

International Association of Marine Investigators, Inc.



**Green Highlights are proposed to be removed.
Yellow Highlights are proposed to be added.**

(Approved Portland, OR: 3/18/2009 / Updated Savannah, GA: 03/15/2017 / *Changes to be voted on at Biloxi ATS: March 20, 2019*)

An Oregon Nonprofit Corporation BY-LAWS

ARTICLE I: Name & Objectives

SECTION 1: *Name*

This organization shall be known as the "International Association of Marine Investigators, Inc." and is hereafter referred to as the "Association". The name of the Association shall not be used publicly by any Member, other than by the use of the membership card for identification purposes, without the express written permission of the Board of Directors. This shall not restrict the officers, agents or appointees of the Association from using the Association name in performance of the duties of their office or assignments.

SECTION 2: *Objectives*

The objectives and purpose of IAMI shall be:

- a) Provide marine investigative training;
- b) Organized exclusively for educational and training purposes;
- c) Develop and disseminate educational materials to conduct marine investigations;
- d) Provide a forum for the discussion of marine investigation and related investigative activities and other topics of interest;
- e) Promote the application, prevention and suppression of the following, but not limited to:
 - 1-marine crime;
 - 2-vessel accident prevention / investigation;
 - 3-environmental protection;
 - 4-marine drug smuggling;
 - 5-cargo crime;

- 6-terrorism & piracy;
- 7-information sharing;
- 8-boating safety issues.

- f) Encourage mutual cooperation between law enforcement agencies and marine organizations;
- g) Focus on the needs of the marine community;
- h) Unite for the mutual benefit of those persons who are eligible for membership as specified under Article II of these By-Laws;
- i) Accumulate and disseminate information of interest to all members;
- j) Eliminate all factors that interfere with the administration of justice;
- k) Operate as a nonprofit organization;
- l) Appropriate no funding for political lobbying.

m) To unite for mutual benefit those public officials and private persons engaged in the prevention and investigation of vessel theft its kindred crimes;

n) To provide for the exchange of technical information and developments.

o) To cooperate with any other individual, agency or association to further vessel theft prevention and suppression;

p) To encourage high professional standards of conduct among members and other vessel theft investigators and to continually strive to eliminate all factors which interfere with the administration of justice.

ARTICLE II: Type of Organization

SECTION 1: Public Benefit to Members

The International Association of Marine Investigators, Inc., IAMI, is a membership organization for Law Enforcement & Marine Professionals. IAMI supports educational and training programs to combat marine crime and promote officer safety, as well as boating safety programs. Said organization is organized exclusively for charitable, religious, educational and scientific purposes, 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 corresponding section of any future Federal Tax Code.

ARTICLE III: Membership

SECTION 1: Law Enforcement Membership

Those representatives of municipal, county, state, federal, national or international law enforcement agencies who are full time salaried employees with peace officer powers or are engaged in intelligence gathering, United States Coast Guard officials, special agents of the National Insurance Crime Bureau (NICB) and administrative officials of vessel registering or titling authorities may be eligible for Law Enforcement Membership, provided an application is sponsored by a Member in good standing and reviewed and approved by Second Vice President for review by the Membership Committee as outlined in the Association's Standard Operating Procedures. In the event that the new potential member does not have a Member to sponsor the application then the application, along with proper documentation, will be

reviewed by the Second Vice President and forwarded to the Membership Committee for their review and consideration.

- a. Proper documentation may include, but is not limited to: proof of employment, employment background, character references and other information that the Second Vice-President and/or Membership Committee deem reasonably appropriate to determine if the applicant is suitable for membership.

If all documentation is not received by IAMI Headquarters within 30 days of requesting such, the application may be denied.

Annual dues for law enforcement members shall be determined by the Executive Board.

SECTION 2: *Non-Law Enforcement Membership*

Those persons not covered under Section 1 (Law Enforcement Membership), including reserve, auxiliary or retired law enforcement officers, may be eligible for Non-Law Enforcement Membership provided an application is sponsored by a Member in good standing and reviewed and approved by the Second Vice President for review by the Membership Committee as outlined in the Association's Standard Operating Procedures. In the event that the new potential member does not have a Member to sponsor the application then the application, along with proper documentation, will be reviewed by the Second Vice President and forwarded to the Membership Committee for their review and consideration.

- a. Proper documentation may include, but is not limited to: proof of employment, employment background, character references and other information that the Second Vice President and/or Membership Committee deem reasonably appropriate to determine if the applicant is suitable for membership.

If all documentation is not received by IAMI Headquarters within 30 days of requesting such, the application may be denied.

Annual dues for non-law enforcement members, except retirees, shall be determined by the Board of Directors. Annual dues for those members permanently retired from law enforcement and/or private industry shall be determined by the Board of Directors. Non-Law Enforcement Members shall have all the privileges of a Law Enforcement Member, including voting, and may serve as an officer as provided in these By-Laws.

SECTION 3: *Student Membership*

Student members are those person(s) currently enrolled in a criminal justice degree program, or program of equivalent nature, from a regionally accredited college or university. Such student may be eligible for Student Membership provided an application is sponsored by their respective professor or instructor from a regionally accredited college or university and reviewed and approved by the Second Vice President for review by the Membership Committee as outlined in the Association's Standard Operating Procedures.

Annual dues for student members shall be determined by the Board of Directors. Student Members shall have limited privileges.

SECTION 4: *Law Enforcement Agency Membership*

Parent agencies of those memberships defined in Article III, Section 1, shall be eligible for Law Enforcement Agency Membership provided an application is sponsored by a Member in good standing and reviewed and approved by the Second Vice President for review by the Membership Committee as outlined in the Association's Standard Operating Procedures.

Annual dues for law enforcement agency memberships shall be determined by the Board of Directors.

~~IAMI is no longer accepting Law Enforcement Agency Membership applications. Delete see SOP's~~

SECTION 5: *Non-Law Enforcement Corporate Membership*

Parent companies of those memberships defined in Article III, Section 2, shall be eligible for Non-Law Enforcement Corporate Membership provided an application is sponsored by a Member in good standing and reviewed and approved by the Second Vice President for review by the-Membership Committee as outlined in the Association's Standard Operating Procedures.

Annual dues for non-law enforcement corporate memberships shall be determined by the Board of Directors.

~~IAMI is no longer accepting Non Law Enforcement Corporate Membership applications. Delete see SOP's~~

SECTION 6: *Honorary Life Membership*

By a majority vote of the Membership present at an annual business meeting, the Association may confer an Honorary Life Membership upon any person qualified for membership who has rendered distinctive service to the Association or its purpose. Nominations must be made in writing to the Board of Directors at least sixty (60) days prior to the annual business meeting and specify the reasons for the nomination. All past presidents of the Association shall become Honorary Life Members at the conclusion of their term of office. Honorary Life Members are considered as Members in good standing and are exempt from payment of annual dues.

SECTION 7.1: *Termination*

Membership in the Association shall terminate: ~~(1) by voluntary withdrawal, or (2) if the Board of Directors, by two-thirds (2/3) majority vote, concludes that the Member has exhibited conduct inconsistent with the objectives of the Association, or if it is determined that the Member is or has been a member of any subversive organization as defined by the Attorney General of the United States or by a competent law authority, or is unqualified to be a Member as set forth in Article III, Membership.~~

- a. By voluntary withdrawal, or
- b. When any member is in arrears with dues or other obligations to the Association, or
- c. It has been determined that the Member is or has been a member of any subversive organization, or
- d. By a two-thirds majority vote of the Board of Directors in its discretion, determines that such member has conducted themselves in such a manner as prejudicial with the following:
 - 1) Association objectives, Code of Ethics, and Professional Conduct or

- 2) The member has exhibited traits of character or conduct inconsistent with the qualifications for membership in the Association.

SECTION 7.2: *Suspension*

Membership in the Association may be suspended when the Board becomes aware of allegations such that if proven true, against a Member would result in their termination as set forth in Section 7.1. The suspension shall be made by the Board of Directors by two-thirds (2/3) majority vote. The member shall be notified of their suspension. Once the allegations are resolved the suspension shall either be converted to membership termination or reinstatement depending on the outcome of the allegation.

Nothing in this Section shall require a membership suspension prior to termination.

SECTION 7.3: *Appeals*

In the event a Member disputes the Membership Committee's vote, the "appellant" may seek the services of a single arbitrator, the choice of whom will be mutually agreed upon between the parties involved. The appellant shall notify IAMI Headquarters in writing of their choice to move forward with arbitration at least fourteen days in advance of any proposed hearing dates. The location of the arbitration proceedings will be in Oregon or another location mutually agreeable to the parties. Any fees associated with the cost of arbitration shall be incurred by the appellant, regardless of the arbitration findings. The arbitrator's judgment may be entered in and enforced by any court of jurisdiction.

SECTION 8: *Application for Membership*

All applications for membership shall be submitted to the IAMI Headquarters office manager. Eligibility for membership does not guarantee an applicant acceptance of membership. Membership (new and continued) is a privilege and may be denied or revoked and is, at all times, reviewable and subject to the discretion of the Second Vice President and Membership Committee. Additional provisions regarding membership may be set forth in the Standard Operating Procedures, which are incorporated by reference herein.

SECTION 9: *Dues*

Dues are payable upon application and on August 1 for renewals. Members who have paid their dues are considered "current" Members in good standing. Members who are delinquent in their dues are placed on "inactive" status for up to ~~12~~ 6 months. When any Member is in arrears with dues or other financial obligations to the Association for more than ~~12~~ 6 months, the membership shall be considered terminated by voluntary withdrawal. Any Member who has attained the Certified Marine Investigator status also forfeits their Certified Marine Investigator status when the Member is delinquent in his or her dues.

ARTICLE IV: *Officers, Terms and Elections*

SECTION 1: *The Board of Directors (Officers)*

The Board of Directors of the Association (herein referred to as the "Board") shall consist of a President, First Vice President, Second Vice President, Secretary/Treasurer, *no more than* nine (9) Directors and the most immediate Past President. The office of President, First Vice President and Second Vice President shall consist of at least two (2) Law Enforcement Members. The Secretary/Treasurer may be either a Law Enforcement or Non-Law Enforcement Member. The remaining Directors shall consist of five (5) Law

Enforcement and four (4) Non-Law Enforcement Members. In the event there are not sufficient applications to fill all the nine Director positions the nominating committee must be consistent in maintaining the law enforcement to non-law enforcement ratio (one more law enforcement than non-law enforcement) when nominating candidates to the Board. Nominations from the floor must also retain the same ratio.

SECTION 2: *Executive Committee*

The Executive Committee shall consist of the current President, First Vice President, Second Vice President and Secretary / Treasurer. In the absence, unavailability or if a conflict of interest exists with a sitting member of the Executive Committee, the President may appoint a current member of the Board or Past President to serve on the Executive Committee for a specified period of time so as to execute certain time sensitive issues, such as membership denials or dismissals. The Executive Committee shall have the authority to communicate and act on behalf of the Association. The Executive Committee cannot modify any action taken by the Board. The Executive Committee is responsible for developing an operating budget for the Association to be reviewed and voted on by the remaining Board members.

SECTION 3: *Terms of Office*

The Board shall be elected by the Membership at the annual business meeting and shall hold office until the next annual business meeting or, if by appointment, until the next scheduled election. Nothing in this chapter shall require any officer to be elected to the next higher position or prohibit any officer from being re-elected for more than one term. Executive Committee members of the Association must have served as a Board member and be a Member in good standing. Nominees for Directors must be Members in good standing and have attended at least one previous international training seminar of the Association.

SECTION 4.1: *Elections*

Election of officers shall be held at the annual business meeting. The Nominating Committee shall present a slate of officers to the Membership for consideration. Nominations may also be made from the floor. Only Members in good standing may be nominated and elected. In the event there are not sufficient applications to fill all of the nine Director positions the nominating committee must be consistent in maintaining the law enforcement to non-law enforcement ratio (one more law enforcement than non-law enforcement) when nominating candidates to the Board. Nominations from the floor must also retain the same ratio.

SECTION 4.2: *Nominating Committee*

The Nominating Committee shall be comprised of the immediate Past President (Chair), or the most recent Past President in attendance if the immediate Past President is not available, and two other members at large who are not members of the current Board. The Chair shall nominate the two members at large. All nominating committee members must be present at the Annual Training Seminar. The Nominating Committee should be introduced at the opening of the Annual Training Seminar.

SECTION 5: *Vacancies*

In the event a vacancy occurs among the members of the Board between elections, the vacancy shall may be filled by appointment by the President with concurrence of a two-thirds (2/3) majority vote of the remaining Board.

SECTION 6: *Membership Status Change*

A Board member's membership status on the Board (Law Enforcement or Non-Law Enforcement) remains the same while in continuing service on the Board ~~or Steering Committee~~, if applicable, regardless of individual career changes.

ARTICLE V: Duties of Elected Officers

SECTION 1: *President*

The President is the presiding officer of the Association. As such, the President is responsible for the direction and coordination of the Board and Executive Committee and shall preside at the annual business meeting. The President shall also be an ex-officio member of all committees, excluding the Nominating Committee. Within thirty (30) days following an election, the President shall make all committee assignments as established in the ~~By-Laws~~ *Standard Operating Procedures*. The President may appoint Members in good standing to chair ad hoc committees as deemed necessary for the proper operation of the Association. The President may require reports from each committee at the annual business meeting. In the absence of or in the event the President is unwilling or unable to perform the required duties, the First Vice President shall assume the authority and responsibilities of the President of the Association as outlined in this section.

SECTION 2: *First Vice President*

The First Vice President is responsible for the development and coordination of the annual training seminar and is the Program Chairman; appoints the seminar On-Site Coordinator; maintains the Standard Operating Procedures Manual and provides all new members of the Board with an up to date copy. In the absence of or in the event the President is unwilling or unable to perform the required duties; the First Vice President shall assume the authority and responsibilities of the President of the Association as outlined in Article V, Section 1.

SECTION 3: *Second Vice President*

The Second Vice President is the Membership Chairman and is responsible for the appointment and coordination of Regional Representatives to promote the activities of the Association and increase membership. In the absence of or in the event the President and/or First Vice President are unwilling or unable to perform the required duties, the Second Vice President shall assume the authority and responsibilities of the President of the Association as outlined in Article V, Section 1.

SECTION 4: *Secretary/Treasurer*

The Secretary / Treasurer is responsible for making all deposits and disbursement of funds as authorized by the budget, or the President, or the Executive Committee; causes the minutes of each meeting to be recorded; and is the custodian of all records.

SECTION 5: *Directors*

The Directors shall chair *standing* committees *outlined in the Standard Operating Procedures* as appointed by the President and are responsible for any other duties as assigned by the President. The

Directors of the Association shall have the authority to carry out and participate in the business of the Board.

SECTION 6: *Removal from office*

An elected officer of the Association may be removed from office by unanimous vote of all Board members, excluding the vote of the officer in question.

ARTICLE VI: Committees (Recommend moving from By-laws to SOP's)

SECTION 1: *Standing Committees*

- A. *By-Laws Committee***—Maintains the By Laws; causes any proposed changes to be published to the Membership in a timely manner; presents all proposed changes to the Membership at the annual business meeting; and provides the Secretary/Treasurer with an up to date copy of the By Laws to be published and distributed in conjunction with the membership roster.
- B. *Insurance Committee***—Develops projects and coordinates communication between the Association and the Insurance Industry to encourage a better understanding of the industry's problems relating to marine investigations.
- C. *International Committee***—Encourages new memberships outside the United States and helps facilitates the exchange of information regarding marine investigations and the Association internationally.
- D. *Marine Industry Committee***—Develops projects and coordinates communication between the Association and the Marine Industry to encourage a better understanding of the industry's problems relating to marine investigations.
- E. *Legislative Committee***—Obtains copies of legislation, both federal and state, relating to marine investigative and boating safety issues; generates model acts for proposed legislation and distributes upon request; makes the President aware of issues which should be of interest to the Membership; develops recommendations for changes to the National Crime Information Center (NCIC) stolen boat file.
- F. *Membership Committee***—The Membership Committee reviews all applications, renewals and inquiries into and/or requests for (whether self initiated or not) adverse action against a Member and forwards their recommendations to the Executive Committee.
- G. *Program Committee***—Works with the On Site Coordinator in selecting the hotel and training facilities; works in conjunction with the Training Committee in determining topics and instructors; develops and provides a seminar agenda to be published in the Association's newsletter in regards to the annual training seminar.

H. *Public Education and Training Committee*—Processes records of instructors, topics for each seminar and course outlines; provides seminar evaluation forms to the Membership to be considered by the Program Committee in developing the agenda; assists at the annual training seminar; forwards appropriate training records to the Secretary/Treasurer.

I. *U.S. Coast Guard Committee*—Responsible for communicating the concerns of the Association relating to marine issues.

J. *Grants Funding Committee*—Responsible for coordinating, researching and identifying grant funding, preparing grant applications, and managing grants.

K. *Law Enforcement Committee*—Addresses issues related to the Maritime Law Enforcement Community, including: specialized training, equipment, and officer safety; assists in maintaining the database of secondary HIN numbers; encourages mutual cooperation between Law Enforcement and the Private Sector.

L. *Past Presidents Committee*—This committee will be chaired by the immediate Past President with all other Past Presidents as committee members. The committee will be advisors and counsel to the Board and the Association.

SECTION 2: *Seminar Committees*

A. *Finance Committee*—Conducts an audit of the financial records of the Association and renders a complete summary of all income, disbursements and balances at each annual business meeting. A Member in good standing other than a Board member shall be appointed by the President and shall chair the committee. All supporting financial documentation for the audit shall be provided to the committee by the Secretary/Treasurer of the Association.

B. *Resolution Committee*—Receives proposed resolutions from the Membership, determines if a resolution is the most appropriate means of communicating the Association's support and/or concerns regarding issues with the marine and insurance industries; prepares those resolutions passed at the annual business meeting for the President's signature to be mailed within thirty (30) days.

C. *Nominating Committee*—Interviews those interested in holding an office in the Association. Presents a slate of Officers for consideration to the Membership at the annual business meeting. The Nominating Committee shall be chaired by the most immediate Past President. In the event the immediate Past President is not present, unwilling or not qualified, the committee shall be chaired by the most recent qualified Past President at the seminar. If no qualified Past Presidents are in attendance, then the

current President will appoint a qualified Member to chair the committee. A Nominating Committee member is deemed qualified by being an active Member in good standing.

~~D. *Site Selection Committee*—Solicits bids from Members to host the annual training seminar; recommends the dates and locations for approval by the Membership at the annual business meeting.~~

Note: Moves COMMITTEE Section 1 and 2 to SOP's

ARTICLE ~~VII~~ VI: Regional Chapters

The Executive Board may recognize a Regional Chapter of the Association only after written application to the Association by any such group wishing to establish a Regional Chapter. The application shall include proposed Chapter By-Laws and a membership roster containing a minimum of 25 members in good standing that have maintained membership in IAMI for at least the last twelve consecutive months. Upon the application's approval by the Board of Directors, a Charter and Licensing Agreement shall be issued by the Association authorizing the Chapter's operation and use of the Association's name and logo.

Any proposed changes to the Regional Chapter's By-Laws must be submitted in writing and approved by the Board of Directors prior to their becoming effective.

Regional Chapters may solicit their own membership. Individual Members of Regional Chapters shall also be members of the Association with full membership rights and privileges. The Chairperson (or other designated leader) of each Regional Chapter shall submit to the Association on a twice-yearly basis a roster of that Chapter's membership. That roster shall be included in the Association's Membership Directory.

The fees assessed to each established Chapter will be set by the Board of Directors and set forth in the SOPS of the Association.

Chapters that do not maintain the required minimum number of members (25) shall be placed in probationary status for a period of twelve consecutive months or until their membership reaches the required minimum level of 25. Chapters failing to meet the membership requirement after their probationary period shall have their Chapter status revoked.

ARTICLE ~~VIII~~ VII: Meetings

SECTION 1: *Annual Training Seminar*

An annual training seminar for the Membership shall be held in January, February, March or April of each year and be no less than three days in duration. In the event another month is considered, approval by a two-thirds (2/3) majority vote of the Board is required. The annual training seminar shall be held in a location as determined by the Site Selection Committee and approved by a ~~Membership~~ majority vote of the Board. *The Board will announce the Site Selection Committee's choice of location at the next annual*

business meeting. Nothing within this section will prohibit the Site Selection Committee from planning seminars more than a year in advance of the Board from entering into such agreements.

SECTION 2: *Committee Meetings*

The Board of the Association and all standing committees ~~shall~~ **may** meet the day preceding the annual training seminar. After the election, the newly elected President may call for a meeting of the new Board on the morning following the conclusion of the annual training seminar.

SECTION 3: *Annual Business Meeting*

The annual business meeting shall be held on the last day of the annual training seminar.

SECTION 4: *Mid-Year Meeting of Board of Directors*

The President may elect to call for a meeting of the Board of Directors approximately six months prior to the next annual training seminar. The President may also elect to hold meetings by telephone conference call or other electronic media.

ARTICLE ~~IX~~ **VIII: *Administration***

SECTION 1: *Governing Procedures*

The presiding officer shall be governed by the rules laid down in "Robert's Rules of Order", most recent edition.

SECTION 2: *Voting*

Only **Individual** Members in good standing may vote on any issue before the Association and with no proxies or absentee votes permitted.

SECTION 3: *Amendments*

The By-Laws may be amended by a two-thirds (2/3) majority vote of the Association Members present at the annual business meeting. ~~All proposed changes must be published and made available to all current Members.~~ Proposed changes to the By-Laws shall be submitted to the current membership in written form and posted no later than sixty (60) days before these changes are to be voted on.

SECTION 4: *Dissolution*

In the event of the dissolution of the Association, whether voluntary or involuntary, no Member shall be entitled to any distribution or division of the remaining assets. Instead, after payment of all debts and obligations, in lieu of a court order otherwise, the remaining assets shall be donated to a tax exempt 501(c)(3) organization named by a majority of the Members attending the dissolution meeting.

SECTION 5: *Fiscal Year*

The fiscal year of the Association is hereby fixed to begin on January 1st of each calendar year and to end on December 31st.

SECTION 6: *Prohibited Activities*

The Association is prohibited from engaging in any activities which would jeopardize its status as a 501(c) (3) organization.

Signed this 15th day of March 2017.

Kerry McCook, President

Patrick Rowland, Secretary