

# **CONSTITUTION OF THE PEACE OFFICERS ASSOCIATION**



## **ARTICLE I Name and Purpose**

### **Section 1 - NAME**

This organization shall be known as the **Oregon Peace Officers Association**.

### **Section 2 - MISSION**

To provide leadership and service to the law enforcement community in the advancement of the profession, and to advocate for the safety and security of law enforcement professionals and the citizens of Oregon.

### **Section 3 - PURPOSE**

The Oregon Peace Officers Association is a public benefit corporation within the meaning of the Oregon Non-profit Corporation Act, as amended.

The corporation is operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code of 1986, as amended, or any successor statute. The activities of the corporation include:

- Promotion of and support for the establishment of the highest qualifications and standards of performance for law enforcement professionals
- Presentation of training and education programs to the general public and the criminal justice community
- Awarding scholarships of varying amounts to Oregon citizens who wish to pursue a degree in Criminal Justice at an accredited institution of higher education within the state of Oregon, in preparation for a career as a law enforcement officer in Oregon
- Publication of a newsletter designed to educate and inform the law enforcement community of issues relevant to the mission of the Association
- Recognition of outstanding and exemplary performance by members of the law enforcement community
- Providing information and professional expertise to public and private organizations and individuals having the ability to impact public safety issues, with the goal of improving the efficiency and effectiveness of law enforcement, improving the safety of law enforcement professionals and providing for the welfare of the citizens of Oregon
- Supporting and encouraging effective communications among law enforcement practitioners and between the law enforcement community and the citizens of Oregon

#### **Section 4 - CODE OF ETHICS**

The Oregon Peace Officers Association officially adopts and herein incorporates the “Law Enforcement Code of Ethics.”

#### **Section 5 - USE OF FUNDS**

To the extent required by law and the articles of incorporation, no part of the net earnings or contributed funds of the corporation shall inure to the benefit of, or be distributed to its members.

## **ARTICLE II MEMBERSHIP**

### **Section 1 - ACTIVE MEMBERS**

Active members of the Association may include any full time peace officer as defined by ORS 484.010 and 181.610 to 181.690, who is certified or certifiable by the Oregon Board on Public Safety Standards and Training, and any other person engaged full-time in law enforcement activities in Oregon, as approved by the Executive Board, including those persons employed full-time by, or in, a recognized law enforcement agency who have little or no peace officer status. This includes, but is not limited to: state and county corrections officers, parole and probation officers, state agency enforcement officers, and all federal enforcement officers who are stationed in, or regularly work within the State of Oregon. Honorably retired Oregon peace officers are also eligible for active membership.

Active members shall receive all Association publications, have the privilege of participating in Association activities, be eligible to receive the death benefit, have the right to make motions, and vote on any issue put to the membership. Active members are eligible to hold any office in the Association, subject to the prerequisites specified in Article IV, Section 1.

### **Section 2 - ASSOCIATE MEMBERS**

Associate membership is available to:

Persons who are employed less than full-time by, or serve as voluntary members of, law enforcement agencies, such as reserve officers, mounted posse members, community service or crime prevention volunteers. Federal, state or local prosecutors; criminal justice trainers or educators; and actively employed or honorably retired peace officers from states other than Oregon are also eligible for Associate Membership. In addition to the other provisions of this Section, any active member of a Special Chapter of this Association shall automatically be eligible for Associate membership unless that person qualifies for Active membership.

Associate members shall receive Association publications, have the privilege of participating in all Association activities, be eligible to receive the death benefit, and have the right to make motions and vote on any issue put to the membership. Associate members shall not be eligible to hold office in the Association, except to hold a position on the Executive Board when granted to the President of a Special Chapter.

### **Section 3 - HONORARY MEMBERS**

Honorary members may include persons who are distinguished because of their office, title, dedicated service to the public or the law enforcement community, special service to the Association, or outstanding accomplishment in other law enforcement professional associations. Candidates for honorary membership shall be nominated and sponsored by an active member subject to the approval of the Executive Board. Honorary members shall receive Association publications, have the privilege of participating in all Association activities, but shall not be eligible to receive other membership benefits including the death benefit, the right to vote, or the right to hold office. The Marksmanship Committee shall determine shooting eligibility.

### **Section 4 - CHARTER MEMBERS**

Charter members will include all active members accepted for membership before July 1, 1970. Charter membership shall be designated on the membership card. Charter members may receive such privileges as the Association membership may from time to time confer. Upon regular retirement from the service, Charter members will be granted a free Life-term membership with full privileges, except the death benefit. Their membership cards would indicate Retired Charter Member.

