

**BYLAWS of the ARIZONA ASSOCIATION OF CHIEFS OF POLICE**  
**ARIZONA LAW ENFORCEMENT ACCREDITATION PROGRAM (ALEAP)**  
**Effective September 11, 2018**

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Article 1 - Introductory Provisions

Section 1.1. Name. The name of this Commission is the "Arizona Law Enforcement Accreditation Program (ALEAP)," hereinafter referred to as the "Commission," a Committee of the Arizona Association of Chiefs of Police (AACOP).

Section 1.2. Governance. The Commission shall be governed by up to seven (7) Commissioners, who comprise the Commission. The Commission shall be a policy-making body to establish, approve, and oversee all its program activities, subject to final approval by the AACOP Board of Directors.

Article 2 - Purposes - The Commission's overall purpose is to improve the delivery of law enforcement services, primarily through a law enforcement agency accreditation program, organized and maintained in the public interest. The Commission's specific purposes are:

Section 2.1. to establish and maintain standards for the operation of law enforcement agencies;

Section 2.2. to administer an accreditation process that encourages applicant agencies to come into compliance with those standards that are applicable to the agency on the basis of its size and the functions it performs;

Section 2.3. to conduct an on-site assessment of the agency's compliance with applicable standards after the agency indicates it is in full compliance;

Section 2.4. to recognize compliance with standards by issuance of a certificate of accreditation;

Section 2.5. to conduct programs of education, training, and research and to publish the results thereof, which will further the other purposes of the Commission;

Section 2.6. to accept fees, grants, gifts, bequests, and devices in support of the purposes of the Commission, consistent with the Bylaws and Constitution of the AACOP;

Section 2.7. to assume such other responsibilities and to conduct such other activities as are compatible with the operation of such standard-setting, on-site assessment, and accreditation activities, generally;

Section 2.8. to develop and maintain liaison and a close working relationship with national, regional, state, and local associations and agencies in the criminal justice and related fields for mutual assistance and the interchange of ideas and information, and to extend and strengthen cooperative working relationships with similar associations and agencies, when practical;

Section 2.9. to interpret for legislative and executive branches of government and the public the paramount importance of having fully qualified personnel in every area of the criminal justice field; to achieve high standards of recruitment and appointment of personnel on all levels; and to promote personnel management programs, employee development, and other essentials for the maintenance of high personal standards;

Section 2.10. to ensure that the business affairs and the programs of the Commission and its affiliates are conducted on a non-discriminatory basis;

Section 2.11. to promote the concept of voluntary self-regulation inherent in the accreditation process; and

Section 2.12. to cooperate with other private and public agencies in a manner that will lead to the improvement of the accreditation program and the delivery of law enforcement services.

### Article 3 - Accreditation Program

Section 3.1. Voluntary Nature of the Program. The accreditation program is a voluntary program. Agencies may participate in the program or not, as they wish; agencies may withdraw from the program at any time without prejudice. The Commission discourages actions on the part of any person, group, or association to mandate law enforcement agency accreditation at state or national levels of government.

Section 3.2. Standards. The Commission shall establish and maintain standards for law enforcement agencies that embody consideration of all administrative and professional aspects of their organization, management, and operations. These standards shall be made available to law enforcement agencies, and others, in publications of the Commission.

Section 3.3. Business and Administrative Operations. The business and administrative operations of the Commission shall, where applicable, be conducted in conformance with its standards.

Section 3.4. Accreditation Process. The Commission shall adopt self-assessment and on-site assessment report forms and procedures, conduct on-site assessments, make accreditation decisions, and issue certificates of accreditation, in accordance with policies and procedures from time to time adopted by the Commissioners, subject to approval by the AACOP Board of Directors.

Section 3.5. Confidentiality. The Commission shall observe a strict policy of confidentiality on any and all reports, files, records, and other data received from client agencies pertaining to the accreditation process. The Commission shall not release assessment results without the prior consent of the client agency's chief executive officer or receipt of a lawful court order. Materials given to the Commission as evidence of a client agency's compliance with standards will be kept by the Commission and will not be released, except in compliance with a state or federal court order.

#### Article 4 - Selection of Commissioners

Section 4.1. Composition. The Commission shall be comprised of no less than seven (7) Commissioners.

Section 4.2. Process of Selection. The Commissioners shall be selected by the AACOP Board of Directors. Selection and notification procedures shall be established by the AACOP Board of Directors. Said procedures shall be consistent with these Bylaws and as additionally set forth in the following subsections:

4.2.1. The AACOP Board of Directors shall have the full and ongoing responsibility for recruiting eligible and interested persons for appointment to the Commission and will publicize and otherwise encourage interested persons to serve on the Commission.

4.2.2. Names of eligible persons along with letters of application and/or resumes shall be forwarded to the Commission's Chair for distribution and review by the Board of Directors and the Commission's Chair.

