

# Constitution & By-Laws

# Dallas Police Association



*2019 Edition*

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*The Constitution and By-Laws was amended and approved by the membership of the Dallas Police Association during the General Elections conducted during December 2018.*

# **ARTICLE I**

## **NAME AND OBJECTIVE**

### **Section 1 – Name of Association**

This organization shall be known as the Dallas Police Association (aka: Association), which is an organization chartered January 5, 1959, and now existing under, and by virtue of State Charter Number 152033, State of Texas.

Offices will be located in the Dallas Police Association Building located at 1412 Griffin Street East, Dallas, Texas 75215.

### **Section 2 – Duration of Association**

The duration of the Dallas Police Association shall be perpetual in accordance with the existing charter with amendments.

### **Section 3 – Object and Purpose of the Association**

This Association is formed for the purposes and with these objects in mind:

- to represent employment concerns and problem areas of the police officers of the City of Dallas and to improve all aspects of the work environment of police officers, including establishment of clear, concise and fair employment policies, practices and procedures;
- promoting social fellowship and economic well-being among the membership;
- instilling in the members' the spirit of cooperation and the high regard of our calling - the police profession;
- asserting a wholesome influence on the citizens of the City of Dallas for the purpose of educating a need for the respect for law and order;

- to cooperate with the branches of our governments; city, county, state and national;
- of incorporating among the members a closer personal relationship, and for the gathering, receiving, and dissemination of such information as may be helpful to our members in the pursuit of our duties;
- for cooperation and unified action with the various police organizations.
- realizing that threat of strike or strikes have no place in law enforcement, the members of this Association pledge themselves not to strike or threaten to strike;
- this Association will remain free from outside influence and domination;
- this Association will remain non-sectarian and a voluntary organization composed of Dallas Police Officers.

## **ARTICLE II MEMBERSHIP**

### **Section 1 – Active Membership**

a. Membership in the Dallas Police Association shall be open to any person who has been duly appointed to the Dallas Police Department as a regular full-time police officer.

b. Active member is defined as a member who is employed by the Dallas Police Department in a full-time status as a peace officer.

### **Section 2 - Application for Membership**

Officers of the Dallas Police Department may join the Dallas Police Association at any time and must complete and sign a Membership

Application allowing the City of Dallas to withhold monthly dues payments from their bi-weekly paychecks.

### **Section 3 – Retiree Membership**

a. Qualifications – Retiree membership shall consist of active members of the Dallas Police Association retiring from active duty with the Dallas Police Department. The retiree who desires continued membership must have been a member of the Association for the five (5) years preceding retirement from the Dallas Police Department.

b. Restrictions – Retiree members cannot introduce motions or vote on matters pertaining to the business of the Association. Retiree members cannot hold elective offices in the Association.

c. Benefits – Retiree members are eligible to attend all regular meetings of the Association. They may attend social gatherings of the Association. Retiree members shall continue in the Association Blood Program if they participated as an active member in the Association Blood Bank when they were active members of the Association.

d. Participation – Retiree members may be assigned to serve on any committee formulated by the Dallas Police Association and may be assigned to any Appointive Office of the Association by the Executive Board with concurrent approval of the Board of Directors.

e. Retiree Badge - Any member of the Dallas Police Association who is honorably or medically retired from the Dallas Police Department will receive a “Retiree Badge” upon retirement. The retiree must have been a member of the Dallas Police Association for ten (10) years in totality and a current member upon retirement. The badge is provided to the member at no cost.

## **Section 4 – Reserve Membership**

- a. Qualifications – Reserve members shall consist of active members of the Dallas Police Reserve Battalion who are shown to be in good standing with the Dallas Police Reserve Battalion.
- b. Dues – Dues shall be set by the Board of Directors of the Dallas Police Association.
- c. Restrictions - Reserve members cannot introduce motions or vote on matters pertaining to the business of the Association. Reserve members cannot hold elective offices in the Association.
- d. Benefits – Reserve members are eligible to attend all regular meetings of the Association. They may attend social gatherings of the Association. Reserve members may participate in the Association Blood Bank. They may obtain legal services, if within the guidelines set forth by the Association. Reserve members who are killed in the line of duty while a member in good standing with the Association are eligible for the Line of Duty Death Benefit as per Article III.
- e. Participation – Reserve members may be assigned to serve on any committee formulated by the Dallas Police Association, or may be assigned to any Appointive Office of the Association by the Executive Board with concurrence of the Board of Directors.