## **Section 5 - LIFETIME MEMBERSHIP**

Any Active member in good standing may apply for a Lifetime Membership. The one-time dues for a Lifetime Membership are \$250.00 and must be paid in full at the time of the application. Lifetime Members are granted the full privileges and benefits of an active member for as long as they live, unless expelled under the provisions of Section 7 of this Article.

Any Associate member in good standing may apply for a Lifetime Associate Membership. The dues for a Lifetime Associate Membership are \$250.00 and must be paid in full at the time of the application. Lifetime Associate Members are granted the full privileges and benefits of an Associate Member for as long as they live, unless expelled under the provisions of Section 7 of this Article.

In the event of expulsion, the Lifetime Membership or Lifetime Associate Membership dues will be refunded on a pro-rata basis after deducting the appropriate annual dues for the portion already used, up to a maximum of \$250.00.

Any person elected to the office of President, upon his or her retirement from office, shall be granted, without assessment, a Lifetime Membership with the full privileges of an active member for the remainder of his/her lifetime.

The assessments mentioned in this Article refer only to assessments by the Oregon Peace Officers Association, and do not include those assessments required by special chapters. This is not meant to prohibit lifetime members from paying assessed fees as required by special chapters.

## **Section 6 - DUES**

The annual dues of an active or associate member shall be \$20.00. The fiscal year covered shall be July 1 to June 30. Grace period for payment of dues shall be 60 days. Agencies or Associations who agree to pay the dues for all members of their organizations, who are eligible for OPOA membership, shall pay a reduced annual rate of \$15.00 per member.

New members joining at a time other than July 1, may elect to pay either the annual rate of \$20.00 or prorate their dues at the rate of \$3.00 per month until the following July 1 when the member shall renew at the annual rate.

Members may designate that \$2.50 of their annual OPOA dues be remitted as dues to one Special Chapter to which they belong. If a member wishes to belong to more than one Special Chapter, the member must add \$2.50 to the annual dues amount for each additional Special Chapter. OPOA shall, on a quarterly basis, forward those rebates to the designated Special Chapter(s).

## **Section 7 - DISQUALIFICATION**

Any active or associate member delinquent in the payment of dues for a period of 90 days shall be notified thereof by the Secretary, together with notice that if proper explanation for failure to pay such dues is not forthcoming the name of such member shall be suspended from the Association. The Executive Board may recommend the expulsion of any member for unprofessional

conduct or other just cause. Such expulsion shall require two-thirds vote of the Executive Board of the Association present and voting.

## **Section 8 - RESIGNATION**

Any member may submit notice in writing to the Executive Board of his desire to resign. The Executive Board shall accept such resignation if all dues have been paid, or take such other action as may be appropriate within such time as may be convenient for the Executive Board.

## **Section 9 - APPLICATIONS**

Applications for active membership shall be submitted on such forms and in such a manner as the Executive Board may prescribe. The Executive Board shall determine eligibility for membership.

## **Section 10 - SPECIAL CHAPTERS**

The Oregon Peace Officers Association may recognize active and organized Peace Officer Associations within the State of Oregon who have a minimum of twenty-five members as Special Chapters of the Association. The Executive Board, upon receiving applications and copies of the group's by-laws, may grant Special Chapter status and approve the name to be used by the Chapter.

The Executive Board must find that the purposes of the applicant group do not conflict with those of the Association. Qualifications for individual membership within the applicant group must be consistent with those of the Association. All members of the applying group must be submitted for membership in the Association.

Each group given Special Chapter recognition shall hold a regular chapter meeting in conjunction with the OPOA Annual Conference.

## **Section 11 – TERMINATION OF SPECIAL CHAPTER STATUS**

The Executive Board reserves the right to terminate special chapter status under the following conditions:

- A. Failure to abide by the constitution set forth to govern Oregon Peace Officers Association.
- B. Failure to abide by the constitution set forth to govern the special chapter.
- C. When the special chapter conducts business in direct conflict of the Oregon Peace Officers Association.

The goal of the Oregon Peace Officers Association is to maintain open lines of communication with all special chapters. However, if the situation arises where termination is being considered the 2<sup>nd</sup> Vice President will:

1. Attempt to contact the presiding member of the special chapter to resolve any conflicts.
2. If the conflict(s) cannot be resolved, a letter from the 2<sup>nd</sup> Vice President shall be drafted. This letter will address any conflicts and establish a means of resolving the conflict.
3. If the conflict(s) remain the president of the Oregon Peace Officers Association shall forward a second letter to the presiding member of the special chapter. The letter shall require the signature of the presiding member of the special chapter. The letter shall include Oregon Peace Officers Association intent to dissolve the special chapter or appoint new special chapter officers.

