



**Lowcountry Constables Association**  
**Allendale - Bamberg - Barnwell - Beaufort - Berkeley - Calhoun**  
**Charleston - Colleton - Dorchester - Hampton - Jasper - Orangeburg**



CONSTITUTION AND BYLAWS

OF

THE LOWCOUNTRY CONSTABLES ASSOCIATION

**ARTICLE I**  
**NAME.**

The name of the organization shall be the Lowcountry Constables Association.

**ARTICLE II**  
**PURPOSE AND ORGANIZATION.**

To endeavor to secure and enlist as members of this the Lowcountry Constables Association (LCA), qualified South Carolina State Constables who are devoted to the cause of better government, with a view to opposing crime and to devising ways and means for improving police methods, administration of justice, and enforcement of the law. The LCA shall offer advanced training and continuing education which will enable State Constables to better serve their community and to achieve a highly-trained back-up force for law enforcement agencies to use as needed. The Lowcountry Constables Association will concentrate its efforts to support law enforcement organizations in Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Colleton, Dorchester, Hampton, Jasper, and Orangeburg Counties, but may support any law enforcement agency within the state of South Carolina.

**ARTICLE III**  
**OFFICE.**

The principal meeting location of the LCA shall be the City of North Charleston, County of Charleston at the Charleston County Public Services Building at 4045 Bridgeview Drive, North Charleston, SC.

**ARTICLE IV**  
**MEMBERSHIP.**

Section 4.1. Members: Those eligible for membership in the LCA shall be qualified South Carolina State Constables who have received a commission signed by the Governor of the State of South Carolina. South Carolina State Constables may make application to the LCA in writing, and be approved for membership in accordance with the procedures outlined in Section 4.2 below. The LCA does not discriminate against individuals petitioning for membership based on race, creed, religion, gender, nationality, disability, or sexual orientation.

Section 4.2. LCA Membership Application Procedure: Anyone applying for membership in the Lowcountry Constables Association must submit the current application fee/yearly dues for the LCA, and must complete a membership application provided by the LCA, along with a copy of the following:

Class I, II, III and Retired Constables:

1. Current SLED-issued South Carolina State Constable ID card

Upon submission of a completed application, the Director, or, Assistant Director acting in his stead, shall assign an Investigating Committee consisting of three (3) LCA members in good standing to meet with and interview the applicant. Following the meeting and interview, the Investigating Committee will provide a recommendation of Favorable or Unfavorable to the membership. The applicant must be approved by a simple majority of LCA members present at a regular monthly meeting. No quorum is required. Should an applicant be denied membership, he/she shall be so informed by the Director or Assistant Director, and his/her application fee shall be fully refunded.

Section 4.3. Dues. LCA Members are required to pay annual dues in an amount to be agreed upon by the membership of the LCA. Annual dues are payable on the first of the month following the month in which the member joins, and annually thereafter on or before the thirtieth day of January of each year.

If a member of the LCA fails to pay his or her dues on or before the thirtieth of January, that member shall be ineligible to participate in any LCA activities. Members who fail to pay their dues by the last day of February shall be notified by the Association, and, if payment is not made within the next fifteen (15) days (March 15), shall be considered in arrears, and be dropped from the rolls and thereupon forfeit all rights and privileges of membership. A member who is dropped from the rolls may re-apply for membership as detailed in Section 4.2.

ARTICLE V  
OFFICERS.

Section 5.1. Nominations. The members of the LCA will nominate a slate of officers in November to be voted on at the Annual Meeting.

Section 5.2. Election of Officers. The members of the LCA shall elect, from the qualified membership of the LCA, a Director, an Assistant Director, a Treasurer, a Secretary, a Sergeant-at-Arms, and Agency Coordinators. The officers elected shall hold office for a period of one year.

Section 5.3. Director. The Director shall preside at all meetings of the LCA and of the Executive Board at which he may be present. The Director shall also perform such duties as may be proscribed by these bylaws or assigned to him/her by the LCA or by the Executive Board. The Director shall be responsible for the overall activities of the LCA and shall act as liaison between the LCA and the Chief of the South Carolina Law Enforcement Division. He/she shall interact with the necessary departments at the South Carolina Law Enforcement Division, Department of Public Safety and in conjunction with the respective Sergeant/Agency Coordinator, County and Municipal Law Enforcement Associations and shall represent the Association to the Governor of the State of South Carolina.

Section 5.4. Assistant Director. The Assistant Director shall assist the Director in conducting all executive board meetings and shall serve as the Director in his/her absence. The Assistant Director shall also be responsible for coordinating all advanced training programs for the LCA. The Assistant Director shall be responsible for the records necessary to satisfy all requirements needed to certify that each member has completed any training conducted or coordinated by the LCA. The Assistant Director shall coordinate with the Agency Coordinators and develop the necessary reporting forms for certification. The Assistant Director shall assist the Director in any functions as assigned by the Director or the Executive Board.

