

**BENTON COUNTY SHERIFF'S
MOUNTED POSSE**

***Constitution
And
By-Laws***



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BCSMP CONSTITUTION

Article I: Purpose

This association is formed for the purpose of supporting and assisting the Sheriff of Benton County, State of Oregon, in the preservation of law and order, and the maintenance of peace. We voluntarily make ourselves available and offer our services when called upon to the office of the Sheriff of Benton County and/or the office of the Governor of the State of Oregon. We hereby form this association for these purposes.

Article II: Title

This association, of the undersigned members, is hereby given the name of and shall henceforth be called: Benton County Sheriff's Mounted Posse.

Article III: Executive Committee

For the administration of its own affairs, the government of the Posse shall be vested in a Posse Commander (the current Benton County Sheriff), one Captain, one First Lieutenant, one Secretary, and one Treasurer, to be elected by the regular Posse members and shall hold office with duties as provided in the By-Laws. The elected Officers will form an executive committee which will act on behalf of the regular members in the administration of the association.

Article IV: Property

Title and ownership of all property and assets of the Posse shall vest in "The Benton County Sheriff's Mounted Posse." Any person ceasing from any cause to be a member of the Posse shall forfeit *ipso facto* all right and title to the property, funds, assets of the Posse and every part thereof.

Article V: Demonstrations

No demonstrations shall be made by the Posse on behalf of any object or purpose deemed to be entirely political, religious or to advance a private commercial interest, unless it clearly appears that such demonstration shall tend to promote the purposes of the organization as expressed in Article I hereof.

Article VI: By-Laws

The Posse may adopt a code of By-Laws for the purpose of regulating the business and affairs of the organization, not inconsistent with the provisions of this Constitution. The By-Laws shall be adopted by the Posse Commander plus three-fourths (3/4) vote of the active members.

Article VII: Amendments to the Constitution

Amendments to the Constitution may be made at any meeting of the Posse with affirmative vote of the Posse Commander plus three fourths (3/4) of the active members. Written notice of the intention to submit for vote a proposed amendment to the Constitution will be included in the written notice mailed to each member setting forth the time and place of the meeting, said notice to be mailed seven days before said meeting.

BCSMP BY-LAWS

The following is adopted as a code of the By-Laws, of the Benton County Sheriff's Mounted Posse, herein referred to a "Posse", in accordance with Article VI of the Constitution.

Article I: Membership

Section 1: In accordance with Article 1 of the Constitution, persons desiring to associate for the purpose of advancing the interests of Benton County may be elected to Regular membership in the Posse.

Section 2: In addition to regular membership there shall be an Inactive membership and an honorary membership. Inactive and Honorary membership may be approved on an individual case by case basis, considering the needs of the Association and Benton County Sheriff's Office.

Section 3. No application for Regular membership in the Posse shall be received from any person who is not a citizen of the United States, nor shall any application for membership be received from any person who is under sixteen years of age. Members are required to own/lease and ride a horse, unless they become physical unable. If a member's horse is no longer rideable, member will have six months to replace said horse. Resignation of membership must be accompanied by the surrender of the member's badge and card of identification, and all other property which belongs to the posse.

Section 4: Each member of the Posse, without regard to classification, shall upon election to membership become a duly sworn deputy sheriff of the County of Benton, and shall be considered to have assumed by the oath and the acceptance of membership in the Posse, the obligation to render to the Posse and to the Sheriff of the County of Benton, as and when called upon, such assistance within the objects, purposes and customs of the Posse as may lie within their abilities.

Section 5: All of the activities of the Posse shall be confined to those purposes for which it was instituted as set forth in Article I of the Constitution and shall be subject to the limitations set forth in Article V thereof. An active demonstration by the Posse as a body and/or as individual members of the Posse, at any function whatsoever shall be made only upon an affirmative vote of two-thirds (2/3) of the Regular members present in a meeting.

Section 6: A member of the Posse who has been sworn as a Deputy Sheriff of the County of Benton shall be entitled to wear the distinctive badge of the Posse and shall be furnished an identification card.

Section 7: Junior Members shall be at least 16 years of age and under 21 years of age. Junior members must be sponsored at all times by an active regular member in good standing. Junior members shall wear the regular uniform, except that they shall be issued a badge indicating Junior status. Junior members will not become special deputies. They may participate in any form of public duties at the discretion of the officer in charge, and the Sheriff. Junior members shall not vote in Posse business meetings, but may voice their opinions on matters.

Except as indicated, the requirements for membership, horsemanship, equipment, duties and responsibilities of Junior members shall be the same as for regular members.

Junior membership status shall automatically end when the junior member reaches the age of 21. At that time, if having served for more than six months, the junior member may be voted into vested membership status by a majority vote of active members.

Article II: Fees and Dues

Section 1: Members shall mount and equip themselves, western style, at their own expense in the manner hereinafter prescribed in these By-Laws entitled "Uniform Regulations."

Section 2: All commissioned-for-pay duties of the Posse shall be confined to those purposes for which it was instituted as set forth in Article I of the Constitution and shall be subject to the limitations set forth in Article V thereof. All earned funds shall be collected by the Treasurer and disposed of as provided for in Article IV, Section 6 and 7. Commissioned-for-pay activities shall be accepted only upon an affirmative vote of 2/3 of the regular members present at a meeting.

Section 3: In the event that sufficient funds are earned by the membership to cover legitimately incurred expenses of sanctioned Posse activities, no annual dues shall be assessed and no pro-rata expenses will be charged to the membership. When adequate funds are no longer earned to cover these expenses, assessment of annual dues will commence.

Article III: Election to Regular Membership

Section 1: The Regular members of the Posse in meeting shall have the authority to recommend persons to regular probationary membership in the Posse. A quorum for the purpose of electing a person to membership shall be three-fourths (3/4) of the entire active membership. Recommendations will be made to the Association executive committee. Final approval of all membership recommendations falls under the authority of the Sheriff.

Section 2: The Regular members of the Posse in meeting shall have the authority to elect Probationary members to Regular membership after they complete a six (6) month probationary period. A quorum for the purpose of electing a person to Regular membership shall be three-fourths (3/4) of the entire active membership. At the end of six (6) months, at a regularly scheduled business meeting, the vested members will move to approve permanent (Regular) membership of the probationary person.

Section 3: The Secretary shall give written notice to the entire Regular membership of every application for membership at least seven days prior to any action thereon looking to election by the Posse. Said notice shall state the name of the applicant, his/her occupation and address, and the name of the Regular members sponsoring the application.

Section 4: No rejected applicant for membership shall be again proposed within six (6) months from the date of his/her rejection.

Section 5: An application for membership may be withdrawn by the applicant or sponsors at any time prior to election without prejudice.

Section 6: Upon the election of an applicant for Regular membership the new member shall be immediately notified by the Secretary.

Article IV: Officers

Section 1: The Sheriff of Benton County shall be the Commander of the Posse.

Section 2: The Posse officers shall be one Captain, one First Lieutenant, one Secretary, and one Treasurer. Each of the officers shall serve for a term of one (1) year or until a successor is elected.

Section 3: At the first meeting of the Posse held in November of each year, a Regular member of the Posse in good standing shall be elected to each of said officers to serve for the ensuing year or until a successor is elected. Officers so selected shall take office at the annual Christmas Party, which may be held in lieu of the monthly business meeting in the month of December. Each officer shall wear distinctive insignia of this office in the manner hereinafter prescribed in these By-Laws entitled "Uniform Regulations."

Section 4: The Captain shall exercise general supervision over the affairs of the Posse and shall render a report annually to the members at the close of the term of office. The captain shall preside at all Posse meetings and shall command the Posse at all of its demonstrations in the absence of the Sheriff of Benton County. The Captain shall appoint the members of all committees as necessary. The Captain shall have authority to fill vacancies in all committees and to remove members of the committees.

Section 5: In the absence or disability of the Captain, the duties of his/her office shall devolve upon the First Lieutenant. In the absence or disability of the Captain and the First Lieutenant, thence upon the Secretary then Treasurer.

Section 6: The Secretary shall have the custody of all papers, records and documents of the Posse and the Secretary shall prepare and keep such forms and records as may be required for its efficient administration. The Secretary shall keep a diary of the Posse and record the minutes of all meetings. The Secretary shall issue all notices and shall conduct the correspondence

Section 7: The Treasurer shall have control of the Posse's financial accounts, including all receipts and disbursements, subject to the supervision of the Captain, and shall perform all other duties as assigned. All checks and cash shall be deposited in a Corvallis commercial banking house to be selected by the Posse Commander. Any officer is empowered to endorse checks on behalf of the Posse for deposit only. Funds from the account may only be withdrawn on the signature of the Treasurer and the counter-signature of the ranking officer. The Treasurer shall render a report on the Posse's finances to the membership each quarter. The financial records shall be audited at least once each year by a committee of two (2) regular members appointed by the Captain for that purpose.

Section 8: In the event of the removal, death, disability or resignation of any officer, the vacancy shall be filled by election at the next meeting of the Posse.

Article IV: Meetings

Section 1: Posse meetings shall be held each month the second Wednesday of each month at any time and place which the Captain may specify when the necessity for the same shall arise. Fifty-one (51%) percent of the active members shall constitute a quorum for the transaction of business. Only Regular members in good standing shall be entitled to vote. If there be no quorum present, those present at the meeting may adjourn the meeting from day to day until a quorum shall be present.

Section 2: The annual meeting of the Posse shall be held during the month of December and may be in the form of a Christmas Party that shall be coordinated and hosted by the incoming officers.

Section 3: Meetings shall be conducted in a formal manner.

Article V: Discipline

Section 1: All members of the Posse will conduct themselves professionally in accordance with the Benton County Sheriff's Office General Order: Rules of Conduct, and will sign and adhere to the Code of Ethics.

Section 2: A member may be removed when it is apparent that such action is required for the best interest of the Sheriff's Office, and the Posse.

Section 3: Allegations of misconduct will be forwarded to the executive team. The executive team will determine if the alleged misconduct represents a formal discipline matter or informal discipline matter. Informal discipline matters will be managed within the association. Allegations of serious misconduct will be forwarded to the Posse Commander or designee for investigation.

Section 4: The Posse Commander has sole authority to suspend or terminate membership in the Benton County Sheriff's Mounted Posse (BCSMP).

Article VI: Committees

Committees will be formed as necessary to accomplish the mission of the BCSMP.

Article VII: Publication of Posse Affairs

No information of proceedings or happenings of the Posse shall be published or made available to publication by printing, pictorial reproduction or otherwise, except by the executive committee.

Article VII: Uniform Regulations

Section 1: All members are at all times required to conform to the regulations regarding the wearing of uniforms and the use of badges as may from time to time be adopted by the membership.

Section 2: Upon election and the taking of the oath of office, each regular member shall be required to, in a reasonable time period, outfit himself/herself with the uniforms and equipment then in use by the Posse either by virtue of resolution relating thereto or by custom.

Section 3: The badge will be supplied by and will remain property of the Benton County Sheriff's Office.

Article VIII: Amendments

Amendments to these By-Laws may be adopted at any meeting by an affirmative vote of three-fourth (3/4) of the active members.

The above By-Laws are as adopted by the incorporated Posse November 6, 1950 and include amendments up to and including those of March 4, 2002, and March 4, 2003.

(Revised – June 1989, November 2007, November 2011, January 2014, April 2018)