Any action to dissolve the special chapter or to appoint new officers to govern the special chapter affects the general membership. Therefore, this action will be completed by resolution and voted on by special election or at the annual business meeting.

## **Section 12 - AFFILIATED ORGANIZATIONS**

The OPOA Executive Board may vote to initiate or accept application from other law enforcement based organizations for affiliate membership.

The purpose of affiliate status will be to provide support on issues of mutual concern. Affiliate status is not intended to impact the individual organizations right to self-direction or independence and shall not incur any financial obligation to either organization.

Affiliated organizations may designate an individual to represent their organization at OPOA Executive Board meetings as a non-voting member.

Affiliate membership status may be terminated by either involved organization. Termination of affiliated status initiated by the OPOA will be decided by a vote of the Executive Board.

Granting or terminating Affiliated status must be by resolution.

## **ARTICLE III MEETINGS**

### **Section 1 - TIME AND PLACE**

The regular annual convention of the Association shall be held at such place as may be determined by the Association at the

preceding annual convention, or at such time as may be designated by the Association of Executive Board. Special meetings may be held at such time and place as may be determined by the Executive Board.

## **Section 2 - RESOLUTIONS**

Resolutions are required for formal actions taken by the Association as stipulated in the Operating Procedures. Among other actions, public statements of Association policy, actions affecting Special Chapter or Affiliated Organization status, conference of awards, adoption or termination of contractual obligations, or the suspension or expulsion of a member must be by resolution.

Resolution shall be adopted by a majority vote of the membership present at the annual convention or a special meeting designated by the Executive Board. Every resolution shall be in writing, and may be initiated by any member or member group. It *shall* be submitted to a standing committee for consideration and report. Resolutions, which, because of the time factor, cannot wait for the next Association meeting, may be passed on and implemented by the Executive Board. Passage by the Executive Board requires a majority vote of all Executive Board members.

## **Section 3 - RULES OF ORDER**

When any question comes before the meeting not specifically provided for by the Constitution and rules adopted by the Executive Board, the presiding officer shall be governed in his decision by the rules laid down in "Robert's Rules of Order."

## **Section 4 - QUORUM**

A Quorum shall be considered to be twenty five (25) active members in good standing present at any meeting. For the

transaction of business a majority of the executive board and voting members of each special chapter shall constitute a quorum to conduct monthly business. A majority of any committee shall constitute a quorum.

## **Section 5 - OPERATING PROCEDURES**

The Executive Board may adopt operating procedures, consistent with the provisions of the Constitution, governing the day-to-day business of the Association.

## **Section 6 – VOTING**

Any member of the Executive Board, voting members of special chapters, or any committee member may designate a representative to conduct business on their behalf. The ability to conduct business includes authorization for the designee to vote on behalf of the authorizing member in their absence. The authorization for proxy voting shall be made in writing and forwarded to the designee. The original document shall be forwarded to the business secretary and shall be included in the monthly minutes.

During a business meeting when a vote involving a proxy vote is required, the designee shall inform the presiding member of the meeting that they are voting on the behalf of the authorizing member. The minutes shall reflect the name of the authorizing member, the name of the designee, the issue voted on and the resulting vote.

## **ARTICLE IV OFFICERS**

### **Section 1 - OFFICERS**

The officers of the Association shall consist of a President, a First Vice-President, a Second Vice-President and a Treasurer. Candidates for the position of President must have served at least one previous one-year term as an elected officer of the Association. Candidates for any of the other listed Officer positions must have served at least one full year as a regular member of the Association Executive Board.

## **Section 2 - NOMINATING COMMITTEE**

There shall be a nominating committee composed of the immediate Past President and at least two active members of the Association appointed by the President.

## **Section 3 - NOMINATION**

It shall be the duty of said Committee to make nominations for the offices of the Association and for membership on the Executive Board. The names of the persons so nominated by this Committee and such other nominations as may be made from the floor shall be submitted to the Association at the annual meeting at which time the election shall be held.

## **Section 4 - ELECTION**

All of said nominations shall be voted upon by a secret ballot unless there is only one candidate for the office to be filled. The candidate receiving a majority of the number of votes for each office shall be declared elected, and shall hold office for one year, or until his successor has been qualified and elected.

