

By-Laws
Of the
Metropolitan Law Enforcement Council, Incorporated

First adopted March 14, 2002
Revised & Amended November 15, 2002
Revised & Amended March 5, 2003
Revised & Amended December 14, 2004
Revised & Amended January 30, 2007
Revised & Amended March 22, 2011

ARTICLE I

Name

The name of this Council shall be the Metropolitan Law Enforcement Council, Inc. (hereinafter referred to as “Metro-LEC” or “Council”).

ARTICLE II

Purpose

Section 1. The purpose of the organization (Council) is to provide various mutual aid assistance, programs and services to its member agencies. The need for said aid may be related to, but not limited to, terrorist or enemy threats or actions, natural or man-made disasters, fires, floods, storms, earthquakes, landslides, aircraft accidents (or other mass casualty incidents), search or rescue operations, school or workplace violence, riots, mob action, civil disturbances, various types of specialized investigative services, technological assistance, or other situations which may be beyond the resources or capabilities of the member agency.

ARTICLE III

Application, Continuance, Suspension and Annulment of Membership

Section 1. The Council is comprised of certain municipal police departments and county law enforcement agencies located within the Commonwealth of Massachusetts, known as member agencies. Each member agency will be afforded full voting rights and each agency regardless of size shall have *one* vote.

Section 2. As a precondition to full membership into the Council, a municipal member agency's community must have accepted the provisions of Chapter 40, § 8G of the Massachusetts General Laws. Upon request of the Council, the municipal member agency shall provide an attestation of acceptance from his city or town clerk.

Section 3. As a precondition to full membership into the Council, a municipal member agency must have executed the Mutual Aid Agreement of the Metropolitan Law Enforcement Council by their chief executive governmental authority of said city or town and the chief executive law enforcement officer of the signatory agency.

Section 4. All county, state, or federal law enforcement agencies desirous of becoming a member agency of the Metropolitan Law Enforcement Council must enter into a Mutual Aid Agreement with the Council's Executive Board, where the chief executive officer (or designated officer in charge) of said law enforcement agency is a signatory of the agreement.

Section 5. All member agencies have agreed to pay the dues that have been assessed on a per annum basis (refer to Article V).

Section 6. All member agencies agree to commit a portion of their resources as described within Article V, Section 5.

Section 7. Membership in the Council shall continue during the life of the Council, provided dues and assessments are regularly paid through the proper channels and members comply with the membership requirements of the Association.

Section 8. Any member agency may be suspended for a period of four months for non-payment of dues, at the end of which time membership shall thereupon cease, at the discretion of the Executive Board.

Section 9. Membership may be annulled only by the concurring vote of two-thirds of all members of the Executive Board who are qualified to vote. Such annulment shall not be declared until the member agency has been given full opportunity to be heard by the Executive Board in accordance with the rules of procedure adopted by it. No chief executive officer representing a member agency that has lodged a complaint against the member agency under review shall be qualified to vote.

Section 10. Member agencies will be required to show proof of police liability insurance coverage. The minimum recommended coverage is One Million dollars per occurrence. In the event a community is self-insured, the member will produce a letter attesting to that fact. In all other cases a certificate of insurance must be submitted.

Section 11. *Application Process:* Any law enforcement agency wishing to become a member of Metro-LEC must first complete an Application / Agency Survey, which will be provided by the President of the Executive Board upon request.

- a. Upon receipt of a completed Application / Agency Survey, the application will be presented before the Executive Board at its next scheduled meeting for general discussion and tabled for any action to a subsequent meeting.
- b. Prior to the Executive Board taking any action with respect to accepting or denying an application, the general membership will be given at least a two-week period to make comment on the application.
- c. Once the two-week comment period has passed with no adverse comment, the application will be placed on the next meeting agenda of the Executive Board. The Executive Board may take a vote to accept or deny an application at that meeting. There must be a two-thirds vote of the members present in order to accept an application for membership into Metro-LEC.
- d. The President will notify the applying agency as to Executive Board's decision to accept or reject the application in writing. The written notice will be sent to the Chief Executive Officer of the applying agency.
- e. Upon acceptance of an application for membership, the President of the Executive Board will forward a membership package to the applicant, which will minimally include the following materials: a Mutual Aid / Interagency Agreement and copy of the by-laws. The Treasurer will also assess the applying agency with an invoice for the initiation fee and that portion of the annual membership fee, as outlined within Article V, Sections 1 and 3.
- f. The membership process will not be considered to be completed until such time, the applying agency has remitted a fully executed Mutual Aid / Interagency Agreement, and the payment of the Initiation and annual membership fees have been received.

ARTICLE IV

Voting, Representation, Officer Duties and Management

Section 1. *Membership of the Executive Board:* The Council shall be governed by an Executive Board, which will consist of the officers of the corporation (President, Vice-Presidents (2), Clerk (Secretary), and Treasurer), and four at large members of the organization. The Council and its Executive Board shall be comprised of the chief executive officers of member agencies. Nothing shall preclude any individual from holding the position of Control Chief while being an officer of the corporation.

Section 2. *Election of Officers to the Executive Board:* At the general Council meeting that is held in December of each year, the directors of the corporation shall be elected to a two-year term of office by a majority of the votes of the membership voting either in person or by proxy. The elected directors' term of office will take effect on January 1st following the election. Officers may be reelected at the time when their term of office is due to expire.

Section 3. In addition to the duties of the President as set forth within this section, the President shall preside at all meetings of the Council and shall have general management of the affairs of the Council and shall perform all the duties incidental to his office. The President will act as the spokesman for the Council when called upon to do so. The President is responsible for carrying out the following activities:

- a. Coordinate continued long and short range planning for the development and growth of the Council.
- b. Coordinate, integrate and implement law enforcement planning and activities of the Mutual Aid Agreements that have been entered into by the member agencies.
- c. Be responsible, or designate representatives who will carry out the purposes and objectives of the Council.
- d. Shall be an ex-officio member of all committees.

Section 4. The Vice President shall in the absence or incapacity of the President, perform the duties of that officer.

Section 5. The Clerk (Secretary) shall keep the minutes of all meetings of the Council.

Section 6. The Treasurer shall perform all duties incidental to his office.

Section 7. Control Chiefs may be appointed at any time by a majority vote of the Executive Board.

Section 8. A general meeting of the full Council membership shall be convened annually, and at other times deemed necessary by the Executive Board. At the request of the President or any Council member, the President shall call a special meeting of the Council. At least half of the member agencies shall constitute a quorum for a special or general meeting. Notices of special meetings shall be mailed or E-mailed to all members at least two weeks prior the meeting. Such notice shall be sent to the chief executive officer of each member agency. No other business shall be transacted at such special meetings, other than that stated in the notice.

Section 9. The Executive Board will meet monthly. The Board however, by majority vote, is empowered to add or delete meetings at its discretion. The Executive Board shall meet whenever called together by the President, upon due notice given to each member of the Executive Board. Four members of the Executive Board shall constitute a quorum.

Section 10. The Executive Board will have authority to make all decisions, excluding elections of officers, affecting the Council. The Executive Board may add, delete or change the by-laws at any time by a two-thirds vote of the entire Board. The Executive Board shall adopt such rules and regulations for the conduct of its meetings and management of the affairs of the Council, as it may deem proper.

Section 11. The Executive Board shall have authority to raise revenue in the form of dues, fees, grants or other means as well as expending such funds for the best interest of the Council.

Section 12. The Executive Board shall have the authority to hire or retain such individuals or groups whose expertise will be of benefit to the council.

Section 13. The Executive Board by meetings, mail, E-mail and by other means will make efforts to update members on the Council's operations on a regular basis.

Section 14. The Executive Board shall authorize the appointment of committees.

Section 15. All law enforcement committees formed to report on matters involving the Council will be appointed by the Executive Board.

Section 16. Vacancies in any offices shall be filled for the unexpired term by a majority vote of the Executive Board.

Section 17. Any action required or permitted to be taken at any meeting of the Executive Board may be taken without a meeting if all members entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the meetings of the members. Such consents shall be treated for all purposes as a vote at a meeting.

Section 18. The Executive Board shall maintain complete and accurate minutes of all its meetings that shall be kept in the custody of the Clerk (Secretary).

Section 19. The Executive Board shall have the following responsibilities in addition to its other duties:

- a. Study and attempt to resolve by appropriate action any disputes arising from the agreements.
- b. Make findings and recommendations to the member agencies hereto for appropriate action to be taken to implement or carry out operational aspects of the Council.
- c. Maintain lists of special law enforcement equipment, specially trained personnel and all law enforcement personnel and equipment or other resources within the Council area.
- d. Inform the chief executive officers of the member agencies and their designees regarding any changes with respect to the affairs of the Council.
- e. Maintain liaison with the Governor's Office, and that of other elected and appointed federal, state and local officials on matters relating to or enhancing public safety within the geographic area served by the council.

- f. Maintain liaison with the United States Attorney's office, Attorney General's office, the Executive Office of Public Safety and other law enforcement agencies or regional groups to improve, enhance and/or facilitate the mission of the council.
- g. Facilitate the sharing of law enforcement information among Federal, State, City and Town law enforcement agencies and organizations.
- h. Plan and coordinate joint tactical training exercises with the Massachusetts State Police, Massachusetts National Guard, Massachusetts Emergency Management Agency, local and regional Fire, EMS, and/or Hazmat operations, other law enforcement councils, regional task forces, and other civil agencies to evaluate handling identifiable safety risks and hazards.
- i. Establish training requirements for the Regional Tactical Police Force, any regional investigative unit that may be formed under the auspices of the Council, and any other operational units that fall within the purview of the Council.
- j. Ensure that all future planning establishes a high priority on the continual improvement and enhancement of the operational capabilities of the Council for the benefit of its member agencies.
- k. Maintain liaison with any of the State's or regional task forces that have been established to promote greater protections of the member agencies' communities, to ensure participation and implementation of improvement programs developed as part of any state or regional law enforcement plans.
- l. Determine that adequate strength is maintained on the Regional Tactical Police Force, and any other operational components of the Council.
- m. Establish policy for future regional law enforcement and public safety efforts.

Section 20. Should a member of the Executive Board have a personal or professional conflict of interest or other issue that may hinder his ability to serve in the best interests of the Council, he shall disclose it to the President for discussion. The Executive Board will have the authority to, temporarily or permanently, remove the member from his position if deemed to be in the best interests of the Council, based on a majority vote of the Executive Board.

ARTICLE V

Initiation Fees, Annual Dues and Resource Commitments

Section 1. All new member agencies are required to pay an initiation fee, as set by the General Membership, at the time when they are accepted into the Council.

Section 2. The Council's fiscal year shall begin on July 1st and end on June 30th of each year.

Section 3. Member agencies will also be assessed annual dues, as set by the General Membership. Said dues are to be billed by the Treasurer for each fiscal year. Agencies joining after July 1, 2002 will, in addition to their initiation fee, be assessed dues for the then current fiscal year on a pro-rated basis.

Section 4. In addition to the annual dues payment, member agencies will be required to commit apportioned personnel resources to the Council.

Section 5. Each member agency will commit 10% of their agency's personnel resources to the Council's operations. This 10% figure will be calculated by multiplying 10% of the agency's total number of sworn personnel by eight hours on a monthly basis. (Example: Law Enforcement Agency A has twenty-six (26) sworn officers. Multiply $26 \times .10 = 2.6$; then multiply $2.6 \times 8 = 20.8$; rounded off, the agency would contribute 21 hours of staff hours per month.) Those staff hours may be contributed in any combination of personnel and hours committed during the course of the month. (Example: using the same example as above, if one officer works 21 hours a month on Council related activities, then Law Enforcement Agency A has fulfilled its commitment. If on the other hand, another agency has two officers assigned to the Council who routinely work 10.5 hours per month on Council related activities, then that agency has also satisfied that commitment.)

Section 6. The Executive Board may change the method of calculating the percentage of personnel commitment at any time, based upon a demonstrated need to do so.

Section 7. Nothing will preclude a member agency from contributing additional resources than what has been established as the minimum level of commitment.

ARTICLE VI

Organizational and Operational Structure

Section 1. The Council will be comprised of operational components that will be charged with carrying out specific functions and activities that are designed to augment the resources and operational needs of its member agencies.

Section 2. The operational components that fall under the general purview and subject to the direction of the Council include, but are not necessarily limited to, the following:

- a. Metropolitan Special Tactics and Response Division (Metro-STAR) – The Division is comprised of sworn law enforcement personnel under the command of a Control Chief. This operational division is available to respond to incidents requiring a timely response by a large number of highly trained and supervised sworn law enforcement professionals in providing assistance for events or incidents that may involve a variety of law enforcement or public safety functions that exceed the capabilities and/or capacity of a

member agency. The operational components or units of this division consist of the following:

- i. Special Weapons and Tactics Unit (SWAT) – A unit comprised of sworn law enforcement personnel, all of whom are members of Metro-STAR. This unit will be available to respond to situations requiring a highly trained and select group of professionals with the capacity to effectively deal with high threat incidents.
 - ii. Regional Response Team (RRT) – A unit comprised of sworn law enforcement personnel, all of whom are members of Metro-STAR. This unit will be available to respond to situations requiring highly trained professionals with the capabilities of dealing with search and rescue situations, crowd control and demonstrations, control and diversion of traffic, various types of security operations, etc.
 - iii. Crisis Negotiations Team (CNT) – A unit comprised of approximately individuals who have been specifically trained in crisis negotiations for critical incidents. Trained forensic psychological and psychiatric specialists also support this unit.
 - iv. Tactical Emergency Medical Services Team (TEMS) – A unit comprised of individuals who are trained as Emergency Medical Technicians and Paramedics specifically trained to operate during critical incidents and who provide medical support to the members of the Metro-STAR Division.
 - v. Tactical Canine Team (TCT) – A unit of law enforcement professionals who have been trained as canine officers, and specifically trained to operate during critical incidents and provide support to the members of Metro-STAR Division.
 - vi. Administrative & Logistical Support Team (ALS) – A unit of sworn and non-sworn law enforcement professionals who have been trained to assist in the operation of a command post, and provide additional logistical support to the other operational components of the Metro-STAR Division. This may include, not necessarily limited to: communications, assistance to local incident command, investigative assistance, related record keeping functions, generation of maps and/or diagrams, etc.
- b. Metro Cyber-Crime Investigations Division – The Division is comprised of law enforcement personnel (both sworn and non-sworn) who have been trained, equipped, and possess a level of expertise to investigate a wide range of computer-related crimes including, but not limited to, cyber-threats, computer-related larcenies, frauds and scams, cyber stalking, and other forms of identity thefts. Members of this Division also work in collaboration with other law enforcement agencies, prosecutorial agencies and the private sector that are engaged in similar types of activities. The Cyber-Crime Investigations Division is comprised of a Forensics Unit, an Investigative Unit and an Education Unit.
 - c. Metro Regional Communications Division – The Division serves a direct supportive role to the other operational units of the Council, particularly the Metro-STAR Division, and

which is in place to enhance the overall communications capabilities of the member agencies.

- d. Metro Information Technology Division – An operational component of the council that will serve to enhance the overall capacity of member agencies in such areas as electronic information sharing, digital mapping, and other technological innovations.
- e. Metro Regional Traffic Safety Division – The Division is staffed by law enforcement personnel who possess certain law enforcement related expertise that would prove useful to the member agencies of the Council in areas of crowd control and traffic control, traffic safety initiatives, and providing escorts for major events occurring in and among member communities. The Regional Traffic Safety Division is comprised of a Motorcycle Unit.
- f. Metro Criminal Investigations Division – The Division is staffed by law enforcement personnel with expertise in conducting criminal investigations. The Division offers its services for a variety of activations, including missing persons, large or unruly crowds, hostage/barricade incidents, and high-risk warrant service. The following services are provided by the Division: dissemination of flyers; coordination and conducting of field canvassing; pursuit of leads generated by media coverage; liaison with family members; preliminary assistance at crime scenes; death notifications; investigation of known subjects; intelligence gathering on the subject; interviews with family and friends of hostages to assist with personality assessments; investigative steps to confirm subject's location; assistance in the obtaining of arrest and/or search warrants; logistics support to the Crisis Negotiation Team; pre-raid surveillance; site work-up; surveillance of warrant subject or known associates. The Criminal Investigations Division is comprised of an Investigative Support Unit and a Public Information Unit.

Section 3. All operational units shall be under the direct command and oversight of a Control Chief. Nothing within these by-laws precludes any operational unit from having Associate Control Chiefs assigned in carrying out the command and oversight of an operational unit. The members of the Executive Board shall select the Control Chiefs. Should a Control Chief have a personal or professional conflict of interest or other issue that may hinder his ability to serve in the best interests of the Council, he shall disclose it to the President for discussion. The Executive Board will have the authority to, temporarily or permanently, remove a Control Chief from his position if deemed to be in the best interests of the Council, based on a majority vote of the Executive Board.

Section 4. All operational units shall have at least one Unit Commander designated to provide direct supervision and direction to the members who have been assigned to the unit. A Unit Commander shall be a senior sworn law enforcement officer, who has been nominated by the Control Chief or Associate Control Chiefs and approved by the Executive Board. The Unit Commanders will report to their respective Control Chiefs.

Section 5. The Control Chief may designate other supervisory roles to members of the operational component for which he has oversight for the purpose of carrying out specific

functions associated with n the operational component, and/or to provide a supportive role to the Unit Commander(s).

Section 6. Each operational component is required to develop its own set of rules, policies and procedures, and operational guidelines that are unique to the mission of that particular unit and consistent of those standards and accepted law enforcement practices that have been established by the Executive Board. All such written directives are to be approved by the Executive Board, and must be kept current at all times.

Section 7. Each operational component is required to keep records on the attendance, participation, training, and other associated activities of its members. Those records are to be maintained by the Control Chief of the operational component and be readily available to the Executive Board upon request. A copy of the attendance records will also be available for the individual member's employing agency.

Section 8. Each operational component is required to prepare an after-action report on their involvement in any operation. These after-action reports are to summarize the nature of the incident, the identity of the requesting party, the actions that were taken by the members of the operational component, the identity of the members of the operational component who participated in the operation, and the outcome of the incident, which includes any recommendations or suggestions that may be appropriate toward future operations. These after-action reports are to be completed by the respective Unit Commanders (or in his absence, his designee) and submitted to the Control Chief for review within seventy-two hours of the termination of the operation. The Control Chief will be responsible for providing copies of the after-action report to the chief executive officer of the requesting agency and the Executive Board.

Section 9. No member (sworn or non-sworn) of a member agency may serve on any of the Council's operational units without the expressed permission of that individual's chief executive officer. All personnel being nominated by his/her chief executive officer is subject to the successful completion of the selection process that has been adopted by the particular operational unit. The selection process is subject to the approval of the Executive Board prior to its implementation.

Section 10. Continued membership within an operational unit is subject to and contingent upon the approval of the respective operational unit Control Chief. That operational unit's Control Chief may remove members who do not abide by the standards of conduct, attendance, performance, and/or decorum that has been established for the particular operational unit, from said unit. As part of each operational unit's written directive system, the standards of conduct, attendance, performance and decorum for the unit's members being assessed must be fully described. Any inappropriate behavior or failure to perform at the prescribed level may be considered sufficient grounds for immediate suspension or dismissal from an operational unit. In a situation where an individual is being removed from an operational unit, it is the responsibility of the Control Chief of that unit to notify the individual's chief executive officer and Executive Board of such suspension or removal.

Section 11. It is implicitly understood that all members of any operational unit will operate under the direct supervision of their unit's designated supervisory personnel and adhere to the chain of command that has been established for that operational unit. Failure to do so will be considered grounds for suspension or removal from the unit.

ARTICLE VII

Responsibilities of Member Agencies

Section 1. The chief executive officer of each member agency must promulgate his own protocols with respect to calling out any of the Council's operational units. These protocols should identify the internal notification process that is to take place with respect to making the decision to call out the specific operational unit, who within the agency has the authority to make such a decision, and incorporate the operational unit's protocols to be followed when calling out the specific operational unit.

Section 2. In situations where the chief executive officer or an authorized designee makes a request for the assistance of one of the Council's operational units, it is understood that the chief executive officer or his designated representative will take charge of the unit's activities, and direct how the unit's resources are to be utilized. There will be a command structure in place within the operational unit, where the unit's commander will communicate directly with the individual who has been designated from the requesting agency as being in charge of the operation. It is therefore understood that the requesting agency will designate a representative who will coordinate and direct the activities of the responding operational unit, and provide such law enforcement assistance and logistical support as may be required.

Section 3. Each chief executive officer of a member agency agrees to abide by the conditions set forth within the Mutual Aid Agreement that has been executed by his community, in addition to the by-laws of the Council, its rules, policies and procedures, and operational guidelines. Failure to comply with said written directives may be considered sufficient grounds to move for suspension or annulment of membership of the offending agency.

Section 4. Each agency's chief executive officer agrees to abide by the selection process established by the Executive Board in selecting a member of his agency to serve on an operational unit of the Council. The chief executive officer acknowledges that his personnel, while serving in their respective roles within the Council's operational unit, shall be subject to the supervisory and command structure of that operational unit. The chief executive officer further acknowledges that he will abide by any decision made to suspend or remove a member of his agency from an operational unit as deemed to be appropriate and proper by the Executive Board.

Section 5. Each chief executive officer agrees to bring any dispute or disagreement with the Council to the Executive Board for resolution of said dispute or disagreement. If the aggrieved chief executive officer is a member of the Executive Board, he further agrees to remove himself

as a member of the Executive Board while the Executive Board is resolving the dispute or disagreement.

Section 6. Each chief executive officer agrees to establish protocols for those members of his agency who are members of one of the Council's operational units, whereby those members will first seek authority to respond on a call-out from their chief executive officer or his designated representative who has authority to grant such permission. This requirement has been established for two reasons: (1) ensure that members responding on a call-out situation has made someone from their own agency aware of the fact that they are responding on the call-out; and (2) to satisfy the requirements under Chapter 41, § 99 of the Massachusetts General Law with respect to exchanging the request and acceptance of mutual aid where the responding personnel will have the "same immunities and privileges as when acting within their respective cities and towns" while responding to another community.

Section 7. Each chief executive officer retains the right to deny permission for his members to respond on a call-out, if in his opinion such permission would create a hardship with respect to the operations of his own agency.

Section 8. It is understood that if there were any criminal complaints lodged against a member of a responding operational unit, the requesting chief executive officer would be responsible for the investigation into the allegations of criminal involvement.

Section 9. It is understood that if there was an allegation of misconduct (non-criminal in nature) on the part of any of the members of a responding unit, the requesting chief executive officer would be responsible for the investigation into the allegations, providing the findings to the Control Chief of the operational unit and the chief executive officer of which the accused personnel belongs.

ARTICLE VIII

Property and Equipment

The property and equipment of the Council shall be in the custody and at the disposal of the Executive Board. The funds shall be placed in such banks or other financial institutions as the Executive Board may elect, subject to the checks to be signed as the members of the Executive Board may direct.

ARTICLE IX

Conduct of Meetings

The meetings shall be conducted under the rules and procedures contained in Robert's Rules of Order Revised.

ARTICLE X

Indemnification of Executive Board Members

Any person made a party to any action, suit or proceeding by reason of the fact that he or she, his or her testator or interstate, is or was a member of the Executive Board of the Council shall be indemnified by the Council against judgments, including attorney's fees, actually and necessarily incurred as a result of such action or proceeding, or any appeal therein, if such person acted in good faith for a purpose which he or she reasonably believed to be in the best interests of the Council and, in criminal actions or proceedings, in addition, had no reasonable cause to believe that his or her conduct was unlawful. Such rights of indemnification shall not be deemed exclusive of any other rights to which members of the Executive Board may be entitled apart from this Article.

ARTICLE XI

Amendments

The By-laws of this Council may be amended by a two-thirds vote of the members present at any Executive Board meeting provided such notice of such amendment shall have been sent to all members of the Executive Board by the Clerk (Secretary), at the direction of the President, at least two weeks prior to such meeting.

These By-Laws as adopted shall supercede and replace any existing or previously adopted By-Laws.

These By-Laws are hereby adopted this 30th day of January, 2007.