

BYLAWS OF THE
DELAWARE ASSOCIATION OF CHIEFS OF POLICE, INC.

AS AMENDED TO: DECEMBER 2021

BYLAWS

ARTICLE I

NAME:

Section 1 This organization shall be known as the “Delaware Association of Chiefs of Police, Inc.”

ARTICLE II

OFFICERS:

Section 1 President

The President shall preside at all meetings of the Association and shall enforce order and strict compliance with these Bylaws and such rules and regulations as may be adopted in pursuance thereof. He/She shall appoint all standing and special committees and shall serve as an ex-officio member of all committees.

Section 2 Past President

The Past President shall advise and assist the President at his/her request. They shall serve on the Board of Directors until they are no longer employed by the active membership agency which permitted the same to qualify for active membership.

Section 3 Vice President

The Vice President, in the absence of the President, shall perform all the duties of the President.

The Second Vice President, in the absence of the President and the Vice President, shall perform all the duties of the President.

Section 4 Secretary

The Secretary shall take and transcribe minutes of all the meetings of the Board of Directors and the membership, shall distribute the minutes to all of the members, and shall submit the same for approval or amendment at the next meeting thereof. He/She shall conduct the general correspondence of the Association.

Section 5 Treasurer

The Treasurer shall have general charge of all dues and monetary earnings of the Association and shall deposit and maintain such funds in a bank account in the name of the “Delaware Association of Chiefs of Police, Inc.” He/She shall have power to draw, sign, and issue checks, drafts, and money orders for the withdrawal of the Association funds therefrom for prompt payments of all lawful obligations of this Association which have been approved by the membership of the Association. He/She shall render a report in writing of the financial condition of the Association at each monthly membership meeting. He/She shall, at the expiration of his/her term of office, within ten (10) days, turn over to his/her successor all money, securities, books, and records in his/her possession.

STAFFING:

Section 1 The Board of Directors may engage an Executive Director (the term to be used interchangeably with the term “Coordinator for Police Services”) who, under the direction of the Board, shall be responsible for the day-to-day activities of the Association and who shall be available to provide staff assistance to member agencies and to the Board of Directors. The further duties of the Executive Director are as specified by the Manual for Officers and Directors, and as further outlined in a contract between the Executive Director and the Board of Directors.

Section 2 The Board may engage a Legal/Legislative Advisor whose duties shall include researching and developing proposed legislation, interpreting existing legislation, advising on the general activities of the Association, and providing limited legal services to member agencies. Legal services to member agencies shall be consistent with Article X of these Bylaws.

Section 3 The Board may engage an Executive Assistant to provide computer, secretarial, and managerial assistance services to the Council.

ARTICLE III

BOARD OF DIRECTORS

Section 1 The Board of Directors shall consist of the President, Past President, Vice President, Second Vice President, Secretary, Treasurer and five (5) trustees appointed by the President. The five (5) Trustees shall consist of one (1) trustee from New Castle County, one (1) trustee from Kent County, one (1) trustee from Sussex County and two (2) At Large Trustees serving the Chairman at his/her request. Only the active membership, who are Chiefs of Police or Police Chief Executives of a member agency of the Association, shall qualify as a member of the Board of Directors, including the elected offices.

Section 2 The Board of Directors shall conduct the routine affairs of the Association to which it shall regularly report. Any appeals from contested actions of the Board of Directors shall be to the active membership of the Association.

Section 3 The duties of the Board of Directors of the Association are as specified in the Manual for Officers, Directors, Committee Chairmen and Committee Members as adopted by the membership.

Section 4 The Board of Directors shall be empowered to censure, suspend, or expel from office any elected or appointed officer; or from active membership in the Association, any active member for a violation of the Canon of Ethics. Such sanctions shall require a majority vote of the Board of Directors and may be appealed to the full active membership. The procedure for disciplinary hearings shall be as specified in the Manual for Officers, Directors, Committee Chairmen and Committee Members as adopted by the membership.