4.2.3. In order for any person to be considered for appointment to the Commission, letters of application and/or resumes must have been received by

the Commission's Chair at least forty-five (45) days prior to the Commission Chair's Annual Meeting per the provisions of Subsection 4.6.4.

4.2.4. The applications/resumes shall be forwarded to the AACOP Board of Directors at least thirty (30) days prior to the annual meeting of the AACOP, which coincides with the AACOP Annual Conference in January.

4.2.5. The AACOP Board of Directors, during the annual meeting referred to in Subsection 4.6.4, shall make appointments to fill all existing vacancies. The Commission's Chair does not participate in the appointment process, but is present to serve as a resource person.

4.2.6. The AACOP Board of Directors has the responsibility to notify all persons of their appointments to the Commission.

Section 4.3. Criteria for Selection of Commissioners: Chiefs of Police. There shall be three (3) Chiefs of Police appointed to the Commission. Preference for all other appointments shall be given to Chiefs of Police from agencies that have attained state and/or national accreditation.

Section 4.4. Criteria for Selection of Other Members: The four (4) public- and private-sector representatives shall include persons from some or all of the following four categories: (1) Arizona POST; (2) Arizona Risk Pool; (3) League of Arizona Cities and Towns; and (4) Elected local, county, and state government official.

Section 4.5. Criteria for Selection and Reappointment. In the selection and reappointment of Commissioners, these criteria shall be met:

4.5.1 Apportioning. Commissioners shall be apportioned according to the categories named in Sections 4.3 and 4.4, and an effort shall be made to maintain balanced geographic representation.

4.5.2. Qualifications for Appointment as Commissioner: Chief of Police. At the time of their selection or reappointment, must meet the following qualifications: (1) be an active or retired Chief of Police; and (2) have a minimum of ten years of full-time experience in law enforcement.

4.5.3. Qualifications for Service and Reappointment. Commissioners meeting the criteria for initial appointment may serve for the period of their term regardless of

subsequent position changes; however, they shall not be eligible for reappointment unless they meet the membership criteria of Sections 4.3 or 4.4.

#### Section 4.6. Terms of Commissioners, Absences, and Filling Vacancies.

4.6.1. Terms of Commissioners. The terms of Commissioners shall be three (3) years, or until their successor has been appointed, beginning on July 1st, following their appointment. Nothing shall be construed herein as prohibiting the reappointment of eligible Commissioners to two (2) additional terms exclusive of any unexpired term they may have been appointed to fill.

4.6.2 Consecutive Absences. In the event a Commissioner has two consecutive unexcused absences or three consecutive excused absences from annual, regular, or special meetings of the ALEAP Commission, the Commissioners may, at the option of the absolute majority of the Commission, remove the Commissioner.

4.6.3. Filling Non-scheduled or Unanticipated Vacancies on the Commission. In the event of a non-scheduled or unanticipated vacancy, or projected vacancy in the office of Commissioner, the Commission's Chair shall immediately notify the AACOP Board of Directors, who shall select another person to fill the new or unexpired term of the vacated seat(s) within thirty days of the notification.

4.6.4. Commission Chair's Annual Meeting. The Commission Chair shall, at least once annually, or more frequently as the need arises, meet with the AACOP Board of Directors for the purpose of selecting new Commissioners and discussing/resolving Commission matters of mutual concern.

#### Article 5 - The Program Manager

Section 5.1. Qualifications. The Program Manager shall be selected by the AACOP Board of Directors and the AACOP Executive Director.

Section 5.2. Job Description. The Program Manager's job functions shall be as described in the Job Description, which is maintained and made available by the AACOP Executive Director.

## Article 6 - Meetings of the Commission

Section 6.1. Regular Meetings. The Commission shall meet three times per year in July, September and January, on such dates and at such places as may be designated.

Section 6.2. Special Meetings. Special meetings of the Commission may be called at any time by the Chair or by not less than one-third of the Commissioners then in office. Special meetings shall be held at such place or places as may be designated by the Chair subject to available funding thereof.

Section 6.3. Notice of Meetings. Written notice of the place, date, and hour of every regular and special meeting shall be given to each Commissioner and the AACOP Board of Directors. Notice of any Commission or committee meeting shall be given at least thirty (30) days prior to such meeting. Such meetings may be conducted electronically (i.e., conference telephone call, television/video conference, etc.) if so directed by the Chair. Notice of all meetings of the Commission should include an agenda with supporting documents.

Section 6.4. Adjourning/Reconvening. Any meeting of the Commission (regular, annual, or special), may adjourn from time to time to reconvene at the same or some other place.

