

# Property & Evidence Association of Florida, Inc.

## By – Laws

### ARTICLE I: NAME AND OBJECTIVES

- Section 1. Name: This Association shall be known as the Property & Evidence Association of Florida, Inc., herein referred to as P.E.A.F. or the Association; shall be incorporated under and virtue of the laws of the State of Florida as a not-for-profit corporation.
- Section 2. Purpose: The purpose of the P.E.A.F. is to promote education and professionalism of the property and evidence function within the State of Florida.
- Section 3. Goals: The primary goals of the Association shall be:
- A. To provide for the research, collection, educational exchange, and dissemination of information relative to the property/evidence function.
  - B. To promote professionalism of property/evidence personnel and to support high standards of performance in the accomplishment of this task.
  - C. To educate the membership on current or pending legislation that may impact the property/evidence function.
  - D. To associate persons within the State of Florida who are concerned with the collection, preservation, and storage of property/evidence.

### ARTICLE II: ORGANIZATION AND MEMBERSHIP

- Section 1. Organization: The Association shall be comprised of a single statewide organization, with chapters aligned by geographical regions of the State of Florida. Chapters may be formed upon a majority approval of the Voting membership in attendance at a statewide meeting. Chapters shall hold a minimum of two meetings each fiscal year. It is the responsibility of the Chapter's duly elected officer(s) to schedule the meetings. There shall be one annual meeting of the Association membership each fiscal year which may be included as one of the two required chapter meetings.
- Section 2. Fiscal Year: The fiscal year of the Association shall begin on January 1 and conclude on December 31.
- Section 3. Membership: Membership in this Association shall consist of Voting, Corporate and Honorary membership. Application for membership shall conform to all provisions of the By-Laws of the Association.

- A. Voting membership is open to those dues-paying individuals involved in the collection, processing, or storage of property/evidence within the State of Florida. Voting membership is also open to persons formerly involved in or retired from the property/evidence section who reside in the State of Florida. Voting members shall have the right to vote on all business coming before the membership of the organization. Voting members will have full access to the association website and receive all association publications.
  - B. Corporate Members: Corporate members are an individual and/or company that receive compensation in any form of services rendered in business and industry. Corporate members do not have the right to vote on Association business. Corporate members will have restricted access to the Association website and will receive Association publications.
  - C. Honorary Members: Honorary members shall be those individuals who, in the determination of the Association, have demonstrated interest in the purposes and objectives of P.E.A.F. but do not meet the criteria of voting membership. Honorary members shall be voting, non dues-paying members. Honorary membership status shall be granted by the Association in regular meeting, upon the recommendation of the Executive Board. Any Voting member may nominate an individual, in writing to the Executive Board, for Honorary membership. The Honorary member shall hold Lifetime Membership in the Association.
  - D. Voting members shall be considered in good standing if annual dues have been paid. Registered Voting members who have not paid their annual dues will not have the right to vote on Association activities or Association business until they again meet the criteria set forth in Article II, Section 3 regarding Active/Voting membership.
  - E. Only Voting members in good standing may hold office.
  - F. Any member in good standing may bring to any function of the Association additional persons. Guests may be subject to any program fees, payable at the time of attendance.
  - G. Any member in good standing may bring business before the Executive Board or the Association, provided such business is in the interest of the Association and deemed appropriate.
  - H. Non-voting membership is open to those dues paying individuals involved in the collection, processing, and storage of property/evidence outside the State of Florida. Non-voting members shall have full access to the Association's website and receive all Association Publication.
- Section 4. Resignation, Expiration, Suspension, Termination, and Transfer of Membership:

- A. Any member may resign from membership at any time. All privileges, rights, and positions within the Association shall be forfeited at that time.
  - B. Any membership which is not renewed on or before January 1 shall expire. A grace period of thirty (30) days from the due date, January 1, shall be offered to those without a late fee. Membership renewed 31 to 60 days from the due date shall be assessed a \$25 late fee. If the member is also a Certified Evidence Specialist and has not renewed membership, certification will be terminated.
  - C. Any member may have their membership suspended or terminated if it is determined that the member's conduct was illegal or unprofessional. A majority vote of the Executive Board shall be required to suspend or terminate any membership.
  - D. No member shall have his or her membership suspended or terminated except for good cause. Conduct constituting good cause shall include conviction of any misdemeanor or felony, commission of any act of moral turpitude, or the engaging of any repetitive conduct during any meeting of the Association which is deemed by the meeting's presiding officer to be both out of order and intentionally disruptive to the orderly conduct of such meeting.
  - E. No member shall have their membership suspended or terminated for engaging in any repetitive conduct during any meeting of the Association which is deemed by the meeting's presiding officer to be both out of order and intentionally disruptive to the orderly conduct of such meeting unless such member shall first have been issued at least two verbal warnings by the meeting's presiding officer that the offending member's immediate conduct is both out of order and perceived to be intentionally disruptive. After any member of the Association is issued at least two verbal warnings regarding their conduct the presiding officer may request the Executive Board to suspend or terminate membership.
  - F. In the event of a transfer of personnel from the property/evidence function, memberships may be transferred to the replacement personnel. A written notice of the transfer must be submitted to the Vice President. A new membership card will be issued.
- Section 5. Mailing Address: The official mailing address of the Association shall reside with the Executive Board Treasurer. A Post Office box shall be obtained at the expense of the Association. The Association Treasurer and their designee shall have access to the box and ensure regular mail pickup.

### ARTICLE III: VOTING

- Section 1. Quorum: A quorum of the Executive Board shall be no less than one-third the prescribed number of Executive Board members. A quorum of the general membership at a meeting shall consist of a majority of voting members present.
- Section 2. Any measure requiring a vote shall be submitted in writing to the Executive Board, and upon its recommendation, put before the general membership for a vote.
- Section 3. Voting shall be restricted to one vote per Voting member.
- Section 4. Absentee Ballots: Absentee ballots will be sent to Voting members not present at the meetings upon notification that the member will not be in attendance. Absentee ballots must be postmarked by the deadline established by the Executive Board or they will be void.

#### ARTICLE IV: ASSESSMENTS, EXPENDITURES, DUES, AND FUNDRAISING

- Section 1. Assessments: At times the Association may incur expenses that are not covered by dues or conference registrations. To help cover these costs an assessment may be made on the regional Chapters.
- A. All rights for the levying of assessments and dues for individual members shall rest with the Executive Board. An increase in dues shall be approved by a vote of the general membership.
- B. Any assessment made by the Association against the treasuries of the individual Chapters shall be accomplished only by the approval of the amount by each involved Chapter. Chapters shall agree upon the assessment prior to any assessment of fees.
- Section 2. Expenditures: All expenditures from the Association account shall be accomplished only upon approval of the Executive Board. Expenditures in excess of \$2,000, other than those accounts established for the annual meeting, shall be accomplished only upon approval of the general membership. A report of the Association's accounts shall be provided to the Executive Board at least quarterly and to the membership at the annual meeting and upon request.
- Section 3. Bank Account: The Association shall establish an account with a bank that has branch offices throughout Florida.
- A. The Treasurer, President, Vice President, Secretary, Educational Coordinator, Sergeant at Arms, and Communications Coordinator shall have signature rights to the account.
- B. All expenditures from the Association and Chapter accounts shall require the signature of two of the signatories.

- C. A chapter may hold \$100.00 in a general petty cash fund. Any chapter holding more than \$100.00 of chapter association money is required to deposit the funds into the Association account. The chapter may obtain account deposit slips from the association treasurer. The Association Treasurer shall hold a spreadsheet with each chapter's deposits and expenditures, noting the reason and date for each transaction. The chapter President may request reimbursement from their account for qualified purchases.
- Section 4. The incoming Association President will cause an audit of all Association accounts within the first quarter of the fiscal year. The audit will include, but not be limited to, all Association administrative accounts, petty cash funds, checking accounts, and savings accounts.
- Section 5. Dues shall be for the purpose of drafting, reproduction, and mailing of information to the general membership and law enforcement agencies within the State of Florida, or others as deemed necessary, and Association filing fees. Dues are payable to the Treasurer for the entire fiscal year. Any increase in dues will be at the beginning of the fiscal year. Dues will coincide with the fiscal year
- Section 6. All persons desiring membership in the Association and meeting the requirements of Article II, Section 3, must pay Current dues.
- Section 7. All property issued by the Association shall be surrendered to an active member of the Executive Board at the conclusion and/or removal of the departing officer's term of office.
- Section 8. Fundraising Efforts
- A. All proceeds from fundraising efforts at the annual conference shall benefit the association as a whole and be placed in the state association's general fund.
- B. If a chapter would like to sponsor a fundraiser at the annual conference, the board must be contacted in writing no less than 60 days prior to the conference. Permission must be granted by a vote of the Executive Board and will be provided to the chapter in writing.
- C. If fundraising for PEAFF (at the chapter or state level), the following information shall be documented on all fundraising items/efforts – the association name, who the proceeds will benefit and contact information for the organizer of the sale. The Executive Board must be notified in writing of all fundraisers that take place.

## ARTICLE V: OFFICERS

- Section 1. Executive Board: The Executive Board of the Association shall consist of the Association officers, including the President, Vice President, Secretary, Treasurer, Communications Coordinator, Educational Coordinator and Sergeant-At-Arms/ Historian. The immediate past president shall serve on the Executive Board for a term of one year after leaving office. The term Board will include Chapter Presidents.
- A. Except for the immediate past president, the Executive Board shall be elected individually by secret ballot of the general membership at the annual statewide training conference. In the event of a tie, the names of the candidates receiving an equal number of votes shall be placed on a special ballot to be voted upon by the general membership in a second runoff secret ballot.
  - B. Names shall be placed on the ballot by nomination, with the consent of the nominee. Only active members may submit a nomination. Nominations must be made to the Executive Board 30-90 days prior to the annual conference at a deadline established by the Executive Board. In the event that there are not a sufficient number of nominees, nominations may be accepted at the annual conference.
  - C. The term of office for the Executive Board shall be as follows. The President, Treasurer and the Educational Coordinator will be elected in even numbered years (2010, 2012, 2014...etc.) The Vice President, Secretary, Communications Coordinator and the Sergeant-At-Arms/ Historian will be elected in the odd numbered years (2011, 2013, 2015...etc.) The elected members will take office commencing at the conclusion of the conference in which they are elected. No person may serve more than three consecutive terms in the same office, except in cases where they may serve the unexpired term of his or her predecessor or run unopposed for the office.
  - D. The Executive Board shall act as an advisory board to the President and the Association. It shall conduct all business of the Association and approve all program and conferences. The Executive Board shall approve for membership voting all changes to the by-laws of this Association.
  - E. The President of the Association shall send a letter of recognition to the agency head of the department of each incoming board member to notify the agency and recognize the commitment of the member. In the event a new President is elected, the Vice President shall send the recognition letter.
  - F. In the event a board member is removed from office for any reason the President of the Association shall send a letter to the member's agency head advising of the removal and reason for removal. In the event the President is removed from office, the Vice President shall send the removal letter.

- G. In the event an Executive Board member is involved in an internal affairs investigation (in which their conduct is being evaluated), the member shall notify the Association President in writing within seven days of the start of the investigation. The Executive Board member's position will be suspended pending the outcome of the investigation. If the Executive Board member fails to notify the Association President of the internal affairs investigation and the Association is notified in some other way, the Executive Board member will be removed from office and their membership will immediately be terminated.
- Section 2. President: The President of the Association shall be elected from and by the general membership by ballot. The duties of the President shall be to preside at the business meetings, to supervise the affairs of the Association, labor for the usefulness and efficiency of the Association, to appoint such special committees as required for the attainment and fulfillment of the goals of the Association, and to act as the spokesperson for the Association. The President shall be a voting member of the Executive Board and may be the deciding vote in a ballot cast at any meeting.
- Section 3. Vice President: The Vice President of the Association shall be elected from and by the general membership by ballot. The Vice President shall succeed the President in the event of death or resignation prior to the end of term. The duties of the Vice President shall be to act in place of the President in his or her absence and to assist the President in the performance of his or her duties. And to maintain membership records and oversee individual Chapter business. The Vice President shall be a voting member of the Executive Board. In the event the Vice President is unable to fulfill the duties of the presidency, Article 5 Section 12 will apply.
- Section 4. Secretary: The Secretary of the Association shall be elected from and by the general membership by ballot. The duties of the Secretary shall be to prepare and respond to the correspondence of the Association, to serve as the Secretary of the Executive Board, to record, prepare and distribute the minutes of the Association meetings as directed by the President, maintain and archive all official documents, and prepare and distribute the annual report for the Association. The Secretary shall be a voting member of the Executive Board.
- Section 5. Treasurer: The Treasurer of the Association shall be elected from and by the general membership by ballot. The duties of the Treasurer shall be to assume responsibility for all Association accounts, to serve as liaison with the Association accountant, to assume responsibility for submission of all tax forms, to receive all monies of the Association and keep accurate records of those funds for membership inspection, to issue payment for all debts and expenses incurred by the Association, and present financial reports of all Association accounts to the Executive Board and general membership. The Treasurer shall facilitate an independent audit of Association funds annually. The Treasurer shall be a voting member of the Executive Board.

- Section 6.      Communications Coordinator: The Communications Coordinator shall be elected from and by the general membership by ballot. The duties of the Communications Coordinator shall be to oversee, review, coordinate, approve, and distribute written materials for the official state publication, and Association. The Communications Coordinator shall be a voting member of the Executive Board.
- Section 7.      Educational Coordinator: The Educational Coordinator shall be elected from and by the general membership by ballot. The duties of the Educational Coordinator shall be to coordinate the annual training conference and prepare any training materials or programs. The Educational Coordinator shall be a voting member of the Executive Board.
- Section 8.      Sergeant-At-Arms/Historian: The Sergeant-At-Arms/Historian shall be elected from and by the general membership by ballot. The duties of the Sergeant-At-Arms/Historian shall be to keep order at the Association's Annual Meeting and maintain photographic and historical records or information relevant to the Association. The Sergeant-At-Arms/Historian shall be a voting member of the Executive Board.
- Section 9.      Chapter Presidents: Each regional Chapter shall elect a member in good standing to serve as their representative on the Board and as Chapter President. The Chapter President shall be responsible for coordinating and leading the Chapter meetings and bringing business before the Executive Board or Association. The Chapter will hold an election for Chapter Presidents every three years.
- Section 10.     Immediate Past President: The immediate past president shall, in the year following their leaving office, serve on the Executive Board to help provide guidance and continuity to the Executive Board. The immediate past president shall serve on committees and perform assignments as directed by the President. The immediate past president shall be an ex officio member of the Executive Board.
- Section 11.     Removal from Office: Unless otherwise indicated, an Executive Board member may be removed from office for just cause by two-thirds majority vote of the Executive Board.
- Section 12.     Vacancies: With the exception of the position of the Presidency, vacancies to the Executive Board may be filled by the individual next in line by order of votes received at the yearly election. In the absence of an elected individual to fill the position, the Executive Board may appoint, upon application for the position, a member by majority vote of the Executive Board. If a Chapter President leaves office, due to reasons other than elections, then the Executive Board Vice President will act as Chapter President until a new Chapter President can be elected.
- Section 13.     Appointed Positions



A. Webmaster: The Webmaster shall be responsible for creating, organizing and updating the PEAf website. This includes but is not limited to forums and images. The Webmaster will report to the Executive Board.

B. Conference Planner: The Conference Planner shall be responsible for the preparation and logistical execution of coordinating with vendors, negotiating hotel accommodations, including but not limited to exhibit space, audio-visual requirements, food and beverages and media materials. The Conference Planner will report to the Executive Board.

#### ARTICLE VI: COMMITTEES AND CHAPTERS

Section 1. Special Committees: Special committees may be formed when deemed necessary for the good of the Association by the President.

Section 2. Reporting: All committees shall prepare and submit periodic reports to the Executive Board and membership indicating the activities, expenditures, and/or other necessary information.

Section 3. Expenses: The expenses incurred by committee members for participation in committee meetings or business shall be borne by the committee members or their Chapters, except for expenses incurred by the members of the committee for travel to hearings or meetings as representatives of the Association, which shall be borne by the Association if authorized by the Executive Board. All reimbursed expenses must be documented with original receipts. Members of the Executive Board acting on behalf of the Association may be reimbursed when traveling on Association business if prior approval of the Executive Board has been obtained. Reimbursement may not exceed \$50 per day, or a total of \$250 per week (whichever is lesser) without the approval of a majority of the Executive Board. The standard mileage rate shall be used.

Section 4. Association Chapters: Chapters may be established within the Association based upon geographical location. Members desiring to form a Chapter may initially do so on their own, however, the Executive Board shall be informed in writing of the counties and/or agencies included in the new Chapter. Final approval of all Chapter formations, modifications, or dissolutions will be given by the Association general membership and shall be voted upon at the annual Association meeting. Provisions pertaining to Chapters listed elsewhere in these By-Laws shall apply.

#### ARTICLE VII: ANNUAL EDUCATIONAL CONFERENCE/STATEWIDE ASSOCIATION MEETING

- Section 1. An educational conference shall be held each year. The purpose of this conference shall be primarily to educate and communicate amongst the members of the Association topics of concern and interest.
- Section 2. Hosting: Location of the next annual educational conference shall be announced at the current year's annual educational conference.
- Section 3. An account shall be maintained by the Treasurer for the annual educational conference and statewide Association meeting. A report of the account shall be made to the Executive Board at its regular meetings.
- Section 4. Recognition Awards: The Executive Board may give recognition awards at their discretion. However, an "Evidence Specialist of the Year" award will be given at the annual educational conference/statewide Association meeting. Meritorious Service awards may be given at the discretion of the Executive Board for extraordinary achievements.
- Section 5. Not-for-profit organizations desiring to attend the Annual Educational Conference will be charged a reduced amount from the regular vendor or member registration fee. Not-for-profit organizations that request to attend as a vendor will be charged an amount equal to 25% of the vendor registration fee. No membership in PEAFF will be granted. Not-for-profit organizations that request to attend as member will be charged an amount equal to 75% of the regular member attendance fee. Membership for the not-for-profit organization will be granted in accordance with Article II and Article IV, Section 6.

#### ARTICLE VIII: MEETINGS

- Section 1. The Association shall hold a minimum of three meetings each fiscal year. One annual statewide educational conference and two regional meetings shall be held.
- Section 2. Statewide Association meeting: One meeting of the general membership of the Association shall be held each year. Additional meetings of the general Association membership may be held upon the approval of the Executive Board at the request of a Chapter for business that affects the Association membership and that cannot wait until the next regularly scheduled Association meeting.
- Section 3. Chapter meetings: Each Chapter shall hold a minimum of two meetings per year for the purpose of education, training, networking, and Association business. The responsibility for organizing and hosting the meetings shall be rotated among the individual agencies within the Chapter. The duties of the host agency shall include making arrangements for an adequate and proper facility for the meeting and

obtaining a guest speaker knowledgeable in the property/evidence field. The Chapter President shall preside over Chapter meetings.

Section 4. Executive Board: The Executive Board shall meet at least quarterly for the purpose of conducting Association business.

#### ARTICLE IX: CONTRACTS

Section 1. No Chapter shall enter into any contractual agreement, excluding contracts for regular meetings without the approval of the Executive Board.

Section 2. The Executive Board shall not enter into any contract, excluding the annual educational conference, in excess of 10% of the Association treasury without the approval of the general membership.

#### ARTICLE X: PARLIAMENTARY PROCEDURE

Section 1. Robert's Rules of Order (revised) shall be the parliamentary authority of all meetings of the Association and its Executive Board.

Section 2. "Group Norm", as established by the Association membership, shall govern behavior by the membership during all meetings.

#### ARTICLE XI: EMBLEM

Section 1. Any changes in the officially designated Association emblem must be approved by the general membership.

Section 2. The official emblem of the Association may be used on all documents produced by the Association or its members. Such documents that have not been issued by the Association or authorized by the Executive Board shall indicate the Chapter or agency of origin.

Section 3. Under no circumstances shall the name or emblem of the Association be used for the commercial or political promotion of any of its members.

#### ARTICLE XII: AMENDMENTS

Section 1. Amendments to this document shall be accomplished through the Executive Board and may be proposed by any Chapter of the Association or the Executive Board.

Section 2. Amendments shall be adopted upon a majority vote of the attending members at the annual statewide Association meeting or by general ballot.

### ARTICE XIII: DISSOLUTION

Section 1. Dissolution of the Association shall occur only upon the unanimous approval of the remaining general membership and a majority of at least three-fourths of the members attending the meeting.

Section 2. Upon dissolution, the assets of the Association shall be disposed of in a manner consistent with the current legal statutes governing tax exempt, non-profit corporations and specifically as determined by the Executive Board. Under no circumstances shall the assets of the Association be disposed of to the benefit of any of the individual members of the Association.

Section 3. In the event any Chapter of the Association is dissolved leaving assets, such assets shall revert to the Association.

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