Section 5 Board of Director's Vacancy

If a member of the Board of Directors shall fail to attend three consecutive regular monthly meetings of the Association the President may declare the office vacant. If a member of the Board of Directors shall retire or resign from his/her unit of government, the President shall declare the office vacant. If the office declared vacant is an elected office, the President may appoint a qualified member of the Association, with the concurrence of a majority of the remaining members of the Board of Directors, to complete the unexpired term. If the office declared vacant is that of a Trustee, the President may appoint a qualified successor to serve at his/her request.

ARTICLE IV

COMMITTEES

Section 1 There shall be standing committees as follows:

Legislative
Planning/Goals
Bylaws and Publicity
Elections
Communications and Technology
Annual Staff Development Seminar
Small Agencies
Firearms/Anti-Terrorism
Training
Substance Abuse
Professional Standards

Section 2 Items for Publication

No members of the Association shall print, or cause to be printed, any item concerning the affairs of the Association without said item first having been favorably recommended by the Board of Directors.

ARTICLE V

MEETINGS:

Section 1 Meeting Date, Time and Place

The regular monthly meetings of the general membership of the Association shall be held on the second Tuesday of each month at a time and location in the area of Dover designated by the President and approved by the Board of Directors. The monthly meeting held in conjunction with the Annual Staff Development Seminar shall be held at a time and location designated by the President. Representatives of one-third of the active membership agencies shall constitute a quorum. All Board of Directors meetings shall be held at a date, time and place at the direction of the President and five members of the Board of Directors shall constitute a quorum.

Section 2 Attendance at the Annual Staff Development Seminar

In order that an active member of the Association be permitted to attend the Annual Staff Development Seminar utilizing the benefits from Aid to Local Law Enforcement monies in connection therewith, the active member, or his proxy, must attend at least four monthly membership meetings of the Association in the twelve-month period immediately prior to the Annual Staff Development Seminar, excluding the May membership meeting.

ARTICLE VI

CONDUCT OF MEETINGS:

Section 1 Order of Business

At all meetings of the general body of the Association, the order of business shall be as follows:

- (a) Flag Salute
- (b) Prayer
- (c) Roll Call
- (d) Special Guest Speaker
- (e) Reading of Minutes of Previous Meeting
- (f) Report of Legal Advisor
- (g) Reports of Committees
- (h) Treasurer's Report
- (i) Old Business
- (j) New Business
- (k) Open Discussions/Issues and Answers/Good of the Order
- (l) Adjournment

Section 2 Roll Call

Each agency's name shall be called by the Secretary.

Section 3 Voting Members; Active Membership, Category A

Voting members shall consist of the active membership pursuant to Article VII, Sections 1 and 2, who are in good standing and according to the following schedule:

In departments with fewer than 10 full-time sworn personnel, voting shall be limited to a single vote to be cast by the Police Chief or Police Chief Executive.

In departments of at least 10 but not more than 99 full-time sworn personnel, voting shall be limited to the Chief of Police or Police Chief Executive and one other vote to be cast by the next senior ranking member of the department present and desiring to vote.

In departments of at least 100 but not more than 299 full-time sworn personnel, voting shall be limited to the Chief of Police or Police Chief Executive and two other votes to be cast by the next two senior ranking members of the department present and desiring to vote.

In departments of at least 300 or more full-time sworn personnel, voting shall be limited to the Chief of Police or Police Chief Executive and three other votes to be cast by the next three senior ranking members of the department present and desiring to vote.

Proxy votes shall be permitted only for Chiefs of Police or Police Chief Executives, and only when authorized in writing.

Section 4 Voting Members; Active Membership, Category B

Voting members shall consist of the active membership pursuant to Article VII, Sections 3 and 4, who are in good standing.

Category B. departments shall be limited to a single vote to be cast by the Police Chief or Police Chief Executive.

Proxy votes shall be permitted only when authorized in writing. The person representing the Proxy vote must be present to vote.

ARTICLE VII

MEMBERSHIP:

Section 1 Active Membership

Active membership shall be the Chief of Police or Police Chief Executive required to be trained under the provisions of the Association on Police Training and whose personnel are full-time police officers of a unit of government also required to be trained under the provisions of the Council on Police Training. Category A active members shall be statutorily responsible for general policing activities in their jurisdiction, including prevention or investigation of crime involving injury to persons or property and the regular enforcement of traffic laws and authorized by law to execute search warrants and to make arrests. Membership in the Association shall be determined by a vote of the membership of the Association after a recommendation by the Board of Directors. The active membership list shall be maintained by the Secretary.

Section 2 Additional Active Membership; Category A

Eligibility for active membership in addition to that in Section 1 shall include Acting Chiefs or Acting Police Chief Executives, Deputy Chiefs, and individuals designated as second in command of police departments and other sworn personnel the rank of captain and above, otherwise meeting the requirements set forth in Section 1.

Section 3 Application for Membership

Representatives of units of government seeking active membership shall submit an official application form supplied by the Council. Upon certification by the Board of Directors that eligibility criteria have been met, membership shall be conferred upon the applicant.

Section 4 Federal Agency Membership

Eligibility for federal agency membership shall include federal law enforcement agencies with offices in the State of Delaware whose personnel are statutorily responsible for the prevention and investigation of crime involving injury to persons or property, who are authorized by law to execute search warrants and to make arrests. Agency membership in the Association shall be determined by a vote of the membership of the Association after a recommendation of the Board of Directors. An agency membership list shall be maintained by the Secretary.

Representatives of federal agencies seeking membership who are the chief resident agent, acting chief resident agent, chief of enforcement, deputy chief of enforcement, and individuals designated as second in command of federal law enforcement agencies shall submit an official application form supplied by the Association. Upon certification by the Board of Directors that eligibility criteria have been met, membership shall be conferred upon the applicant.

Section 5 Associate Membership

Eligibility for associate agency membership shall include those law enforcement agencies, not otherwise qualifying for active membership and federal agency membership, whose personnel are statutorily responsible for the enforcement of laws in limited areas and are authorized by law to make arrests. Agencies whose personnel are eligible for membership shall be determined by a vote of the membership of the Association, after a recommendation by the Board of Directors. An associate agency membership list shall be maintained by the Secretary.

Section 6 Life Membership

Upon the expiration of the term of office as President of the Association, a member shall be accorded life membership and may continue to vote at meetings of the membership so long as he retains the qualifications for active membership. Past Presidents of the Association shall be exempt from the payment of dues.

Upon attaining twenty years of active membership, a member shall be accorded life membership and may continue to vote at meetings of the membership so long as he retains the qualifications for active membership. A member attaining life membership pursuant to this paragraph shall be exempt from the payment of dues.

Upon termination of his/her duties which qualified him/her for active membership, a person who has been an active member in good standing for a period of ten (10) years, or upon a majority vote of the membership for his/her contributions to the Association and police service in Delaware shall be accorded life membership. At the time a member proposes another member for life membership, the member shall submit a written statement to the President setting forth the contributions to the Association of the member proposed for which life membership should be conferred. Life membership afforded by majority vote shall be preceded upon following concurrence of the Board of Directors at a meeting not less than thirty (30) days prior to the majority vote.

Life members no longer serving as an active police chief or police chief executive shall be exempt from the payment of dues and may attend meetings of the Association but shall not be permitted to vote.

Section 7 Honorary Membership

Honorary membership may be conferred upon those individuals who have made outstanding contributions to law enforcement. A proposal for honorary membership shall be made at a regular monthly meeting and shall be in writing setting forth the outstanding contributions to law enforcement of the individual proposed for honorary membership. Approval of honorary membership shall be afforded by a majority vote at any subsequent regular monthly meeting following the concurrence of a majority vote of the Board of Directors. Honorary members shall be exempt from the payment of dues and may attend meetings but shall not be permitted to vote.

