

SECTION 4 - PROGRAM COMMITTEE

The Program Committee shall consist of regular or associate members. This committee shall be available at the direction of the President to organize programs or social functions. This committee should bear in mind the overall goals of the Association when developing their programs.

SECTION 5 - BYLAWS COMMITTEE

The Bylaws Committee shall consist of regular or associate members. They shall be charged with the duty and responsibility of preparing for submission to the Association such amendments, modifications, or changes to the Bylaws as may be desired by the majority vote of the regular membership.

SECTION 6 – AWARDS COMMITTEE

The Awards Committee shall consist of regular or associate members. They shall be charged with meeting annually, prior to the November meeting, to review and prepare all nominations for Officer and Civilian of the Year Awards, President's Award, Chief Executive of the Year Award, and Command Officer of the Year Award to be presented to the Association for a vote.

SECTION 7 – EDUCATION AND SCHOLARSHIP COMMITTEE

The Education and Scholarship Committee shall consist of regular or associate members. They shall be charged with the duty and responsibility of preparing for submission to the Association any education-based awards or other scholarships proposed by a member of the Association. Approval of any education-based awards or scholarships shall require the majority vote of the members present at a regular meeting.

SECTION 8 - MUTUAL AID RESPONSE COMMITTEE

The Mutual Aid Response Committee shall consist of both regular and associate members. This committee is responsible for fostering and maintaining relationships with the Florida Police Chiefs Association (FPCA) and regional associations, such as the Miami-Dade Police Chiefs Association, to facilitate mutual aid requests. In the event of a request for mutual aid in response to natural disasters, man-made incidents, or other large-scale events, the committee will support SWFPCA member agencies in coordinating response efforts. This includes organizing response schedules, staffing, resource management, reimbursement, and other related tasks.

ARTICLE XI BOARD OF DIRECTORS

SECTION 1 - The business affairs of the Association shall be managed by the Board of Directors. The Board of Directors shall be elected bi-annually in December. The number of Directors maybe increased occasionally by the Bylaws, but shall never be less than three (3) members.

SECTION 2 - The Board of Directors shall be the elected officers outlined in Article VI of the Bylaws of the Association.

SECTION 3 - Members of the Board of Directors shall be elected, with the exception of the Immediate Past President, and hold office in accordance with the Bylaws of the Association.

ARTICLE XII CORPORATE ADDRESS

The corporate address of the Southwest Florida Police Chiefs Association, Inc. shall be P.O. Box 1209, Fort Myers, Florida 33902. This address shall be used by the Treasurer to conduct the business of the Southwest Florida Police Chiefs Association, Inc.

ARTICLE XIII DISSOLUTION OF ASSOCIATION

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

THIS SPACE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE

Pamela R. Smith, President

Anthony Sizemore, Vice-President

Robert Taylor, Treasurer

Tracy Frazzano, Secretary