

COLORADO ASSOCIATION OF PROPERTY AND EVIDENCE TECHNICIANS

By-Laws

Article I

Name and Objective

Section 1. Name: This Association shall be known as the Colorado Association of Property and Evidence Technicians or C.A.P.E.T. and shall be incorporated under the laws of the State of Colorado as a not-for-profit organization.

Section 2. Objective: To educate and train personnel associated with Law Enforcement in the proper collection, preservation, storage, processing and disposal of property and evidence. To provide a median for the exchange of information and procedures used by Law Enforcement agencies in the handling and disposal of property and evidence.

Article II

Membership

Section 1. Membership: This Organization shall consist of Active, Life Active and Associate membership. Application for membership shall conform to the provisions set forth in the C.A.P.E.T. By-Laws.

Section 2. Active Membership: An active member shall be employed as a member of a law enforcement agency. An active member in good standing shall have the right to vote on any by-law change(s) or Board Member election(s). Active members shall not lose their active status as a result of retirement or change of assignment provided they remain in good standing as stated in Article II, Section 6.

Section 3. Life Active Membership: A life active membership shall be limited to all past Presidents of the organization who have paid their dues for the past ten years, continuously. They shall be eligible to vote on any by-law change(s) or Board Member election(s), and be entitled to all privileges of an active membership. Life active membership past Presidents shall be excused, during their lifetime, from further payment of dues.

Section 4. Associate Membership: Associate membership shall be granted to any reputable person, who does not meet the criteria set in Article II, Section 2 and 3. They shall, in all respects, be subject to the same rules and fees as active and life active members. Associate members may not serve as an Officer or Board Member and shall not have the right to vote on any by-law change(s) or Board Member election(s).

Section 5: Any other application for membership not covered by this article must be considered as a special case, and handled as such by a vote of the Board of Directors.

Section 6. Membership in good standing: Members shall be considered in good standing if yearly dues are current and have been paid. Yearly paid membership shall be from January one to December thirty-one. Membership dues are due by April 1st of the current year or membership will be dropped. Membership certificates issued by the Colorado Association of Property and Evidence Technicians are nontransferable. If an agency has paid membership dues and the member leaves the agency, that person's membership will continue through the current year as long as the member left the agency in good standing. The agency will need to establish membership for the new employee with the Treasurer but will not be subject to an additional fee.

Article III

Officers and Board Members

Section 1. Officers: Following is a list of elected Officers for the Association.

- a. President
- b. Vice-President
- c. Secretary
- d. Treasurer
- e. Historian

Section 2. Board of Directors: There shall be a Board of Directors consisting of ten individuals, five elected Officers, four elected Board Members and one Chairperson. The immediate past president shall serve as the Chairperson of the Board.

Section 3. Any member of the Board of Directors who does not comply with assigned responsibilities, and do so in a timely manner, or is determined to be a detriment to the Board or Association, may be relieved of office by majority vote of the Board of Directors. The President, with approval of the Board of Directors, shall make appointment of a replacement to fill the unexpired term.

Article IV

Duties of the President

Section 1. The President shall prepare an agenda, preside over Board meetings and shall preserve order and decorum. The President shall fill, with the approval of the Board, any vacancies on the Board of Directors caused by death, resignation, or other cause, except as specifically provided otherwise herein.

Section 2. The President shall supervise the affairs and usefulness of the association.

Section 3. The President shall not succeed him or herself in office, except in cases where he/she serves the unexpired term of his/her predecessor.

Section 4. The President shall appoint an audit committee and ensure a random audit of Association funds annually. The auditing committee shall consist of three members of the board who shall randomly inspect the financial accounts. A report of such audit shall be distributed to the Board of Directors and members.

Section 5. The President shall be a voting member of the Board of Directors.

Article V

Duties of the Vice President

Section 1. The Vice President shall act as the presiding officer of the Association during the temporary absence or disability of the President.

Section 2. The Vice President shall assume the office of President in the event of resignation or other unforeseen cause.

Section 3. The Vice President shall preside at board meetings in the absence of the President and Chairperson of the Board.

Section 4. The Vice President shall be a voting member of the Board of Directors.

Article VI

Duties of the Secretary

Section 1. The Secretary shall record, type and distribute copies of Board meeting minutes to all board Members and to any member upon request.

Section 2. The Secretary shall prepare all necessary and appropriate correspondence as requested for the Association.

Section 3. The Secretary shall perform all other duties as may be assigned by the President or the Board of Directors.

Section 4. The Secretary shall be responsible for maintaining a current copy of the By-Laws and amending and distributing as appropriate.

Section 5. The Secretary shall act as the liaison to the Webmaster and Newsletter representative communicating announcements, updates and general content as requested.

Section 6. The Secretary shall be a voting member of the Board of Directors.

Article VII

Duties of the Treasurer

Section 1. The Treasurer shall maintain all financial records of the Association and provide a financial report at each Board meeting.

Section 2. The Treasurer shall receive all monies, to include dues, conference fees, and vendor fees, of the Association and maintain accurate records of such funds.

Section 3. The Treasurer shall draw all warrants and checks for the expenses of the Association and shall sign same. Payment of expenses incurred in carrying on the business of the Association must be approved by the Board of Directors, unless the sum is under \$250.00, in which event the approval of the Board of Directors is not necessary.

Section 4. The Treasurer shall provide a yearly report of revenue, expenses and debts incurred by the Association to the Board of Directors which will be incorporated into the Historical files.

Section 5. The Treasurer shall, upon receipt of annual dues, issue a membership certificate to all members in good standing and maintain the membership list.

Section 6. The Treasurer shall be a voting member of the Board of Directors.

Article VIII

Duties of the Historian

Section 1. The Historian shall prepare and maintain a written and pictorial history for the Association in a scrapbook or notebook. This shall include the activities and accomplishments for all calendar years which shall be displayed at Fall Conference.

Section 2. The Historian shall collect and maintain information from other sources that are relevant and beneficial to the Association.

Section 3. The Historian shall maintain custody and control over Association banners, making them available for display at conferences.

Section 4. The Historian shall be a voting member of the Board of Directors.

Article IX

Duties of the Chairperson

Section 1. The Chairperson shall be filled by the outgoing President.

Section 2. The Chairperson shall be responsible for working closely with the President and maintaining an open line of communication.

Section 3. In the absence of the President, the Chairperson shall prepare an agenda and preside over Board meetings.

Section 4. Should the office of the chairperson become vacant, the President shall contact the most recent past holder of that office for a selection of appointment to be made to the vacated position. The newly appointed Chairperson will act in that capacity until the next regular installation of officers.

Section 5. The Chairperson shall be a voting member of the Board of Directors.

Article X

Duties of the Board of Directors

Section 1. The Board of Directors shall consist of the President, Vice President, Secretary, Treasurer, Historian, Chairperson of the Board and four elected Board Members.

Section 2. The Board of Directors shall establish and pre-approve all programs, conferences and newsletters of the Association.

Section 3. The Board of Directors shall pre-approve any and all modifications to the by-laws of the Association prior to membership voting.

Section 4. The Board of Directors shall approve all purchases for the Association in excess of \$250.00. The Board of Directors can raise or lower this amount without the approval of the membership which would change the sum in Article VIII, Section 3.

Section 5. The Board of Directors shall select the place and date of all conferences, approve the conference programs and ensure that it is within the boundaries of budget allowances. The Board shall be responsible for timely notification or publication of the conference dates and times to all registered members.

Section 6. Six (6) members of the Board of Directors shall constitute a quorum in voting.

Section 7. The Chairperson, Officers and Board Members shall be voting members of the Board of Directors.

Article XI

Election of Officers

Section 1. Only Active and Life Active members are eligible to run for Officer and Board Member positions. Associate members are not eligible to serve as an Officer or Board Member.

Section 2. Elected Officers and Board Members shall serve a two year term beginning January 1 of their term.

Section 3. Nominations shall be made at the Spring Conference and voted on prior to the Fall Conference.

Section 4. No member's name will be accepted into nomination for any office until such time as that member, if present, indicates a willingness to serve if elected. If the member is not present, the President shall contact the member to determine a willingness to serve if elected.

Section 5. Members shall be allowed to run for one Officer and/or one Board Member position during any election. The member shall be allowed to select their first choice in the event they are elected to both positions.

Section 6. Ballots will be emailed or mailed to all members. Ballots, when completed, will be sent to the outgoing President by mail or email. The President shall appoint a committee of three or more members to count the ballots.

Section 7. Announcement of the newly elected Officers and Board Members will be made at the Fall Conference and in the subsequent newsletter.

Article XII

Dues and Assessments

Section 1. Membership dues to the Association are \$35.00 per member. Agencies with four or more members will have a cap of \$105.00 yearly. Dues are to be paid by April 1st of the current year or membership will be terminated.

Section 2. Attendance to the Spring Conference will be free for paid members at the \$35.00 per member level. Agencies with four or more members will be allowed to send three members for free and will be subject to a fee determined by the Board of Directors for each additional member attending from that agency.

Section 3. Officers and Board of Directors can change the yearly dues and conference fees without a vote from the membership.

Article XIII

Misconduct by a Member or Officer

Section 1. Any charge of misconduct by a member or officer against another member or officer shall be put in a written statement, signed, dated and given to the President. The President shall present the charge to the Board of Directors for consideration within ten days. If, in the sole judgment of the Board of Directors, sufficient grounds exist to try such member, the Board of Directors shall send a copy of said charge to the accused by registered or certified mail. The accused shall have twenty days from the date of the mailing to answer the charge in writing. If the accused member fails to file a written answer within the time prescribed in this section, such failure shall constitute a waiver of rights to a hearing on such charge. The accused member shall thereupon abide by the action and decision of the Board of Directors without the right of appeal.

Section 2. The Board of Directors shall have the power to try any member or officer of the Association upon any charge affecting that member's honor or conduct unbecoming a member or an officer, provided the charge is made in writing and signed by the person making the charge. The Board of Directors shall have a hearing within 30 days of said

charge. Providing the accused is found guilty by a majority vote, the Board of Directors shall have the power to expel, suspend, or admonish such member or officer.

Article XIV

Newsletter

Section 1. The Association newsletter shall be published quarterly. Each paid member shall receive the newsletter by email or mail.

Section 2. The newsletter and contents shall be approved by the Board of Directors prior to distribution.

Article XV

Amendments

Section 1. The by-laws of the Association shall be changed only upon approval by a majority vote of the attending members at the annual Spring Conference

Article XVI

Dissolution of the Association

Section 1. In the unlikely event that this Association should be dissolved or otherwise terminated, the assets and income thereof shall not go to the benefit of any member or private individual, but shall be used until exhausted for the purpose of carrying out the objectives for which this organization was formed.

Revised and approved by majority vote 05/18/05.