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CONSTITUTION  
and  
BYLAWS

**National Sheriffs'  
Association**



June 2008

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# INDEX

|   | Reference                | Page   |
|---|--------------------------|--------|
| <b>Constitutional Charter</b> .....                       |                          | 1      |
| <b>Bylaws of the National Sheriffs' Association</b> ..... |                          | 2      |
| Amendments .....  | Art. XV                  | 26     |
| Assistant Executive Director .....                        | Art. IX-2 (b), IX-3      | 20,21  |
| Audit, Annual .....                                       | Art. VII-3 (b), IX-2 (l) | 12, 20 |
| Budget .....  | Art. VII-3 (d), IX-2 (e) | 12, 20 |
| Committees .....  | Art. X                   | 22     |
| Special .....   | Art. X-1                 | 22     |
| CPA, Selection of .....                                   | Art. VII-3 (b)           | 13     |
| Directors, Board of .....                                 | Art. VI                  | 9      |
| Election .....  | Art. X-2 (c)             | 22     |
| Membership, Essential to Election<br>as Officer .....     | Art. VIII-1              | 16     |
| Nomination .....  | Art. X-2                 | 22     |
| Qualification for Election and<br>Service .....           | Art. VI-10               | 11     |
| Dissolution .....   | Art. XIV                 | 26     |
| Dues and Assessments .....                                | Art. IV                  | 8      |
| Elections .....   | Art. X-2                 | 22     |
| Executive Committee .....                                 | Art. VII                 | 12     |
| Executive Director .....                                  | Art. IX                  | 19     |
| Appointment .....   | Art. IX-1                | 19     |
| Contract Limitations .....                                | Art. VII-3 (c)           | 13     |
| Compensation .....  | Art. VII-3 (c)           | 13     |
| Membership on Board of Directors .....                    | Art. VI-2                | 9      |
| Fiscal Year .....   | Art. XI                  | 25     |
| General Counsel   |                          |        |
| Appointment .....   | Art. VII-10              | 15     |
| Membership on Board of Directors .....                    | Art. VI-2                | 9      |
| Retainer Fee .....  | Art. VII-3 (c)           | 13     |
| Host Sheriff  |                          |        |
| Report to Executive Committee .....                       | Art. VII-3 (a)           | 13     |
| Life Membership .....                                     | Art. III-6               | 4      |
| Conference Registration Fee .....                         | Art. XIII-4              | 26     |
| Liabilities, Limitation of .....                          | Art. XIII-1              | 25     |
| Meetings  |                          |        |
| Annual .....  | Art. V-1                 | 8      |
| -Conference with Host Sheriff .....                       | Art. VII-3 (a) 13        |        |
| -Expenses of President .....                              | Art. XIII-3              | 25     |
| -Registration Fee .....                                   | Art. XIII-4              | 26     |
| -Site Selection .....                                     | Art. V-1                 | 8      |
| Board of Directors .....                                  | Art. VI-3                | 9      |
| Executive Committee .....                                 | Art. VII-3               | 12     |
| Membership .....  | Art. III                 | 2      |
| Miscellaneous .....                                       | Art. XIII                | 25     |
| Name .....  | Art. I                   | 2      |
| Nominations .....   | Art. X-2                 | 22     |
| Officers .....  | Art. VIII                | 16     |
| Offices .....   | Art. II                  | 2      |
| Past Presidents   |                          |        |
| Membership on Board of Directors .....                    | Art. VI-2                | 9      |
| Membership on Executive Committee .....                   | Art. VII-2               | 12     |
| Reimbursement for Expenses .....                          | Art. VI-6                | 11     |
| Qualification for Election and Service                    |                          |        |
| Board of Directors .....                                  | Art. VI-10               | 11     |
| Officers .....  | Art. VIII-11             | 19     |
| Resolutions .....   | Art. XIII-6              | 26     |
| Seal .....  | Art. XII                 | 25     |
| State and Territorial Directors .....                     | Art. X-5                 | 24     |
| Suspension or Expulsion .....                             | Art. III-7 (c)           | 4      |
| Voting Rights and Procedures                              |                          |        |
| Annual Meeting .....                                      | Art. V-1                 | 8      |
| Nominations .....   | Art. X-2                 | 22     |
| <b>Code of Ethics of the Office of Sheriff</b> .....      |                          | 29     |

# CONSTITUTION AND BYLAWS OF THE **National Sheriffs' Association**

## **Constitutional Charter**

The Charter of the National Sheriffs' Association, granted by the state of Ohio under its non-profit corporation laws, provides that the objectives of the Association shall and are hereby declared to be:

To encourage and promote fair and efficient administration of criminal justice throughout the United States.

To encourage protection of the jurisdiction of the sheriff as a constitutional/statutory officer, and to support sheriffs throughout the United States in their efforts to discharge their law enforcement, corrections, and judicial responsibilities in a fair, efficient, and professional manner.

To cooperate with criminal justice agencies and other public and private organizations dedicated to the reduction of crime and improvement of law enforcement.

To encourage and to assist local state associations of sheriffs and other law enforcement officers.

To develop and encourage the practice of high standards of personal and professional conduct among sheriffs and other law enforcement officers.

To conduct such research, study, and investigation as may be necessary and advisable to develop information, knowledge, and data that would be useful in improving the administration of criminal justice.

To promote the law enforcement profession by providing appropriate educational courses in cooperation with institutions of higher learning or otherwise.

To encourage, plan, and implement programs designed to foster respect for the law by juveniles and to combat delinquency and unlawful behavior by youths.

To develop and support crime prevention projects at national, state, and local levels.

To acquire, preserve, and disseminate valuable information related to the Office of Sheriff and the administration of criminal justice.

To conduct competitions and make awards for outstanding services to law enforcement.

To sponsor group insurance and other programs, which will provide protection of members of the Association and the governmental agencies, they represent.

To exercise all general powers conferred upon a non-profit corporation by the laws of the State of

Ohio and the Commonwealth of Virginia, where the Association has its principal office, except as prohibited or forbidden by the Constitution and Bylaws of the National Sheriffs' Association.

This charter may be amended as authorized by the laws of the State of Ohio and Commonwealth of Virginia.

## **BYLAWS**

### **Article I - Name**

The name of the Association shall be the National Sheriffs' Association, herein referred to as "NSA" or "Association."

### **Article II - Offices**

The Association shall maintain a corporate office in the State of Ohio as required by the laws of that state, a principal office in the metropolitan area of Washington, D.C., and such other offices as may from time to time be designated by the Executive Committee.

### **Article III - Membership**

#### **Section 1 - Eligibility**

Any individual or organization subscribing to the objectives of the National Sheriffs' Association may

become a member as provided herein. The Association shall not discriminate in its membership practices due to religion, race, sex, creed, or place of natural origin.

## **Section 2 - Active Members of the Association**

The following individuals shall be eligible to vote as active members of the Association:

- (a) Sheriffs.
- (b) Sheriffs-elect, provided they qualify for office.
- (c) Undersheriffs, assistant sheriffs, deputy sheriffs, other employees of a sheriff's office/department and members of the sheriff's reserve, auxiliaries, and posses.
- (d) Chiefs of police and other employees of an agency having responsibility to enforce criminal law.
- (e) Individuals affiliated with federal and state law enforcement or with military agencies.
- (f) Individuals employed by private rather than public organizations but who have law enforcement duties.
- (g) Individuals employed in any agency, public or private, whose responsibilities relate directly or indirectly to the administration of criminal justice.
- (h) Individuals engaged in teaching, research, and writing in the field of criminal justice.
- (i) Individuals who have demonstrated genuine interest in and support of the Office of Sheriff or the effective administration of criminal justice/law enforcement/public safety throughout the nation.
- (j) Former individual members who have retired from active duty under honorable conditions (or life members as defined in Section 6 herein).
- (k) Current members of the Association in good standing.

## **Section 3 - Affiliated Members**

- (a) Any state or regional association of sheriffs or other criminal justice officers may be awarded affiliated membership in the Association by the Executive Committee, provided that all sheriffs or the chief executive officers of other similar criminal justice agencies in the state or region are already individual active members of the Association.
- (b) Any nonprofit corporation or other organization created as an affiliated organization of the Association by the Executive Committee in promoting the nonprofit aims and purposes

of the Association shall become an affiliated member of the Association.

#### **Section 4 - Auxiliary Members**

An individual who desires to become affiliated with the Association may be awarded limited and nonvoting membership—e.g., auxiliary members, students, international members—under conditions established by the Executive Committee.

#### **Section 5 - Sustaining Members**

Any individual or organization that has demonstrated a dedication to the objectives of the National Sheriffs' Association and support of the Office of Sheriff may become a sustaining nonvoting member under conditions which may be established by the Executive Committee.

#### **Section 6 - Life Members**

From time to time, active lifetime membership as an honorary life member in the Association may be granted to individuals under such conditions as the Executive Committee may determine. Active lifetime membership shall be awarded to retiring presidents of the Association and to Annual Meeting host sheriffs of the Association. Any active lifetime membership in the Association may be rescinded on any current or retired honorary life member by a majority action of the Executive Committee due to any honorary life member's actions or omissions that violate the Code of Ethics of the Office of Sheriff, Constitutional Charter and Bylaws of the Association or applicable laws if his/her conduct is deemed prejudicial to the Office of Sheriff or to the Association.

#### **Section 7 - Duration of Membership, Resignation, Suspension, and Expulsion**

- (a) Membership shall continue as long as dues and assessments are paid to the Association.
- (b) Any member may resign at any time by addressing a notice to this effect in writing to the Association's principal office.
- (c) Membership in the Association shall be initially denied or immediately terminated if an individual member or affiliate member is convicted of a misdemeanor or felony which is defined in the jurisdiction of conviction as a crime of moral turpitude. In addition, an individual member or affiliate member of the Association may be censured, suspended, or expelled from the

Association following a due process procedural hearing by a majority vote of the Executive Committee. A sufficient cause or grounds for a member's censure, suspension, or expulsion from the Association may be determined from either a violation of the Code of Ethics of the Office of Sheriff as adopted by the Association, a substantial civil violation of state or federal campaign, election, or other applicable civil laws, or violation of the Constitutional Charter or Bylaws of the Association or in any other conduct of a member which is deemed to be prejudicial to the Office of Sheriff or to the Association.

- (d) If there has been an apparent and serious violation of applicable federal or state law, NSA's Constitutional Charter or Bylaws, or the Association's Code of Ethics of the Office of Sheriff, any written complaint made against any member of the Association shall be submitted directly to the executive director of the Association or through the various state sheriffs' associations to the executive director for consideration by the Grievance Committee as provided under Article X, Section 4. If and when any such written complaint is received by the executive director, the executive director of the Association will immediately refer any such written complaint to the chairman of the Standards and Ethics Committee of the Association. The notice of any such written complaint shall be sent to the appropriate state sheriffs' association with a notice of the eventual findings of the
- (e) Executive Committee to be provided to the same state sheriffs' association.
- (f) After a written complaint is made to and considered by the Grievance Committee, the Executive Committee shall receive the written investigative findings and recommendations of the Grievance Committee. Any statement of charges as prepared by the Grievance Committee shall be sent by registered mail to the member at his or her last recorded address in the files of the Association with at least thirty (30) days notice being provided as to time and place of any scheduled due process hearing to be held before a hearing panel empowered by the Executive Committee to consider any such charges. The member so charged shall be entitled to reasonable time at any such scheduled hearing to present his or her evidence

in defense of any charges in writing and/or in person and the member reserves the right to be represented by counsel of his/her choice at his/her sole expense. Any member or officer of the Association who is censured, suspended, or expelled by the Executive Committee shall have a right to appeal such decision of the Executive Committee to the Board of Directors of the Association. Any individual member who is censured, suspended, or expelled and who holds any office or directorship in the Association shall likewise be censured, suspended, or expelled as an officer or director of the Association.

- (g) Four (4) additional members of the Board of Directors of the Association, other than those who served on the Grievance Committee, shall be appointed along with and by the president to serve on a hearing panel on behalf of the Executive Committee.
- (h) The hearing panel shall adhere to the following due process procedures:
  - 1. A formal hearing shall be conducted in a manner similar to that of a governmental administrative procedural hearing; and
  - 1. The chairman of the Grievance Committee will present the evidence of any violation(s) in the form of testimony or by affidavits of witnesses or in any other acceptable form of evidence; and
  - 1. The alleged violator or his/her representative may present evidence on his/her behalf in writing or by witness; and
  - 1. Any such formal hearing shall be recorded or transcribed verbatim by the Association. A transcript will be made available to the alleged violator upon request at his/her sole expense; and
  - 1. All decisions by the hearing panel shall be based on a preponderance of the evidence with at least four (4) of the five (5) hearing panel members being in agreement to sustain any charges and violations of applicable federal or state law or the Code of Ethics of the Office of Sheriff or the Constitutional Charter or Bylaws of the Association.
- (i) In the event any charges are sustained by the hearing panel, the Executive Committee by a majority vote may levy one of three (3) possible sanctions based on the nature and severity of any such violation(s) and the written findings and



specific recommendations of the hearing panel contained in any hearing panel's written report, such as:

1. Censure: A letter to any violator citing the section of the Code of Ethics of the Office of Sheriff, applicable laws or Constitutional Charter or Bylaws of the Association violated and advising the violator of the Association's disapproval of his or her actions or omissions.
  2. Suspension: A letter to the violator citing the Code of Ethics of the Office of Sheriff, applicable law or Constitutional Charter or Bylaw of the Association violated and advising the violator that he/she is suspended from NSA membership and/or office or as a member of the Board of Directors of the Association with all rights and privileges suspended thereto for a period of time of up to two (2) years as determined by the Executive Committee, after which time he/she may apply to the Executive Committee for readmission as a National Sheriffs' Association member.
  3. Expulsion: A letter to the violator citing the Code of Ethics of the Office of Sheriff, applicable law or Constitutional Charter or Bylaws of the Association violated and advising the violator that he/she is expelled permanently from NSA membership with all rights and privileges associated thereto.
- (j) Any member or officer who is disciplined by the Association shall have the right to appeal any such decision of the Executive Committee directly to the Board of Directors of the Association. Any appeal must adhere to the following:
1. Any such appeal must be made in writing by any such member within thirty (30) days of notification of the decision of the Executive Committee and sanction as to the specific basis of any such appeal.
  2. The Board of Directors will independently review the appellant's arguments and the transcript or recordings conducted by any hearing panel. A three-fourths (3/4th) vote of a quorum of the Board of Directors is necessary to reverse a decision of the hearing panel and the Executive Committee sanctions.
- (k) Any written complaints or hearing records shall

be deemed confidential and maintained at the headquarters of the Association and shall be separated from all other records of the Association and given secure and privileged status as private property. Access to these files and records shall be limited to the president, executive director, and general counsel of the Association. Any written complaint or hearing records shall be expunged if the member is deemed exonerated upon the request of any such member or any such charges are deemed unfounded after the termination of any applicable statute of limitation.

## **Section 8 - Voting Rights**

Each individual active member of the Association, as described in Section 2 hereof, in good standing, including active life members, as described in Section 6 hereof, enrolled as such at least sixty (60) days prior to any annual or special meeting of members, if properly registered as being in attendance at such meeting, shall be entitled to cast one vote on each matter submitted to a vote of the general membership.

## **Article IV - Dues and Assessments**

### **Section 1 - Amount**

The amount of annual dues for each classification of membership in the Association, and any other necessary assessment, shall be determined by the Executive Committee.

### **Section 2 - Non-Payment**

Members who fail to pay their dues at the time they become due may, without notice and without hearing, be dropped from the rolls and thereupon forfeit all rights and privileges of membership.

## **Article V - Meetings**

### **Section 1 - Annual Meeting**

The Annual Meeting of the Association shall be held on applicable dates between the months of June through August as determined by the Board of Directors. The Annual Meeting dates shall be selected at least five (5) years prior to the Annual Meeting, from among locations certified by the executive director as having facilities and services meeting the minimum standards for Annual Meeting locations as established by the Board of

Directors. All official invitations to hold an Annual Meeting should be submitted to the executive director

not later than the first day of January at least five (5) years in advance of the proposed Annual Meeting.

## **Section 2 - Purpose**

The Annual Meeting shall be held for the purpose of electing officers and directors; conducting educational seminars; considering reports and resolutions; disseminating information of benefit to the members; conducting committee meetings; and transacting any other Association business.

## **Section 3 - Notice**

The time and place of the Annual Meeting shall be published in the Association's regular publication, Sheriff, in the two issues immediately preceding the date of the Annual Meeting.

## **Section 4 - Meetings-Quorum**

A majority of the members registered as being in attendance at any meeting of the members shall constitute a quorum, and in case there be less than this number, the presiding officer may adjourn the meeting from time to time until a quorum is present, provided, however, if a quorum cannot be secured within three (3) days, the Executive Committee shall meet and transact all business which would have been presented had a quorum of members been present. At any regularly scheduled meeting of members, the words "meeting of members" shall be defined as any session at which any matter is scheduled to be presented to a vote of the entire membership.

## **Section 5 - Rules of Order**

The parliamentary rules as laid down in Robert's Rules of Order shall govern all deliberations, when not in conflict with these Bylaws.

## **Article VI - Board of Directors**

### **Section 1 - Authority**

The Board of Directors shall annually review the Association's progress and outline the policies that shall guide the Association's activities for the ensuing fiscal year.

### **Section 2 - Membership**

The Board of Directors ("Board") shall be composed of the Association's president, the three (3) vice presidents, the secretary, the treasurer, the sergeant-at-arms, all past presidents who are members in good standing, plus 21 members elected from among the

members of the Association. The 21 members so elected shall serve three-year terms. At the first Annual Meeting of members after the adoption of these Bylaws, seven (7) members shall be elected to serve a term of three (3) years, seven (7) to a term of two (2) years, and seven (7) to a term of one (1) year. Thereafter, the membership shall elect seven (7) members to the Board, plus elect members to fill the unexpired term of any vacant directorships. The membership shall be encouraged to select individuals representative of all sections of the United States. Up to and including the president of the association, not more than two members of the Board shall be residents of any one state. The executive director and general counsel shall be ex-officio members of the Board without the right to vote.

### **Section 3 - Meetings**

The Board of Directors shall have three (3) regular meetings, two (2) at the time and place of the Annual Meeting of the members as scheduled by the executive director, and one in conjunction with the Winter Meeting of the Executive Committee. The Board of Directors shall also meet upon demand of a majority of its members. Notice of all meetings of the Board of Directors other than regular meetings shall be sent by mail, telegraph, or fax to each member of the board at his/her last recorded address at least ten (10) days in advance of such meetings.

The Board of Directors shall have the right of entering into executive session on behalf of interested parties and/or to close its meetings to the general public. Any such executive session or closed meeting of the Board of Directors shall be conducted to protect the privacy of its individual members in any personnel, legal, or real estate matters of the Association not related to the conduct of public business in accordance with the

Annotated Code of Virginia. No resolution, rule, agreement, contract, or motion shall be adopted, passed or agreed to in executive session or at a closed meeting unless the Board of Directors, immediately following any such closed meeting or executive session, reconvenes in open session and takes a vote of its membership on any such resolution, rule, agreement, contract, or motion.

### **Section 4 - Quorum**

Sixteen (16) members of the Board of Directors shall constitute a quorum at any meeting of the Board.

## **Section 5 - Absence**

Any member of the Board of Directors unable to attend a meeting should, in a letter addressed to the president or the executive director, state the reason for his/her absence. If a member other than an elected officer of the Association is absent from two consecutive meetings for reasons that the Board fails to declare sufficient, his or her resignation may be deemed by the Board to have been tendered and accepted.

## **Section 6 - Compensation**

Members of the Board of Directors as such shall not receive any compensation for their services provided; however, former presidents of the Association who attended all Board meetings held at the time of the Annual Meeting of the members shall each be reimbursed for miscellaneous expenses in an amount to be fixed by the Executive Committee. The Executive Committee may, by resolution, authorize the reimbursement of actual and necessary travel and related expenses of any member of the Board of Directors incurred in connection with his/her full-time attendance at regular meetings held in connection with the Annual Meeting of members. Nothing herein shall preclude a member of the Board of Directors from serving the Association in any other capacity and receiving compensation and reimbursed expenses in connection with any such separate services.

## **Section 7 - Resignation**

Any member of the Board of Directors may resign at any time by giving written notice to the president or to the executive director of the Association.

## **Section 8 - Vacancies**

Any vacancies that may occur on the Board of Directors by reason of death, resignation, or otherwise, may be filled by the president until the next Annual Meeting of members provided, however, that vacancies occurring by reason of the fact that the director is also an elected officer of the Association shall be filled as provided in Article VIII, Section 9, of these Bylaws.

## **Section 9 - Rules of Order**

The parliamentary rules as laid down in Robert's Rules of Order shall govern all meetings of the Board when not in conflict with these Bylaws.

## **Section 10 - Qualification for Election and Service**

To be qualified to be elected and to continue to serve

as a member of the Board of Directors and Executive Committee of the Association (except for any eligible past president), an eligible individual must be serving and continue to serve as an elected, full-time sheriff and be a member in good standing of the Association. If after any election or in any other way a member of the Board (except for any eligible past president) leaves or vacates the Office of Sheriff, that member of the Board, upon leaving the Office of Sheriff, shall immediately vacate his/her position as a member on the Board of Directors of the Association at which time a successor member of the Board of Directors may be duly named and appointed as provided by the Bylaws of the Association.

## **Article VII - Executive Committee**

### **Section 1 - Authority**

The Executive Committee shall, within the limits of these Bylaws, have supervision, control, and direction of the affairs of the Association and shall be Trustees of the Corporation.

### **Section 2 - Membership**

The Executive Committee of the Association shall be composed of fourteen (14) members of the

Association, including the president, the three (3) vice presidents, the secretary, the treasurer, the sergeant-at-arms, and the two (2) immediate past presidents, all of whom are holding the elected Office of Sheriff during their tenure on the Executive Committee and all of whom are members in good standing of the Association, plus five (5) members of the Board of Directors who are to be selected annually by a majority vote of the members of the Board of Directors as elected by the Board of Directors. These five (5) members of the Executive Committee are to be selected at the second meeting of the Board of Directors held during the Annual Meeting of the Association.

### **Section 3 - Meetings**

The Executive Committee shall have three (3) regularly scheduled meetings: two (2) at the time and place of the Annual Meeting of the members as scheduled by the Executive Director; and one in conjunction with the Winter Meeting with the Board of Directors of the Association. The Executive Committee may call a special meeting during the year upon demand of a majority of its members. Notice of all meetings of the Executive

Committee shall be sent by mail, telegraph or facsimile to each member of the Executive Committee at least ten (10) days in advance of any such meetings. The Executive Committee shall have the right of entering into executive session on behalf of interested parties and/or to close its meetings to the general public. Any such executive session or closed meeting of the Executive Committee shall be conducted to protect the privacy of its individual members in any personnel, legal, or real estate matters of the Association not related to the conduct of public business in accordance with the Annotated Code of Virginia. No resolution, rule, agreement, contract, or motion shall be adopted, passed or agreed to in executive session or at a closed meeting unless the Executive Committee, immediately following any such closed meeting or executive session, reconvenes in open session and takes a vote of its membership on any such resolution, rule, agreement, contract, or motion. At its regular Winter Meeting, the Executive Committee and Board of Directors shall:

- (a) Invite the host sheriff for the next Annual Meeting of the Association to present at the Executive Committee and Board of Directors Meeting, the conference plan and any actions required for the Annual Meeting to be held in the host sheriff's jurisdiction. And in this connection, the Association shall reimburse the host sheriff for all necessary travel and related expenses incurred by his or her attendance at this Winter Meeting.
- (b) When necessary, may negotiate and execute a new contract for a period of not more than three (3) years for a certified public accountant and/or firm retained to audit the financial books and tax records of the Association.
- (c) When necessary, the Executive Committee shall negotiate and execute a new written contract for the executive director of the Association; provided, however, that the Executive Committee shall not execute an employment contract with the executive director in excess of five (5) years in duration. At a Winter Meeting, the Executive Committee shall set the salary to be paid the executive director during the current fiscal year and the current annual retainer to be paid to the general counsel of the Association.
- (d) At its Winter Meeting, the Executive Committee and Board of Directors shall review and approve an annual budget for the Association.

#### **Section 4 - Acting Without Assembling**

Any action that may be taken at a meeting of the Executive Committee may be taken without a meeting if a consent in writing, setting forth the action to be taken, is signed by all the members. Without assembling, all the members of the Executive Committee may conduct a meeting by communicating simultaneously with each other by means of conference telephones or similar communications equipment.

#### **Section 5 - Quorum**

A majority of the members of the Executive Committee shall constitute a quorum at any meeting of the Committee.

#### **Section 6 - Absence**

Any member of the Executive Committee unable to attend a meeting should, in a letter addressed to the president or the executive director, state the reason for his or her absence. If a member other than an elected officer of the

Association is absent from two consecutive meetings for reasons that the Executive Committee fails to declare sufficient, his or her resignation shall be deemed by the Committee to have been tendered and shall be accepted immediately.

#### **Section 7 - Compensation**

Members of the Executive Committee as such shall not receive any compensation for their services as members thereof. The Executive Committee may, by resolution, authorize the reimbursement of the actual and necessary travel and related expenses of any member incurred in connection with his/her full-time attendance at any meeting of the Committee. Nothing herein shall preclude a member from serving the Association in any other capacity and receiving compensation and reimbursed expenses in connection with any such separate services.

#### **Section 8 - Resignation**

Any member may resign at any time by giving written notice to the president or the executive director.

#### **Section 9 - Vacancies**

Any vacancies that may occur on the Executive Committee by reason of death, resignation, or otherwise, may be filled by the president for the unexpired term from the membership of the Board of Directors provided, however, that any vacancies



occurring by reason that the member is an elected officer of the Association shall be filled as provided in Article VIII, Section 9, of these Bylaws.

### **Section 10 - General Counsel**

The Executive Committee shall engage a general counsel for the Association who shall act as the attorney for the Association and all of its boards, committees and affiliates.

### **Section 11 - Rules of Order**

The parliamentary rules as laid down in Robert's Rules of Order shall govern all meetings of the Executive Committee when not in conflict with these Bylaws.

### **Section 12 – Management Subcommittee**

- (a) The Management Subcommittee (“Subcommittee”) of the Association shall be empowered to conduct any and all required, urgent or any necessary day-today business of the Association between the regularly scheduled meetings of the Executive Committee. The five (5) members of the Management Subcommittee shall consist of the President, the 1st Vice President and 2nd Vice President and the two (2) Immediate Past Presidents of the Association, if any. If a vacancy occurs on the Management Subcommittee or if there is no Immediate Past President eligible to serve on this Subcommittee, the President, at his/her sole discretion shall appoint any eligible member to this Subcommittee from the Executive Committee. The executive director and general counsel for the Association shall be deemed to be ex-officio members of the Subcommittee without the right to vote.
- (b) The Management Subcommittee shall have all the necessary power and authority between the regularly scheduled meetings of the Executive Committee to act on behalf of the Executive Committee on any required, urgent or necessary Association business matters, claims or issues, unless the Subcommittee is specifically denied those powers and duties by prior resolution and direction of the Executive Committee. Any and all such actions undertaken or recommended by the Management Subcommittee (including any minutes from any meetings) shall be subject to final review and approved by the Executive Committee at its next regularly scheduled

meeting or special meeting.

- (c) If required, the Management Subcommittee shall meet in person upon the call of the President or 1st Vice President of the Association or by any three (3) other of its members on notice given to its members by mail, telephone, telegraph, or facsimile (“communication equipment”), not less than 24 hours in advance of the time set for any such meeting. Any meeting held in person shall be held at the Association’s headquarters office or at such other suitable place as the notice may designate. Any three (3) members shall constitute a quorum of the Management Subcommittee. Without assembling in person, the members of the Management Subcommittee may conduct a meeting by conference telephone or by similar communication equipment (“electronically”). A unanimous vote at any meeting not held in person is required to approve any action of the Subcommittee.
- (d) The Management Subcommittee may take any informal action without a meeting held in person or electronically, if a consent in writing setting forth the specific action(s) taken is unanimously agreed to and signed by all of the members of the Subcommittee.
- (e) All reasonable and necessary expenses of the Management Subcommittee shall be paid by the Association. The Management Subcommittee shall promptly report any actions taken or recommendations made to the Executive Committee at its Winter Meeting and/or Annual Meeting of the Association or at any other scheduled meeting.

## **Article VIII - Officers**

### **Section 1 - Officers**

The elective officers of the Association shall be a president, three (3) vice presidents designated numerically as first through third, a secretary, a treasurer, and a sergeant-at-arms. Officers shall be elected at the Association’s Annual Meeting, shall assume office at the conclusion of the Annual Meeting, and serve for a term of one year or until their respective successors are elected and qualified. To be qualified, an officer, when elected, must be a member of the Association and serving as a full-time, elected sheriff. Not more than one officer (up to and including the president of the association) shall be elected from any one state.

## **Section 2 - Election of Officers**

The office of the president shall be filled by the election of the first vice president, but if that office is vacant, by the election of the vice president then in office having the most seniority. All vice presidents and officers shall be elected to serve in order of their seniority; the second vice president shall be elected as the first vice president and the third vice president as the second, the secretary would be elected to become the third vice president, the treasurer would be elected to become the secretary, the sergeant-at-arms would be elected to become the treasurer, and a new sergeant-at-arms would be elected provided, at the time of election, such officer is serving as a full-time, elected sheriff. The membership shall elect a qualified member to any vice presidencies, secretary, treasurer, and sergeant-at-arms seats then vacant. All such officers shall be selected from those having the required qualifications as provided under Article VI, Section 10 of these Bylaws.

## **Section 3 - President**

The president shall be the principal elective officer of the Association, shall preside at meetings of the Association, the Board of Directors, and the Executive Committee. He/she shall be a member ex-officio, with right to vote, of all committees. He/she shall, at the Annual Meeting of the Association, and at such other times as he/she shall deem proper, communicate to the Association, to the Board of Directors, or to the Executive Committee such matters and make such suggestions as may, in his or her opinion, tend to promote the welfare and increase the usefulness of the Association. He/she may appoint a person to represent the Association in each of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and other territories of the United States.

## **Section 4 - Vice Presidents**

In the event of the temporary inability of the president to perform his or her duties or during his or her absence for a meeting, his or her duties shall be performed by the vice president having the next greatest seniority. On the vacancy, resignation, death, or permanent disability of the president, the first vice president shall become acting president, but if the office of first vice president shall become vacant, the vice president having the greatest seniority as a vice president shall become acting president; however, if there is no vice president, secretary, treasurer or sergeant-at-arms holding office, an acting president

shall be chosen by the Executive Committee. The three (3) vice presidents of the Association shall have such duties as the president or the Executive Committee may assign.

### **Section 5 - Secretary**

The secretary shall cause notice to be given of Annual Meetings of the Association, cause a record of proceedings to be kept, attest documents, and perform such other duties as are usual for such an official or as may be duly assigned to him/her. The secretary may designate a member of the Association staff as approved by the executive director to be an assistant secretary for the purpose of attesting routine documents and affixing the Association's seal thereto.

### **Section 6 - Treasurer**

The treasurer shall cause a record to be maintained as to all monies received and expended for the use of the Association. He/she shall be assisted by the executive director of the Association. He/she shall make a report at the Annual Meeting or when called upon by the president. His or her records shall be subject annually to an audit and review by the certified public accountant or firm retained by the Association.

### **Section 7 - Sergeant- at- Arms**

The sergeant-at-arms shall maintain order and decorum at all meetings and conferences of the Association. He/she shall be the doorkeeper who shall admit to said meetings only those persons who may be in proper attendance and shall perform such other duties as the president shall direct, including the proper maintenance of the voting booth and the computing and reporting of all votes of all elections.

### **Section 8 - Resignation**

Any officer may resign at any time by giving written notice to the president or the executive director.

### **Section 9 - Vacancies**

If any office becomes vacant for any reason, any such vacant office shall be filled by the next elected officer in the order of succession. Any remaining vacancies shall be filled by appointment by the president of the Association on an interim basis from the existing membership of the Board of Directors until the next Annual Meeting of the

Association, at which time any such vacancies shall be filled through election by the general membership as an open office. Any such appointed officer is not

eligible to run for any vacant office at the next Annual Meeting of the Association.

### **Section 10 - Compensation and Expenses**

No officer of the Association elected by the membership shall receive any compensation for his or her services, but shall be reimbursed for any necessary expenses incurred by him/her in discharging his or her official duties as the Executive Committee may from time to time authorize.

### **Section 11 - Qualification for Election and Service**

To be qualified to be elected and to continue to serve as an officer (including any secretary or treasurer of the Association) of this Association, an eligible individual must be serving and continue to serve as an elected full-time sheriff and be a member in good standing of the Association during his/her entire term of office as an officer of this

Association and who has completed the Association's Uniform Qualifications Application which has been submitted for review and received prior approval by the Nominating Committee of the Association. After any election or in any other way an officer of the Association leaves or vacates the Office of Sheriff, that officer of the Association shall immediately vacate his/her NSA office or that of any affiliate of NSA. Upon creation of any such vacancy, a successor officer shall be duly appointed for the remaining term by the president of the Association as provided in Article VIII, Section 9, "Vacancies" and as provided under the Bylaws of the Association. If the president of the Association leaves or vacates his/her Office of Sheriff at anytime during his/her tenure, the office of the president of NSA shall be immediately filled as provided in Article VIII, Section 2 and Section 4, of the Bylaws of the Association.

## **Article IX - Executive Director**

### **Section 1 - Appointment**

An executive director shall be appointed by the Executive Committee to serve at the pleasure of the Committee or for such period as the Committee may designate by contract. In making the appointment to executive director, the

Committee shall require that the person appointed possess executive and administrative talents, have had experience in positions having comparable responsibilities to those of the executive director of the Association and, through education or experience, be

familiar with all ramifications of the administration of criminal justice throughout the United States. In appointing an executive director, other than reappointing an incumbent, the Executive Committee shall not act until it has received and considered the report of a search committee, which committee shall have investigated the widest range of qualified candidates possible and made its recommendation to the Executive Committee. The president shall appoint a search committee of not less than three nor more than five Association members promptly when deemed necessary by the Executive Committee. A sheriff, former sheriff, or an officer of a sheriff's office shall be given first consideration for appointment as executive director of the Association. All expenses of the search committee shall be paid by the Association.

## **Section 2 - Duties**

The executive director shall be the principal official charged with the day-to-day operation of the Association. Subject only to the policy determinations of the president, the Board of Directors, and the Executive Committee, the executive director shall have the authority to:

- (a) Administer the affairs of the Association.
- (b) Appoint an assistant executive director and such other officials and employees as the efficient operation of the Association may require, at such compensation and under such conditions as he/she may deem proper.
- (c) Contract on behalf of the Association for the office space, furniture, equipment, supplies, and such other services as the Association may require.
- (d) Maintain the records and files of the Association and handle its general correspondence.
- (e) Cause an annual budget to be prepared, supervise the keeping of financial records, and take such action as is necessary to assure collection, payment, and accounting of the Association's funds.
- (f) Maintain custody of the Association's funds, reserves, and securities and deposit, invest, and re-invest these assets in a prudent manner for the sole benefit of the Association with the advice and consent of the Management Subcommittee and Board of Directors of the Association. Furthermore, the Association's day-to-day operating funds should be invested in financial

institutions whose deposits are insured by an agency of the United States government. The executive director shall disburse the reserves and operating funds of the Association as directed by the Board of Directors, and shall report to the Board of Directors whenever called upon as to the ongoing financial condition of the Association.

- (g) Organize and supervise all research and educational programs and grants of the Association.
- (h) Give general supervision in the preparation, editing, and distribution of the Association's official publications.
- (i) Supervise the performance of the duties of all Association employees and ensure the satisfactory performance of all duties assigned to them.
- (j) Respond on behalf of the Association to requests for information and advice from individuals and organizations, both private and governmental.
- (k) Obtain such surety bonds or liability insurance for officers and employees of the Association as the Executive Committee may from time to time order, the cost thereof to be borne by the Association.
- (l) Submit all books and papers to a certified public accountant or firm retained by the Executive Committee for annual audit or whenever ordered by the president, treasurer, or the Executive Committee of the Association.
- (m) Surrender all books, records, papers, and monies of the Association to the president or to a member of the Executive Committee designated to receive same immediately upon being instructed to do so by resolution of the Committee.
- (n) Negotiate, execute, and administer contracts, grants, or other financial awards that will advance the non-profit objectives of the Association.
- (o) In general, serve as the executive agent of the Executive Committee and the Board of Directors to the extent permitted by law in the conduct of the business of the Association, performing all duties essential thereto.

### **Section 3 - Assistant Executive Director**

The assistant executive director shall, in the prolonged absence or disability of the executive director, perform the duties and exercise the powers of the executive director.

## **Article X - Standing and Other Committees**

### **Section 1 - Designation**

The Association shall include the following standing committees: Nominating Committee, Conference Committee, and Grievance Committee. The president shall appoint such special committees or subcommittees as may be required by the Bylaws or as he/she finds necessary.

### **Section 2 - Nominating Committee**

- (a) The elected officers of the Association, plus three (3) members of the Board of Directors and two (2) Association members at large as appointed by the president and past presidents in good standing shall constitute the Nominating Committee.
- (b) The president of the Association shall be or may appoint a chairman of the Nominating Committee. The Nominating Committee shall meet during the Annual Meeting of the membership of the Association at a suitable time and place designated by the chairman of the Nominating Committee to submit at least one nomination for any vacancy in the following positions: the Board of Directors, secretary, treasurer, sergeant-at-arms, and any vacant positions in vice presidency of this Association.
- (c) Any eligible member of the Association may be nominated and may run to fill only one vacant office or seat on the Board of Directors of the Association at any one time. The chairman of the Nominating Committee shall receive any eligible candidates' written notice and completed Uniform Qualifications Application to run for any vacant office or position on the Board of Directors at least sixty (60) days prior to the Annual Meeting of the Association's general membership.
- (d) The Nominating Committee shall develop a Uniform Qualifications Application to be provided to, completed and returned by each eligible candidate who runs for any office or for any position on the Board of Directors of the Association prior to any election. NSA's Uniform Qualifications Application procedure shall not apply to the election of any existing elected member of the Board of Directors or officer of the Association who holds any such similar office or position as of June 30, 1996. This Uniform Qualifications Application shall help identify a candidate's law enforcement experience,



ethical and moral character, general educational background, etc. The Nominating Committee or its agent may conduct a financial or character background investigation of any candidate for an office or position with the Association. The report of the Nominating Committee shall be made at the Annual Meeting of the membership of the Association. Any additional nominations for any vacant office or offices or positions as a member of the Board of Directors may be made from the floor by any eligible member in good standing registered at the Annual Meeting of the Association; however, any such nomination made from the floor for any office or position on the Board of Directors of the Association shall complete and have reviewed by the Nominating Committee the Uniform Qualifications Application adopted by the Association prior to any nominee made-from-the-floor's election and confirmation to hold any office or position with the Association. Only one speech can be made by a nominee or in support of any nominee in any contested election and any such speech shall not exceed five (5) minutes in length.

- (e) All nominations shall be voted upon at the Annual Meeting of the Association by secret, written ballot, unless there is only one candidate for the office to be filled. An election booth shall be maintained wherein each eligible member in good standing of the Association may cast his or her vote for any officer or position. No campaigning for any office or position shall take place within 100 feet of any such voting booth during any such election. Any candidate receiving a plurality of votes cast for each contested office or position shall be declared elected to that office or position. Furthermore, any candidate as a member of the Board of Directors who receives the highest number of votes during any contested election shall hold the longest term of any remaining opening on the Board of Directors.

### **Section 3 - Conference Committee**

The Board of Directors, acting as the Conference Committee, at its Winter Meeting, shall consider the official invitations to hold an Annual Meeting as submitted by the executive director, and shall select only two (2) sites to make presentations to the Board of Directors at the Annual Meeting of the Association. The Board of Directors will then select the site of the Annual Meeting.

#### **Section 4 - Grievance Committee**

When a need for action arises, the president or the immediate past president of the Association through the executive director shall forward any such written grievances to the chairman of the Standards and Ethics Committee. The Grievance Committee shall consist of the chairman of the Standards and Ethics Committee and two (2) past presidents of the Association who are active, elected sitting sheriffs chosen either by the president or by the immediate past president of the Association. The Grievance Committee shall investigate any such charges made against any member of the Association and shall submit specific recommendations for any action to the Executive Committee as provided under Article III, Section 7. Any reasonable and necessary expenses incurred by the Grievance Committee in the course of its duties shall be reimbursed by the Association. Any written report made by the Grievance Committee to the Executive Committee or its investigation shall include one of three (3) specific findings and recommendations. Any Grievance Committee report to the Executive Committee should state that its investigative findings either are:

1. **Unfounded:** The alleged violation(s) did not occur or is/are unfounded. An unfounded allegation will be considered a complete determination of dismissal of any such charges.
2. **Exonerated:** An incident may have occurred but is not deemed to be a violation of the due process standards set forth in the Code of Ethics of the Office of Sheriff or NSA Constitutional Charter and Bylaws or of applicable law.
3. **Sustained:** There is sufficient probable cause to recommend that a violation or a breach of the due process standards set forth in the Code of Ethics of the Office of Sheriff or NSA Constitutional Charter and Bylaws of the Association or applicable law has occurred.

#### **Section 5 - Committee of Presidents and Executive Directors of State Sheriffs' Associations**

The presidents and executive directors of state sheriffs' associations, provided they are members of the National Sheriffs' Association, and the president and executive director of the National Sheriffs' Association

or their designees, shall constitute the membership of the Committee. The chairman of the Committee and such other officers as the Committee shall desire, shall be selected by the members of the Committee. The Committee shall meet at NSA's Annual Meeting and at such other times and places as the Committee chairperson shall designate, or on call of the members of a Committee representing any five state sheriffs' associations. The jurisdiction of the Committee shall be limited to matters relating to state sheriffs' associations and the Committee shall report to the NSA Executive Committee.

## **Article XI - Fiscal Year**

The fiscal year of the Association shall be established by the Executive Committee.

## **Article XII - Seal**

The Association shall have a seal of such design as the Executive Committee may adopt, and shall adopt any such other seal, materials, or products for protection by copyright and/or trademark.

## **Article XIII - Miscellaneous**

### **Section 1 - Limitation of Liabilities**

Nothing herein shall make members of the Association partners or employees of the Association for any purpose. No member, officer, agent, or employee of this Association shall be liable for the acts or failure to act on the part of any other member, officer, agent, or employee of the Association. Nor shall any member, officer, agent, or employee be liable for his/her act or failure to act under these Bylaws excepting only acts or omissions to act arising out of his/her willful misfeasance.

### **Section 2 - National Emergency**

In furtherance of its responsibility for the supervision, control, and direction of the affairs of the Association, the Executive Committee may provide special rules, regulations, and procedures as it shall deem necessary to the continued effective maintenance and conduct of the Association during any period of national emergency.

### **Section 3 - Annual Meeting Expenses**

The Association's outgoing president and his or her spouse shall be reimbursed by the Association for their actual and necessary expenses in attending the

Annual Meeting and, in addition, be paid the sum of two hundred and fifty dollars for unaccountable miscellaneous expenditures.

#### **Section 4 - Annual Meeting Registration Fees**

The registration fee to be charged at any Annual Meeting shall be decided by the Executive Committee at least one year prior to the year in which the Annual Meeting is to be held, or at such other times as the Executive Committee determines. The president and spouse, the host sheriff and spouse, and those persons regularly employed or retained by the Association, shall not be required to pay any such registration fee.

#### **Section 5 - Association Emblem and Advertising**

No member of the Association shall display the Association's emblem except in accordance with the rules established by the Executive Committee. No member or officer of the Association, except the Association's regularly employed staff, shall solicit any type of advertising for any Association publication or engage in any other fund-raising activity unless specifically authorized to do so by the Executive Committee.

#### **Section 6 - Resolutions**

Any resolution brought by a member of the Association or by a committee of the Association that is adopted by the membership, the Board of Directors/ Executive Committee shall be considered adopted by the Association. Any such resolution, establishing Association policy, shall expire four (4) years after the date of its enactment. The Third Vice President of the Association shall be appointed as the Chairman of the Resolution Committee by the President of the Association.

#### **Article XIV - Dissolution**

The Association shall use its funds only to accomplish the objectives and purposes specified in its Constitutional Charter and Bylaws, and no part of said funds shall inure, or be distributed, to the individual members of the Association. On dissolution of the Association, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific, or philanthropic organizations to be selected by the Executive Committee.

## **Article XV - Amendments**

These Bylaws may be amended, repealed or altered, in whole or in part, by two-thirds (2/3 rds) of the votes cast by Members at any Annual Meeting of the Association, provided, however, that any such proposed amendments(s) must be submitted to the chairman of the Constitution and Bylaws Committee in writing by any member of the Association or by any chairman of any standing committee of the Association prior to or during any regularly scheduled Winter meeting of the Constitution and Bylaws Committee which is held in conjunction with any applicable Winter Meeting of the Board of Directors/Executive Committee of the Association. The Constitution and Bylaws Committee will review and make recommendations on any such proposed Bylaws or changes to the Board of Directors and the Executive Committee for approval before submission to the eligible members of the Association for their vote on these Bylaw changes or amendments. Any such NSA Bylaw change or amendment to be voted on by the members of the Association shall be published in any issue of the Association's regular publication, Sheriff, prior to the date of any such applicable Annual Meeting.

## **Article XVI - Effective Date**

These Bylaws become effective at the close of the business session of the Annual Meeting of members at which they are adopted.

## AMENDED

|                    |                               |
|--------------------|-------------------------------|
| September 18, 1942 | Columbus, Ohio                |
| November 20, 1943  | Washington, DC                |
| December 7, 1944   | Columbus, Ohio                |
| May 7, 1946        | Little Rock, Arkansas         |
| April 30, 1947     | New Orleans, Louisiana        |
| April 5, 1948      | El Paso, Texas                |
| June 22, 1949      | Detroit, Michigan             |
| June 4, 1950       | Chicago, Illinois             |
| April 30, 1951     | Atlanta, Georgia              |
| June 22, 1955      | Miami Beach, Florida          |
| June 20, 1956      | Akron, Ohio                   |
| June 12, 1957      | Galveston, Texas              |
| June 14, 1961      | Little Rock, Arkansas         |
| June 27, 1962      | New Orleans, Louisiana        |
| June 30, 1965      | Atlantic City, New Jersey     |
| June 18, 1979      | Rochester, Minnesota          |
| June 18, 1980      | Hollywood-by-the-Sea, Florida |
| June 24, 1981      | New Orleans, Louisiana        |
| June 23, 1982      | Las Vegas, Nevada             |
| June 20, 1984      | Hartford, Connecticut         |
| June 22, 1988      | Louisville, Kentucky          |
| June 19, 1991      | Minneapolis, Minnesota        |
| June 23, 1993      | Salt Lake City, Utah          |
| June 14, 1994      | Pittsburgh, Pennsylvania      |
| June 13, 1995      | San Antonio, Texas            |
| June 18, 1996      | Portland, Oregon              |
| June 24, 1997      | Marietta, Georgia             |
| June 28, 1998      | Phoenix, Arizona              |
| June 29, 1999      | Columbus, Ohio                |
| June 27, 2001      | Ft. Lauderdale, Florida       |
| June 25, 2002      | Tulsa, Oklahoma               |
| June 26, 2003      | Nashville, Tennessee          |
| June 29, 2004      | Seattle, Washington           |
| June 28, 2005      | Louisville, Kentucky          |
| June 20, 2006      | Orlando, Florida              |

### **National Sheriffs' Association**

Incorporated September 26, 1940 in the state of Ohio

Constitution and Bylaws originally adopted at first annual conference in St. Louis, Missouri, October 23, 1941.

# CODE OF ETHICS OF THE OFFICE OF SHERIFF

As a constitutionally/statutorily elected sheriff, I recognize and accept that I am given a special trust and confidence by the citizens and employees whom I have been elected to serve, represent, and manage. This trust and confidence is my bond to ensure that I shall behave and act according to the highest personal and professional standards. In furtherance of this pledge, I will abide by the following Code of Ethics.

**I shall ensure** that I and my employees, in the performance of our duties, will enforce and administer the law according to the standards of the U.S. Constitution and applicable state constitutions and statutes so that equal protection of the law is guaranteed to everyone. To that end I shall not permit personal opinion, party affiliations, or consideration of the status of others to alter or lessen this standard of treatment of others.

**I shall establish, promulgate, and enforce** a set of standards of behavior of my employees which will govern the overall management and operation of the law enforcement functions, court related activities, and corrections operations of my agency.

**I shall not tolerate nor condone** brutal or inhumane treatment of others by my employees nor shall I permit or condone inhumane or brutal treatment of inmates in my care and custody.

**I strictly adhere** to standards of fairness and integrity in the conduct of campaigns for election and I shall conform to all applicable statutory standards of election financing and reporting so that the Office of Sheriff is not harmed by the actions of myself or others.

**I shall routinely conduct** or have conducted an internal and external audit of the public funds entrusted to my care and publish this information so that citizens can be informed about my stewardship of these funds.

**I shall follow** the accepted principles of efficient and effective administration and management as the principle criteria for my judgments and decisions in the allocation of resources and services in law enforcement, court related, and corrections functions of my office.

**I shall hire and promote** only those employees or others who are the very best candidates for a position according to accepted standards of objectivity and merit. I shall not permit other factors to influence hiring or promotion practice.

**I shall ensure** that all employees are granted and receive relevant training supervision in the performance of their duties so that competent and excellent service is provided by the Office of Sheriff.

**I shall ensure** that during my tenure as sheriff, I shall not use the Office of Sheriff for private gain.

**I accept and adhere to this code of ethics.** In so doing, I also accept responsibility for encouraging others in my profession to abide by this Code.



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