ARTICLE VIII

ELECTIONS:

Section 1 Biennial Elections

The offices of President, Vice President, Second Vice President, Secretary, and Treasurer shall be elected from the qualified membership at the first meeting of the membership in the even numbered years and shall hold their respective offices for a term of two (2) years and/or until the election and qualification of their respective successors.

To be qualified to run for the position of President (beginning with the elections in January, 2004, a member shall have held another elective office in the council and) a member shall attend at least seventy per cent (70%) of the regular monthly meetings during the twelve months preceding the election. To be qualified to run for the positions of Vice President, Second Vice President, Treasurer, and Secretary, a member shall attend at least sixty per cent (60%) of the regular monthly meetings during the twelve months preceding the election. An officer may be removed from office by a vote of a majority of the membership in attendance at a regular monthly meeting if the member holding office fails to attend at least sixty per cent (60%) of the regular monthly meetings.

For an agency and its personnel to retain voting rights in the election of the officers, the member agency must be represented a minimum of fifty per cent (50%) of all regular monthly meetings during the twelve months preceding the election.

An absence may be excused by the President, or his/her designee, for good cause prior to the regular monthly meeting and such excused absence shall not be charged against a member or the member agency.

Section 2 Nominations

The Chairman of the Election Committee shall call for nominations to fill vacancies caused by the expiration of terms at the meeting of the membership prior to the first meeting of the membership of the Association on the even numbered years if a quorum is in attendance. Any qualified member desiring to run for an office shall file his written intention to do so with the Chairman of the Election Committee. The letter of intent shall be submitted on or before the date set by the Chairman of the Election Committee. No nominations shall be accepted from the floor on the day of election. All officers may run to succeed themselves. Qualified members may have their names placed in nomination for more than one office, but the office of Treasurer and Secretary only may be held by the same person.

Section 3 Elections

Elections for each office shall be held following the closing of the nominations for each office. The Chairman of the Election Committee shall distribute the ballots. The vote shall be taken and tallied by the Committee and the results announced. All elections shall be determined by a plurality vote and shall be taken and tallied by the Committee and the results announced. All elections shall be determined by plurality vote and shall be by secret ballot. When there is only one nominee for an office, the President may ask that the nominee be elected by acclamation. In case of a tie vote, the nominees for the office in question will have a run-off vote by secret ballot.

Section 4 Installation of Officers

Immediately following the election of all officers, the Chairman of the Election Committee shall install the elected officers.

OATH OF OFFICE

Raise your right hand and repeat after me:

“I, (your name), will honorably discharge the duties of the office to which I am elected and I will further honor the Constitution and Bylaws of the Delaware Association of Chiefs of Police, Inc., so help me God.”

ARTICLE IX

DUES:

Section 1 The annual dues of the members of the Delaware Association of Chiefs of Police shall be \$150.00 for active members and \$125.00 for federal agency and associate members per annum, due and payable January 1 of each and every year. Only those members with paid up dues shall be eligible to participate in the Annual Staff Development Seminar or to vote in the biennial election of officers.

ARTICLE X

AMENDMENT AND REVISION OF THE BYLAWS:

Section 1 These Bylaws may be amended by proposing, in writing, such amendment signed by no less than ten (10) members. Such proposal shall be presented at a regular meeting and shall be voted upon at the next regular meeting of the membership and accepted with no less than a two-thirds majority of those members in attendance.

(Computerized in the Council Office – 8/02)

**PROPOSED AMENDMENT TO THE CONSTITUTION AND BY-LAWS
OF THE DELAWARE ASSOCIATION OF CHIEFS OF POLICE, INC.**

The By-laws of the Delaware Association of Chiefs of Police, Inc. are hereby amended as follows:

Amend Article

We, the following members, propose that the above stated amendment to be the bylaws be submitted to the membership. (Ten signatures are required.)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

First Reading:
Second Reading: