

CONSTITUTION OF THE DIVISION OF CYBERCRIME (Revised as of 3/1/22)

I. NAME OF THE ORGANIZATION

The name of the organization is the Division of Cybercrime (hereinafter the Division). The Division is a constituent unit of the American Society of Criminology (hereinafter ASC) and will function in accordance with the Constitution, Bylaws and policies of the ASC.

II. PURPOSES AND OBJECTIVES

The Division is a constituent unit of the American Society of Criminology and will function in accordance with the Constitution, bylaws, and policies of ASC. The purposes of the Division are:

- A. To bring together in one multi- and inter-disciplinary Division, those actively engaged in research, teaching, and/or practice in the field of cybercrime and cybersecurity.
- B. To encourage scholarly, scientific, and practical exchange and collaboration concerning cybercrime and cybersecurity within a global perspective.
- C. To develop effective cybercrime prevention strategies and practices.
- D. To provide a forum for interaction and the exchanging of ideas among persons involved in cybercrime and cybersecurity.
- E. To promote conference sessions pertaining to cybercrime and cybersecurity.
- F. To support scholarship, education, service, and practice that advances social justice related to cybercrime and cybersecurity.

III. MEMBERSHIP

- A. The membership of the Division shall be divided into the following categories: (1) full members and (2) student members.
- B. Full membership shall include any member in good standing of ASC, who is paying regular membership dues to the Division, and who does not fall within, or if falling within, does not choose to be included within, the Student Member category.
- C. Student membership shall be open to any undergraduate or graduate student enrolled in an institution of higher education whose enrolment is certified by a regular faculty or administrative official of the institution, and who is a student member of ASC. Student members cannot vote or hold office, but they may serve on standing and ad hoc committees.

D. Annual dues for all categories of the Division membership shall be set by the Executive Board of the Division, subject to approval of the Executive Board of ASC. Before implementing any changes to dues, however, the Executive Board of the Division will notify the membership via email of the proposed changes and allow for a 5 business day period for comments. After the comment period closes, the Executive Board of the Division will consider these comments in their decision about whether to move forward with the proposed changes. Dues shall be payable annually in concert with the dues of ASC.

E. A member in good standing is one who is current in their dues.

F. Full members of the Division in good standing shall have voting privileges on all matters presented to the Division membership for a vote, may hold office, and serve on standing and ad hoc committees.

IV. THE EXECUTIVE BOARD

A. There will be an Executive Board composed of the Chair, the Vice Chair, the Secretary/Treasurer, the immediate Past Chair, three Executive Counselors, and an Archivist/Historian.

B. This Board will set policies for the Division, decide the budget for the Division, and approve committee chairs.

C. The Division Chair will chair and convene the Executive Board.

D. All members of the Executive Board must be members of the Division in good standing.

E. A quorum of the Executive Board shall consist of one-half of the voting members plus one.

F. The Executive Board will arrange an Annual Membership Meeting in conjunction with the Annual Meeting of ASC.

V. THE EXECUTIVE BOARD

A. The Executive Committee will consist of the Division Chair, the Vice-Chair, and Past-Chair, and three Executive Counselors.

B. The Duties of the Executive Board include:

Establishing policies for the Division with a majority vote, but only if the issue(s) cannot wait until the next full Division Meeting. A majority vote shall be a vote of four members of the Executive Board as the Executive Board membership currently stands.

VI. OFFICERS

A. All officers must be members of the Division in good standing.

B. The officer of the Division are as follows:

1. Chair

a. The Chair will provide executive direction for the Division and will preside over Division meetings.

b. The Chair or their designee will serve as a liaison with the ASC Annual Meeting Program to ensure the inclusion of panels relating to issues on cybercrime and cybersecurity.

c. The Chair or their designee shall bring issues regarding cybercrime and cybersecurity research, as decided by the Division, to the attention of the ASC Executive Board and to appropriate ASC committees for their consideration.

2. Vice-Chair

a. The Vice-chair will preside over Division meetings in the absence of the Chair and shall be empowered to conduct all necessary business of the Division if the office of Chair is vacant or if the Chair is unable to serve.

b. The Vice-chair will prepare reports on Division activities for presentation to the ASC Executive Board.

c. The Vice-chair will take overall responsibility for the Division website.

d. The Vice-Chair will appoint all committees and committee chairs, with the approval of 2/3rds of the Executive Board.

3. Secretary/Treasurer

a. The Secretary/Treasurer will keep the records (including financial and membership records and minutes) of the Division.

b. The Secretary/Treasurer will record minutes of each meeting of the Division and will forward a copy to each member of the Executive Board and the ASC Newsletter Editor-in-Chief for publication in the next issue of the ASC newsletter.

c. The Secretary/Treasurer will be responsible for the dissemination of Division news in The Criminologist or in any other appropriate outlet.

d. The Secretary/Treasurer will remain in contact with the Treasurer of ASC who will maintain a separate account in the ASC treasury for the Division. The Secretary will inform the Division membership of the Division's balance, debts, credits, etc. at the Division's Annual Membership Meeting. The Secretary will notify the Executive Board of any financial issues that arise between Annual Membership Meetings.

4. Executive Counselors:

a. There will be three (3) Executive Counselors.

b. Executive Counselors will assist the Chair with executive decisions for the Division, and will each serve on at least one standing committee of the Division.

5. Historian/archivist. This will be an appointed position with a 3-year, renewal term in office.

C. Any member of the Executive Board may be suspended from office by at least a two-thirds (2/3) vote of the Executive Board and may be removed from office by at least a two-thirds (2/3) vote of the Division members present at an Annual Membership Meeting. Non-attendance at meetings and/or non-response to email communications may subject the member to the risk of removal from the Executive Board.

D. The Chair, Vice-Chair, and Secretary/Treasurer cannot serve on Division committees.

VII. ELECTIONS

A. Nominations: The Vice-Chair, with the approval of 2/3rd of the Executive Board, will appoint a Nominations Committee consisting of five members in good standing of the Division. The Committee will receive names for nomination to each office to be filled the following year. From these names, the Nominations Committee will select two names to be included on the ballot for each office.

B. Qualifications: Nominated persons and elected officers must be members in good standing of the Division. Candidates for Chair, Vice-Chair, and Secretary/Treasurer must have been a member of the Division in good standing for a least a year before their candidacy. Exceptions to these qualifications can be made with approval by the Nominations Committee upon appeal.

C. Term of Office: The term of office for the Chair, immediate Past-Chair, the Vice-Chair, and the Executive Counselors will be two years. The term of office of each incoming officer will begin at the close of the Division's Annual Membership Meeting following their election.

D. Re-election Candidacy: Elected officers may serve a maximum of two consecutive terms in the same position. Upon completion of the second consecutive term of office, a person must wait for a period of at least one full term before running again for the same position.

E. Election Procedure: Names of those nominated will be placed on the Division ballot and sent to all members in good standing by the Division Nomination Committee.

F. The results of the vote will be reported to the Division Chair(s) and Executive Board of the Division prior to the next Annual Division meeting.

G. The results of the election will be announced in a timely fashion on the Division newsletter and on the Division webpage.

H. The voting protocol for officer elections shall include the following provisions:

1. The ballots will be distributed through the mail and/or electronically.
2. Division members in good standing have 45 days to cast their ballots.
3. Ballots will be counted/votes verified, by at least two (2) Executive Board Members (generally but not limited to the Division Chair(s) and/or Vice-Chair).

I. The results of the election will be reported to the Division Chair(s) and Executive Board of the Division prior to the next Annual Division meeting.

J. The results of the election will be announced in a timely fashion on the Division newsletter and on the Division webpage, and otherwise announced to the membership as the Chairs deems appropriate.

K. Vacancies: Vacancies which occur during the term of office for the Vice-Chair, Secretary/Treasurer, or Executive Counselors shall be filled until the next election by appointment of the Chair, with the approval of the Executive Board. Similarly, if a Past-Chair steps down, the position will be filled by another individual serving as Executive Counselor until the next election in which the Current Chair becomes the Past-Chair.

VIII. COMMITTEES

A. The Division shall maintain the following Standing Committees:

1. Nominations Committee
2. Award Committee
3. Constitution and By-Laws Committee

B. Committees are chaired by members of the Division in good standing.

- C. Committee members must be members in good standing with the Division.
- D. Student members may serve on Committees.

IX. BOARD POLICY

A. The Executive Board may establish policies for the Division with a majority vote of the Board. That would require a vote of four (4) members as the Executive Board membership currently stands.

X. POLICY STATEMENTS

A. Policy statements can be made by the Division as a whole. Such statements require a majority vote of the members in good standing who vote in the said election. Such a statement would carry the by-line, Approved by the Division of Cybercrime of the American Society of Criminology. The Division membership may not make statements on behalf of the Executive Board nor the Executive Committee

B. Policy statements can be made by the Executive Board of the Division if the proposed policy statement receives at least a two-thirds (2/3) vote of the Executive Board. That would require a vote of five (5) members as the Executive Board membership currently stands. Such an approved statement would carry the by-line, Executive Board of the Division on Cybercrime of the American Society of Criminology. The Executive Board may not make policy statements on behalf of the Division nor the Executive Committee.

XI. AMENDING THE BY-LAWS

At least a two-thirds (2/3) vote of the Executive Board in two consecutive Board meetings can amend the By-Laws. Approved changes in the By-Laws shall take effect immediately following approval.

XII. AMENDING THE CONSTITUTION

A. Amendments may be proposed by any member of the Division (in writing and submitted to the Division Chair), by the Executive Board, or by the Constitution and By-Laws Committee, but all such proposed amendments may only go forward as a qualified amendment under one of the following three (3) conditions:

1. The proposed amendment receives the written support of one-fifth of the Division members in good standing;
2. The proposed amendment comes from the Constitution and By-Laws Committee.
3. The proposed amendment is introduced at the Division's Annual Meeting and receives at least a two-thirds (2/3) affirmative vote of those members in good standing who are present at the Division's Annual Business Meeting.

- B. A proposed amendment meeting any one of the requirements outlined in Paragraph A must be certified as a qualified amendment by at least a two-thirds (2/3) vote of the Executive Board.
- C. A qualified amendment will be placed on a ballot and approved when it receives at least a two-thirds (2/3) affirmative vote of the Division members in good standing who vote in the said election
- D. The voting protocol shall include the following provisions:
 - 1. The qualified amendment shall be voted on utilizing the mail and/or electronic ballots.
 - 2. Non-student Division members in good standing have 45 days to cast their ballots.
 - 3. Ballots will be counted/votes verified, by at least two (2) Executive Board Members (generally but not limited to the Division Chair and/or Vice-Chair).
 - 4. The results of the vote will be reported to the Division Chair(s) and Executive Board of the Division prior to the next Annual Division meeting.
- E. An approved amendment shall take effect at the conclusion of the first annual meeting following the vote on the amendment.
- F. Amendments are subject to the approval of the ASC Executive Board.

XIII. AWARDS

- A. There will be (1) a Lifetime Achievement Award, (2) an Early Career Award, (3) an Outstanding Contribution Award, and (4) any other awards that the Executive Board may create.
- B. The winners of these awards will be members of the Division in good standing chosen by the Division Awards Committee, which will consist of at least 3 members in good standing of the Division.
- C. No member of the Executive Board or of the Awards Committee in any given year can receive an award in that same year.
- D. No member of the Executive Board or of the Awards Committee can be a co-author of the work that wins the Outstanding Contribution Award.