Section 6.5. Quorum and Voting. At all meetings of the Commission, a majority of the Commissioners shall constitute a quorum for the transaction of business. Except in cases in which it is by charter, or by these Bylaws otherwise provided, the vote of a majority of such quorum at a duly constituted meeting shall be sufficient to approve and pass any measure or transact any Commission business. If a meeting lacks a quorum, the Commissioners present, by a majority vote and without notice other than by oral announcement, may adjourn the meeting until a quorum shall attend. At such reconvened meeting at which a quorum is present, any business may be transacted which might have been transacted at the original meeting, including ratification (through approval of a sense motion) or any action taken at the original meeting.

Section 6.6. Absentee and Proxy Votes. No absentee or proxy votes shall be accepted.

Section 6.7. Voting to Amend Standards. The Commissioners present shall have the power at any regular or special meeting, if notice thereof be included in notice of said meeting, to recommend any addition, amendment, or repeal of any standard to the AACOP Executive Board. Once approved by the AACOP Board, an updated version of the standards manual will be published.

Section 6.8. Minutes. Minutes shall be kept of the proceedings of all meetings of the Commission and Committees, as required.

Section 6.9. Proceedings. Meetings of the Commission shall be governed by Robert's Rules of Order, except as modified or suspended by the Commission.

Section 6.10. Order of Business. The order of business to be conducted at regular or special meetings of the Commission shall be as follows:

1. Roll call.
2. Approval of the minutes of the preceding meeting.
3. Reports of Chair/Executive Director.
4. Reports of any standing committees.
5. Reports of any ad hoc task forces.
6. Old and unfinished business.
7. New business.
8. Administrative.
9. Adjournment.

Article 7 - Committees of the Commission The following are standing committees of the Commission:

Section 7.1. The Agency Review Committees. These Committees will consider those agencies being presented by staff and recommended by an on-site assessment team to be accredited or reaccredited. The Review Committee will be comprised of three (3) Commissioners.

7.1.1 A selected Commissioner on the committee will serve as a review leader/chairperson for a particular agency. The Review Committee members will all be assigned agencies for which they will be the committee chairperson. The chairperson will lead the review discussion considering the final report submitted by the assessment team, pose inquiries of concerns to the agency, and receive additional information from staff as needed.

7.1.2 Upon completion of the review of an agency by all Committee members, the Committee shall recommend to the full Commission what action and/or disposition are appropriate for each particular agency. The Committee's recommendation should be one of the following:

- (1) Accredited. The agency is in full compliance with all applicable mandatory standards and with the required percentage of applicable non-mandatory standards.

(2) Accredited-with-a-time-limit. The agency has not achieved the required compliance with applicable standards. This may result from circumstances beyond the agency's immediate control. The Commission continues to recognize the agency's accredited status but only for a specified period not to exceed nine (9) months, during which time the agency must remedy deficiencies by pursuing a plan of action submitted to, and approved by, the Commission.

(3) Accredited-with-condition(s). The Commission designates the agency as accredited but requires that the agency take specified measures or precautions to cope with current or anticipated events or conditions threatening or preventing compliance. The Commission shall monitor the agency as appropriate.

(4) Accreditation lapsed. The agency has not achieved required compliance with applicable standards. The Commission regards the agency as no longer accredited. The agency is required to remove from view any indications of accredited status.

(5) Accreditation withdrawn. Apart from the above, four Commission-initiated designations, an agency may decide to discontinue its participation in the accreditation program. If so requested, the Commission will designate the agency as "withdrawn." In such a case, the agency must remove from view any indications of accredited status.

## Article 8 - Sundry Provisions

Section 8.1. Commission Logo. The Commission's logo is for Commission use alone. The Commission may, however, grant accredited agencies permission to reproduce the logo on their stationary, printed reports, and other appropriate uses.

Section 8.2. Statements in Name of the Commission. Statements in the name of the Commission shall be made only by the Chair or the AACOP Executive Director. Statements made by Commissioners do not necessarily represent the official position or policies of the Commission.

Section 8.3. Severability. Whenever there is any conflict between any provision of these Bylaws and any present or future statute, law, ordinance or regulation contrary which



would cause to invalidate such provision, the latter shall prevail, but in such event the provision of these Bylaws thus affected shall be curtailed and limited to the extent necessary to bring it within the requirement of the law. In the event that any of the provisions of these Bylaws, or any application thereof, is declared to be invalid, illegal, unenforceable, inoperative or of no effect by any court of competent jurisdiction, the validity, legality and enforceability of the remaining provisions of these Bylaws, and any other application thereof, shall continue to apply with full force and effect and shall not in any way be affected or impaired thereby.

#### Article 9 - Amendment of Bylaws

Section 9.1. Upon notice of not less than thirty days prior to the next regular or special meeting, the Commissioners shall have the power to alter or repeal any Bylaws of the Commission and to make new Bylaws. Any addition, amendment or repeal of any provision of the Bylaws must be by vote of a majority of the Commission. Any such changes to the Bylaws of the Commission are subject to the approval or disapproval of the AACOP Board of Directors.

#### Article 10 - Dissolution

Section 10.1. This Commission may be voluntarily dissolved by way of official action by the AACOP Board of Directors or the AACOP Executive Committee, in accordance with the Bylaws, Constitution, and Policies and Procedures Manual of the Arizona Association of Chiefs of Police.

#### Article 11 - Conflict of Interest for Commissioners and Officers

Section 11.1. No contract or transaction between the Commission and one or more of its Commissioners or officers, or between the Commission and any other corporation, partnership, association (with the exception of the AACOP), or other organization in which one or more of its Commissioners or officers are Commissioners or officers or have a financial interest, shall be entered into unless the material facts as to the Commissioner's or officer's relationship or interest and as to the contract or transaction are disclosed or are known to the Commissioners, and the Commissioners in good faith authorize the contract or transaction by the affirmative votes of two-thirds of the disinterested Commissioners, even though the disinterested Commissioner be less than a quorum. Common or interested Commissioners may be counted in determining the presence of a quorum at a meeting of the Commissioners.

## Article 12 - Indemnification of Commissioners and Officers

Section 12.1. The AACOP shall indemnify each Commissioner and each officer who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Commission) by reason of the fact that the Commissioner or officer is or was a Commissioner or officer of the Commission, or is or was serving at the request of the Commission as a Commissioner or officer of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by the Commissioner or officer in connection with such action, suit or proceeding if the Commissioner or officer acted in good faith and in a manner such Commissioner or officer reasonably believed to be in or not opposed to the best interests of the Commission, and, with respect to any criminal action or proceedings, had no reasonable cause to believe such conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in or not opposed to the best interests of the Commission, and, with respect to any criminal action or proceeding, had reasonable cause to believe that such conduct was unlawful.

Section 12.2. The AACOP shall indemnify each Commissioner and each officer who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Commission to procure a judgment in its favor by reason of the fact that the Commissioner or officer is or was a Commissioner or officer of the Commission, or is or was serving at the request of the Commission as a Commissioner or officer of another corporation, partnership, joint venture, trust or other enterprise against expenses (including attorneys' fees) actually and reasonably incurred by the Commissioner or officer in connection with the defense or settlement of such action or suit if such person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Commission and except that no indemnification shall be made in respect of any claim, issue or matter as to which such Commissioner or officer shall have been adjudged to be liable for negligence or misconduct in the performance of the Commissioner's or officer's duty to the Commission unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite that adjudication or liability but in view of all the circumstances of the case, such Commissioner or officer is fairly and reasonably entitled to indemnity for such expenses which such court shall deem proper.

Section 12.3. To the extent that a person who is or was a Commissioner, officer, employee or agent to the Commission, or of any other corporation, partnership, joint venture, trust or other enterprise with which such person is or was serving in such capacity at the request of the Commission, has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Sections 12.1 and 12.2, or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by that person in connection therewith.

Section 12.4. Any indemnification (unless ordered by a court) shall be made by the Commission only as authorized in the specific case upon a determination that indemnification of the Commissioner or officer is proper in the circumstances because the Commissioner or officer has met the applicable standard of conduct set forth in Sections 12.1 and 12.2. Such determination shall be made (1) by the Commission by a majority vote of a quorum consisting of Commissioners who were not parties to such action, suit or proceeding, or (2) if such a quorum is not obtainable, or, even if obtainable but a quorum of disinterested Commissioners so directs, by independent legal counsel in a written opinion.

Section 12.5. The indemnification provided by this article shall not be deemed exclusive of any other rights to which a Commissioner or officer seeking indemnification may be entitled under any statutes, provision in the AACOP's articles of incorporation, Bylaws, agreement, vote of disinterested Commissioners or otherwise, both as to action in the Commissioner's or officer's official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a Commissioner or officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

Section 12.6. The AACOP shall have power to purchase and maintain insurance on behalf of any person who is or was a Commissioner, officer, employee or agent of the Commission, or is or was serving at the request of the Commission as a Commissioner, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against such person and incurred by such person in any such capacity, or would have the power to indemnify such person against such liability under the provisions of this article.

Section 12.7. For purposes of this article, references to "the Commission" shall include, in addition to the resulting Commission, any constituent corporation (including any constituent of a constituent) absorbed in a consolidation or merger which, if its separate

existence had continued, would have had power and authority to indemnify its Commissioners, officers, and employees or agents, so that any person who is or was a Commissioner, officer, employee or agent of such constituent corporation, or is or was serving at the request of such constituent corporation as a Commissioner, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall stand in the same position under the provisions of this article with respect to the resulting or surviving corporation as such person would have with respect to such constituent corporation if its separate existence had continued.

Section 12.8. The invalidity or unenforceability of any provision in this article shall not affect the validity or enforceability of the remaining provisions of this article.