Section 5.5. Secretary. The Secretary shall keep the minutes of all monthly and special meetings of the Executive Board of the Association and shall, if requested, read such minutes at the close of each meeting for approval. The Secretary shall transmit to the membership all notices for meetings of the Executive Board. The Secretary shall keep the official Association roster (the "600 List") and perform such other duties as may be required of him by these By-laws, or the Director.

Section 5.6. Treasurer. The Treasurer shall keep accurate account and collect all application fees, dues, and charges from members, have charge of all receipts and monies of the LCA, deposit them in the name of the LCA in a federally-insured depository approved by the Executive Board, and disburse funds as ordered or authorized by the Executive Board or membership. The Treasurer shall keep regular accounts of his receipts and disbursements, submit his record when requested, and give an itemized statement at regular meetings of the Executive Board or membership. He/she shall sign checks and withdrawal slips on behalf of the LCA upon any and all of its bank accounts, and the same shall be honored on his signature alone. The Treasurer shall give an accounting at the Annual Meeting, of all funds received and disbursed in the previous twelve (12) months.

Section 5.7. Sergeant-at-Arms. The Sergeant-at-Arms shall primarily enforce discipline and order at the direction of the Chair (Director) and will assist in the practical details of Lowcountry Constable Association meetings, including controlling access to meetings, call meetings to order, keeping discussions on point, moderating debate, and closing meetings in a timely manner.

Section 5.8. Agency Coordinators. The Agency Coordinator shall be the LCA representative to the law enforcement agency to which they are assigned. The Agency Coordinator may appoint an assistant to fulfill his/her duties when absent.

Section 5.9. Legal Affairs Officer. A Legal Affairs Officer may be retained by the Executive Board to assist in interpreting legal matters affecting the LCA. The Counsel shall be a qualified member of the South Carolina Bar in good standing with more than five years experience as a licensed attorney. Counsel shall advise the Executive Board on all legal matters pertaining to the LCA and shall further advise the membership on legal matters affecting law enforcement officers generally.

Section 5.9. Execution of Instruments. The Director, the Assistant Director, or the Treasurer, shall, on being so directed by the Executive Board, sign any leases, contracts, or other instruments in writing. It may vote the expenditure of monies as it deems necessary or advisable and it may contract for the lease or purchase in the name of the LCA of properties, or facilities for the use of the members. Any expenditure over two hundred dollars (\$200.00) must be approved by the General Membership.

Section 5.10. Removal. Any officer or agent may be removed by the Executive Board whenever in its judgment, the best interests of the Association will be served thereby.

Section 5.11. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, shall be filled by a vote of the membership at the next monthly meeting.

## ARTICLE VI EXECUTIVE BOARD

Section 6.1. Executive Board Membership. The Executive Board of the LCA shall consist of the Director, Assistant Director, Treasurer, Secretary, and Agency Coordinators.

Section 6.2. Function. The business and affairs of the LCA shall be managed by the Executive Board, who shall be elected as provided herein. The members of the Executive Board shall, upon election, immediately enter upon the performance of their duties and shall continue in office until their successors shall be duly elected and qualified.

Section 6.3. Duties. The Executive Board shall have general charge of the management of the affairs, funds, and property of the LCA. The Executive Board shall carry out the purposes of the LCA according to this Constitution and By-laws. The Executive Board shall have the authority to determine whether the conduct of any LCA member is detrimental to the welfare of the LCA and to fix the penalty for such misconduct, including removal from the membership of the LCA. The Executive Board shall audit, in the month following, the financial accounting provided by the Treasurer at the Annual Meeting, and report the results of the audit at the next monthly meeting.

Section 6.7. Quorum. A majority of the number of members of the Executive Board shall constitute a quorum for the transaction of business at any meeting of the Executive Board, but if less than such majority is present at a meeting, a majority of the members present may adjourn the meeting from time to time without further notice.

Section 6.8. Manner of Acting. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the Executive Board.

Section 6.9. Action Without a Meeting. Any action that may be taken by the Executive Board at a meeting may be taken without a meeting if consent in writing, setting forth the action so to be taken, shall be signed before such action by all of the members of the Executive Board.

Section 6.10. Vacancies. Any vacancy occurring in the Executive Board shall be filled by a vote of the membership at the next monthly meeting. A member elected to fill a vacancy shall serve out the unexpired term of his/her predecessor in office. Any Executive Board membership to be filled by reason of an increase in the number of members (such as adding an additional Agency Coordinator) shall be filled by election by the membership for a term of office continuing only until the next election of Officers by the LCA membership.

Section 6.11. Presumption of Assent. A Executive Board member who is present at a meeting of the Executive Board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his/her dissent shall be entered in the minutes of the meeting or unless he/she provides his/her written dissent to such action with the person acting as secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Association immediately after the adjournment of the meeting. Such right to dissent shall not apply to a member of the Executive Board who voted in favor of such action.

Section 6.12. Rulemaking. The Executive Board may make rules and general orders for the conduct of the members and the use of the Association property, and define and limit the conduct of members in accordance with the dictates of good law enforcement practices and the standard operating procedures of local agencies. All rules and executive orders shall be written and made available to the membership through posting to the organization website or other means. A copy of all rules and executive orders shall be maintained by the Secretary and made available at any meeting of the LCA.

Section 6.13. Appointment of Committees. The Executive Board may appoint such committees as it deems necessary.

Section 6.14. No authority to impose liability on members. The Executive Board shall not impose any financial liability or levy any assessment upon the members.

ARTICLE VII  
EXECUTIVE BOARD CONFLICT OF INTEREST POLICY

For purposes of this provision, the term "interest" shall include personal interest, interest as director, officer, member, stockholder, shareholder, partner, manager, trustee or beneficiary of any concern and having an immediate family member who holds such an interest in any concern. The term "concern" shall mean any corporation, association, trust, partnership, limited liability entity, firm, person or other entity other than the organization. No director or officer of the organization shall be disqualified from holding any office in the organization by reason of any interest in any concern. A director or officer of the organization shall not be disqualified from dealing, either as vendor, purchaser or otherwise, or contracting or entering into any other transaction with the organization or with any entity of which the organization is an affiliate. No transaction of the organization shall be voidable by reason of the fact that any director or officer of the organization has an interest in the concern with which such transaction is entered into, provided:

- The interest of such officer or director is fully disclosed to the board of directors.
- Such transaction is duly approved by the board of directors not so interested or connected as being in the best interests of the organization.
- Payments to the interested officer or director are reasonable and do not exceed fair market value.
- No interested officer or director may vote or lobby on the matter or be counted in determining the existence of a quorum at the meeting at which such transaction may be authorized.

The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.

ARTICLE VIII  
MEETINGS.

Section 7.1. Annual Meeting. The Annual Meeting of the members shall be held on the Second Tuesday in the month of December, at the hour of 6:00 P.M., for the purposes of electing officers for the ensuing year, and for the transaction of such other business as may come before the meeting. If the election of officers is not held on the day designated herein as the Annual Meeting of the members, the election shall be held on the monthly meeting on the Second Tuesday in the month of January at 6:00 P.M. Notice of the Annual Meeting location shall be made to the membership five (5) calendar days in advance. Notification will be via email to all the membership providing a working email address to the LCA.

Section 7.2. Special Meetings. Special Meetings of the membership for any purpose(s), unless otherwise proscribed by this Constitution and By-Laws, may be called by the Director, Assistant Director, a majority of the Executive Board, or by a majority of the membership entitled to vote.

Section 7.3. Place of Meeting. The Executive Board may designate any place, within the State of South Carolina, unless otherwise proscribed by this Constitution and By-laws, as the place of meeting for any annual, monthly, or special meeting. Unless stated otherwise, all annual, special and monthly meeting shall be held in the Charleston County Public Services Building at 4045 Bridgeview Drive, North Charleston, SC.

Section 7.4. Notice of Meeting. Written notice stating the place, day and hour of any special meeting and the purpose(s) for which the meeting is called, shall be delivered not less than five (5) nor more than ten (10) days before the date of the meeting, either personally, by U.S. mail, or electronically by email, by or at the direction of the Director, or the Assistant Director, or other persons calling the meeting, to each member of record entitled to vote at

such meeting. If mailed, such notice shall be deemed delivered when deposited in the United States Mail, addressed to the member at his/her address as it appears on the books of the association, with postage thereon prepaid. If emailed, such notice shall be deemed delivered when electronically transmitted to the email address of the member at his/her address as it appears on the books of the association.

Section 7.5. Voting lists. The Association Secretary having charge of the membership books of the Association shall make a complete list of the members entitled to vote at each meeting of the Association, with the address of each. Such list shall be produced and kept open at the time and place of the meeting and shall be subject to inspection by any member during the whole time of the meeting for the purpose of determining entitlement of any member to vote.

Section 7.6. Quorum. A majority of the members of the Association entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of the LCA. A simple majority of those members present at Regular and Annual Meetings shall be deemed an acceptable affirmative vote.

Section 7.7. Proxies. At all meetings of the Association, a member may vote in person or by proxy executed in writing by the member or by his/her duly authorized attorney in fact. Such proxy shall be filed with the Secretary of the Association before or at the time of the meeting. No proxy shall be valid after two (2) months from the date of its execution, unless otherwise provided in the proxy.

Section 7.8. Executive Board Regular Meetings. Regular meetings of the Executive Board may be held in conjunction with regular monthly and Annual Meetings of the LCA. The Executive Board may provide for the time and place for the holding of regular meetings without notice other than as specified herein. Regular meetings may be attended by all LCA members, unless an executive session is required for personnel-related issues.

Section 7.9. Executive Board Special Meetings. Special Meetings of the Executive Board may be called by or at the request of the Director or any two Executive Board members. The person or persons authorized to call special meetings of the Executive Board may fix the place for holding any special meeting of the Executive Board called by them. Special Meetings may be attended by all LCA members, unless an executive session is required for personnel-related issues.

Section 7.10. Notice of Executive Board Special Meeting. Notice of any Executive Board Special Meeting shall be given at least ten (5) days previously thereto by written notice delivered personally, mailed or emailed to each at his physical or electronic address provided to the LCA. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage there on prepaid. If electronically mailed, such notice shall be deemed to be delivered when electronically transmitted to the email address of the member at his/her address as it appears on the books of the corporation.

#### ARTICLE IX ASSOCIATION YEAR.

The fiscal year of the LCA will begin on January 1st and end on December 31st of each year.

#### ARTICLE X AMENDMENTS.

The Constitution and Bylaws of the LCA may be amended by presenting and reading the proposed amendment at any regular meeting, followed by an affirmative majority vote of the membership present at the following regular meeting.

ARTICLE XI  
POLICY and PROCEDURES.

Policy and Procedures will be written and adopted by the Executive Board for the purpose of standardizing administrative items in regard to uniforms, conduct, reporting procedures and standardization of law enforcement procedures and training. Policy and Procedures shall be made available to the membership through posting to the organization website or other means. A copy of Policy and Procedures shall be maintained by the Secretary and made available at any meeting of the LCA.

ARTICLE XII  
PROHIBITION ON USE OF FUNDS

No part of the net earnings of the Lowcountry Constables Association shall inure to the benefit of, or be distributable to, any of its members, trustees, officers or other private persons, except that the Lowcountry Constables Association shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the exempt purposes. No substantial part of the activities of the Lowcountry Constables Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Lowcountry Constables Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, Lowcountry Constables Association shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

ARTICLE XIII  
CONDUCT.

Any member found guilty of a felony by any court of competent jurisdiction or conviction of a misdemeanor by any court of competent jurisdiction which leads to the revocation of the member's South Carolina State Constable Commission by the Governor or his representative shall be immediately dismissed. Proof of the conviction or the withdrawal of the Commission shall be dispositive of the issues involved for expulsion and no further hearing shall be required. A member may also be sanctioned or dismissed for other unlawful conduct or unprofessional conduct by an Administrative Review Board established by the LCA.

## Administrative Review Board

An Administrative Review Board (ARB) shall be established for the purpose of reviewing complaints regarding individual LCA Constables received from Supported Law Enforcement Agencies, SLED, or members of the LCA.

The ARB shall consist of six LCA members in good standing, plus the Director (total of seven). Three members shall be appointed by the Director, and three shall be elected by the membership at the regular monthly meeting in January. Membership in the ARB shall be for a term of one (1) year. The Director shall only vote in case of a tie vote of the ARB.

The ARB shall have the authority to investigate the complaint and recommend any corrective action it deems necessary. These recommendations may include, but are not limited to:

- suspension/reduction/limitation of duty assignments for a specified period,
- additional training
- expulsion from LCA membership.

Should a Constable subject to the ARB fail to comply with ARB recommendations, the ARB may recommend the Constable be removed from membership at any regular monthly meeting. A vote of 2/3 of the members present at the regular monthly meeting shall be required to revoke membership

Complaints to the committee will only be received in writing, and must include the name of the officer sponsoring the complaint. A written incident report regarding any misconduct provided by a supported law enforcement agency shall be deemed an acceptable written request.

Activities of the ARB are considered confidential in nature, and shall not be disclosed to the general membership, unless the general membership is required to vote on an enforcement action.

Upon a finding and recommendations of dismissal, information pertaining to the dismissal may be turned over to SLED for further review. If the member is exculpated by SLED, he/she may be reinstated on application to the Association.

## ARTICLE XIV DISSOLUTION

The Lowcountry Constables Association is organized exclusively for religious, charitable, scientific, literary or educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future United States Internal Revenue law.

Upon the winding up and dissolution of the Lowcountry Constables Association, after paying or adequately providing for the debts and obligations of the Lowcountry Constables Association, the remaining assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

## ARTICLE, XV EFFECTIVE DATE.

This Constitution and Bylaws is in effect after approval by a majority of the members present at the March 12, 2015 monthly meeting.

Approved and adopted this date: March 12, 2015

Witnessed by:

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