## **Section 5 - PRESIDENT**

The President shall preside at all meetings of the Association and act as chairman of the Executive Board. He shall appoint such standing and special committees as are authorized by this

Constitution, or by the Association or its Executive Board. The President shall fill all vacancies in office for the un-expired term thereof, with the exception of vacancies in the office of Vice-President, which must be filled by action of the Executive Board. The President shall be responsible to the Executive Board for the proper functioning of all committees, and shall perform such other duties as may from time to time be assigned to him by the Executive Board or by resolution of the Association. No person shall be elected to the office of President for more than two consecutive terms.

### **Section 6 - VICE-PRESIDENT**

It shall be the duty of a Vice-President to perform all duties of the President during his absence. Vice-Presidents shall serve in the absence of the President in the order of their designation. In the event of the resignation or retirement of the President, the First Vice-President shall become the President and the Second Vice-President shall become the First Vice-President.

### **Section 7 - TREASURER**

The Treasurer shall keep a record of all monies due the Association, and shall safely keep and disburse the same under the direction of the Executive Board. At each meeting he shall make a written itemized report of his receipts and disbursements.

## **ARTICLE V EXECUTIVE BOARD**

### **Section 1 - MEMBERS**

There shall be an Executive Board of twelve (12) persons consisting of the President, the First Vice-President, the Second Vice-President, the Treasurer and eight (8) active members of the

Association, one of whom shall be the outgoing President, the other seven to be elected by the membership, and the President of any active organized peace officer association, granted Special Chapter status. Subsequently in the event of one individual serving more than one term as President, the last President shall continue to serve on the Executive Board. Executive Board membership shall include representation from municipal, county and state law enforcement agencies. The Nominating Committee shall also nominate, and the membership shall elect eight (8) Alternate Executive Board Members. At a board meeting, alternate board members shall, in the absence of a regular Executive Board member, assume the powers of the absent member when selected by the President.

## **Section 2 - DUTIES**

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 and shall have such specific powers as are conferred upon it by the Constitution of the Association. They shall keep a record of their proceedings and report at the annual meeting.

## **Section 3 - EXECUTIVE SECRETARY**

The Executive Board may appoint an Executive Secretary from within or without the Association who shall perform such duties as designated by the Association.

## **Section 4 - BUSINESS SECRETARY**

The Executive Board may acquire the services of a Business Secretary from within or without the Association who will maintain the Association membership files, assist with the distribution of the 'Oregon Peace Officer' and provide the Association with

secretarial and administrative services as determined by the Executive Board.

The Executive Board prior to July 1 of each year shall determine compensation for the services provided by the Business Secretary.

## **ARTICLE VI COMMITTEES**

### **Section 1 - APPOINTMENT**

The President shall appoint such committees as may be authorized by resolution of the Association or by the Executive Board.

## **ARTICLE VII AMENDMENTS**

### **Section 1 - AMENDMENTS**

This Constitution may be altered by a majority vote of the members responding at an election in which ballots are distributed by mail to the entire membership of the Association, or by a two-thirds vote of the members present at any session of an annual meeting, provided that before a vote shall be taken on any amendment, such amendment shall be submitted to the Executive Board for a report to the Association.

## **ARTICLE VIII GRANTS**

### **Section 1 - GRANTS AND DONATIONS**

The Oregon Peace Officers Association may accept and receive grants, donations, gifts, loans and other funds to carry out the purposes and objectives of the Association. The Association may enter into contracts with agencies and organizations to further the purposes of the Association.

## **ARTICLE IX BENEFITS**

### **Section 1 - DEATH BENEFIT**

A \$500.00 death benefit will be paid to the designated beneficiary of an Active or Lifetime Member in good standing, in the event of that member's death. The death benefit shall be paid if the death occurs within a 60-day grace period after the expiration of paid membership. The death benefit shall be paid from the Memorial Account.

### **Section 2 - MEMORIAL FUND**

The Association shall maintain a Memorial Fund, financed by the proceeds of the raised during our annual fundraising efforts. 10% of fundraising funds shall be transferred at least annually from the business Account to the Memorial Account. The association may award a \$500 benefit to the family of any Oregon Peace Officer killed in the line of duty. The benefit is to be paid, as soon as possible after the death of the officer, directly to the surviving spouse or other appropriate family member or representative of the deceased, as determined by the Secretary/Treasurer of the Association.

## **ARTICLE X DISSOLUTION OF ASSOCIATION**

Upon the dissolution of the Association, the Executive Board shall, after paying or making provisions for the payment of all of the liabilities of the Association, dispose of all of the assets of the Association exclusively for the purposes of the Association in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organization under Section 501C(3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue law), as the Executive Board shall determine. Any of such assets not so disposed of shall be disposed of by the Circuit Court of the county in which the principal office of Association is then located, exclusively for such purposes or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes.