

**CONSTITUTION AND BY - LAWS**

**OF**

**CALIFORNIA ASSOCIATION OF LAW**

**ENFORCEMENT BACKGROUND**

**INVESTIGATORS (C.A.L.E.B.I.)**

**APPROVED BY BOARD**  
**DECEMBER 8, 1999**

**ARTICLE I**            **Name**

The name of this organization is the California Association of Law Enforcement Background Investigators. (C.A.L.E.B.I.)

**ARTICLE II**            **Purpose**

The purpose of the organization is to facilitate and increase the quality and effectiveness of entry level background investigations through knowledge and evaluation of relevant Federal and State laws, and to promote cooperation among law enforcement agencies.

**ARTICLE III**            **Membership**

- A.    Active: Open to all members of law enforcement agencies and fire departments who are involved in peace officer backgrounds within the State of California upon approval of the Board of Directors.
- B.    Associate: Open to members of law enforcement support agencies after review by and within approval of the Board of Directors. Associate Members must meet the following requirements:
  - 1.    The applicant for membership must have a California Private Investigator License, in good standing with the Department of Consumer Affairs.
  - 2.    The applicant must have successfully completed a 32 hour POST certified Background Investigation Course.
  - 3.    The applicant must submit, on a law enforcement agency letterhead, documentation verifying that they are actively involved in that agency's background investigations.
  - 4.    That law enforcement agency must be a CALEBI member in good standing.

**ARTICLE IV**            **Membership Dues**

- A.    Dues of the association shall be set by a majority vote of the Board of Directors or the general membership, and agency dues shall be payable by January 1<sup>st</sup> of each year or upon acceptance of membership into the association.
- B.    All member agencies in good standing, both active and associate, shall have all rights and privileges of membership.
- C.    Each member agency shall have one vote.
- D.    Non-payment of membership dues shall result in the loss of membership.

**ARTICLE V**            **Expenditures**

- A.    Funds placed in the care of the Treasurer may be expended upon a majority vote of the Board of

Directors or my majority vote of the member agencies or upon direction of the President.

- B. Dues shall be deposited in a bank account at the earliest practical date after collection and the account shall be maintained in a manner requiring two signatures of Board Members for disbursement.
- C. Any member agency who for any reason is removed or withdraws from this association shall forfeit those dues paid by it and shall have no right or claim against the association arising from such forfeiture.
- D. Speaker fees will require approval of a quorum of the Board of Directors.

#### **ARTICLE VI            Censure or Removal**

- A. Any member or member agency may request a censure or removal hearing of any member or member agency who knowingly violates any local, State, or Federal statute, or brings discredit to the association or to an association member. The censure/removal process shall be defined in Appendix A.

#### **ARTICLE VII Board of Directors**

- A. The Board of Directors shall consist of 7 members. The President, Vice President, Secretary, Treasurer, and three Directors at large shall be elected by a vote. No more than two members of an agency shall be represented on the Board of Directors. The Board shall consist of the following:
  - 1. President: Shall preside at all meetings, appoint committee chairpersons and shall be an ex-officio member of all committees. Shall be an employee of a law enforcement agency.
  - 2. Vice President: Shall preside in the absence of the President and perform other duties as required by the President. Shall be an employee of a law enforcement agency.
  - 3. Secretary: Shall be responsible for all correspondence and shall maintain the administrative records of the association and shall perform other duties as required by the President. In the Secretary's absence, the Vice President shall fulfill the Secretarial duties.
  - 4. Treasurer: Shall be responsible for maintaining the financial records and related documents in an orderly manner and making sure that such records are available upon request to the Board of Directors or the President. Shall pay all legal debts of the association in a timely manner consistent with the procedures established. Shall prepare a written report of the current financial status of the association for presentation at board meetings.
  - 5. Directors at large: There shall be three Directors as large. They shall serve on the Board of Directors and perform other duties as required by the President.

**ARTICLE VIII**            **Elections and Appointments**

- A.     Nominations and elections of the Board of Directors shall be conducted at the final meeting of the year. Candidates must be present to be nominated and elected.
  
- B.     The elections shall be conducted by written ballot. There shall be one vote per agency, with the name of the agency written on the ballot. Each Board member shall have one vote, regardless of his or her agency affiliation.
  
- C.     Three members who are not candidates for office shall be appointed by the President to act as Judges and Tellers for the election. The election results shall be tabulated, announced and entered into the minutes prior to the conclusion of the meeting.
  
- D.     The Board of Director's term of office shall be for the calendar year following the election.
  
- E.     Board of Directors vacancies shall be filled for the remaining unexpired term by appointment of the President.
  
- F.     Any member of the Board of Directors who becomes negligent in the performance of duties or is deemed guilty of any acts detrimental to the welfare of the association, as determined by the Board of Directors, may be removed from office. Removal from office shall be conducted as set forth in Article VI.

**ARTICLE IX**            **Meetings**

- A.     General Meetings: General Meetings/Training Seminars shall be held a minimum of twice a year, as deemed appropriate, and place to be announced in the newsletter and/or web site. The Secretary shall notify all member agencies by mail at least twenty five (25) calendar days prior to all General Meetings/Training Seminars. A quorum shall consist of those member agencies present.

Attendance to General Meeting/Training Seminars shall so be restricted to members, invited speakers, prospective members and invited guest. All persons admitted to a Meeting/Training shall sign the Roster and wear the appropriate membership or guest tag or other valid identification of their employing agency. Prospective members and invited guest shall not be allowed to attend more than one meeting per fiscal period without applying for membership.

- B.     Board of Directors Meetings: The Board of Directors shall meet at a time and location established by the President. Any member of the Board may request such a meeting which must be convened within fourteen (14) calendar days. A quorum shall consist of (4) members of the Board.

Board members shall have no more than two unexcused absences from meetings during one year. More than two unexcused absences shall result in removal from the Board and the President shall appoint a replacement for the remainder of the year.

**ARTICLE X**            **Amendments**

These by-laws may be amended by a majority vote of the Board of Directors at any Board of directors meeting.

**ARTICLE XI**            **Dissolution**

- A.     Upon dissolution of the association, the Treasurer or such person or persons as are appointed by the President shall:
1.     Pay all outstanding debts against the association.
  2.     Disburse the remaining assets equally among the members agencies.

## APPENDIX A

### CENSURE/REMOVAL PROCESS

The censure or removal hearing shall be conducted by no less than a quorum of the Board of Directors, and any findings shall require a majority vote.

The party requesting a censure or removal hearing will notify the Board of Directors in writing of the circumstances of the complaint against a member or member agency.

The Board of Directors will notify the accused member or member agency of the censure or removal request by certified mail.

The member or member agency accused will have fifteen (15) days from receipt of the notification to respond to the censure/removal request, and request a hearing before the Board of Directors,

The Board of Directors will hold a hearing within thirty (30) days of receipt of the request for a hearing by the accused member or member agency. The burden of proof is on the complainant.

If the (accused) member or member agency fails to respond to the complaint (alleged violation), it will be assumed that the accusation is true and accurate and the Board of Directors will take the appropriate action.

Any disciplinary action shall be at the Discretion of the Board of Directors.