## **ARTICLE III DUES OF ACTIVE MEMBERSHIP**

### **Section 1 – Active Member Dues**

- a. Dues for active membership shall be altered when sixty percent (60%) of the members voting in the election pass the proposal. All voting for dues alterations will be conducted by a ballot vote of the membership. The manner of the ballot vote shall be determined by the Board of Directors.

b. Dues for active membership will be one percent (1%) of the base salary of a six (6) year police officer.

c. A Dallas Police Officer in the status of “Trainee” or “Recruit” police officer is exempt from monthly dues until graduation from the Dallas Police Academy. After graduation from the Dallas Police Academy, the member will pay monthly dues at the rate established

by Article III, Section 1(b). A member in this status is entitled to all the benefits of active membership.

## **Section 2 – Special Dues Assessment**

a. In the event of the death of an active member who is killed in the Line of Duty as defined by current U.S. Federal Statutes and guidelines, a special assessment of one (1) month’s dues will be collected from each member.

b. In the event of the death of an active member not in the line of duty, but while the member is employed by the Dallas Police Department, a special assessment of one-half (1/2) month’s dues will be collected from each member.

c. In the event of the death of an active member who is on authorized military duty leave from the Dallas Police Department, and is still employed by the Dallas Police Department, a special assessment of one-half (1/2) months dues will be collected from each member.

d. The proceeds of the special dues assessment will be provided to the beneficiary identified in a written designation of beneficiary or beneficiaries. The designation must be on a form approved by the DPA Board of Directors. In the event a member has not designated a beneficiary, the proceeds will be paid to the surviving spouse, however, if there is no surviving spouse, then to the member’s minor children and legal dependents, if any, of the deceased member. In the event that a member does not have a spouse, minor children or legal dependents, a special dues assessment will not take place.

e. Dues assessment elections may be conducted to support an action outside of the yearly budget of the Association. To authorize a special dues assessment for a specific period of time, a ballot vote of the membership must take place with sixty percent (60%) of the members voting in the election needed to pass the dues assessment.

f. The Dallas Police Association reserves the right to deny a special dues assessment where the death of the member occurred in the commission of a felony crime.

### **Section 3 – Business Leave**

a. An annual allocation of one and a half (1.5) hours of Vacation Leave will be deducted from each active member's City of Dallas Leave Account during January of each year.

b. A member will have the opportunity to opt out of donating one and a half (1.5) hours of Vacation Leave each year. The member must complete this action during the month of November each year which takes effect in January of the following year.

c. The annual allocation of Vacation Leave received from the active membership will be placed in the Business Leave Account of the Dallas Police Association by the City of Dallas. Disbursements from this account will be authorized in accordance with the policies established by the President and the Board of Directors.

## **ARTICLE IV TERMINATION OF MEMBERSHIP**

### **Section 1 – Reasons for Termination**

a. Except as provided elsewhere in this Constitution and By-Laws, membership in the Association shall terminate for the following reasons:

1. Death of the Member,



2. Discharge or Termination of the Member from the Dallas Police Department,
3. Non-payment of dues by the member, or
4. Reclassification of the member to a non-sworn position.

## **Section 2 – Refunds or Claims**

a. Whenever a member terminates membership in any manner, the member and any and all persons representing the member shall not be entitled to any refund for dues or fees paid into, or contributions, donations of funds, benefits or property made to this Association.

# **ARTICLE V OFFICERS OF THE ASSOCIATION**

## **Section 1 – The Elected Officers of the Association**

- a. President
- b. First Vice President
- c. Second Vice President
- d. Third Vice President
- e. Directors

## **Section 2 – The Board of Directors**

a. For the purpose of determining representation on the Board of Directors, the following divisions or groups shall be considered as separate voting units:

- 1. Central Division (including any detectives) and the Central Business District.**
- 2. Northeast Division (including any detectives)**

3. **Southeast Division (including any detectives)**
4. **Southwest Division (including any detectives)**
5. **Northwest Division (including any detectives)**
6. **North Central Division (including any detectives)**
7. **South Central Division (including any detectives)**
8. **Strategic Deployment Bureau** - (Traffic, Tactical, SWAT, Helicopter, Canine, Mounted, EOD and Love Field Unit)
9. **Headquarters, Administration and Support.**  
All police elements located at Dallas Police Headquarters, 1400 S. Lamar Street and includes all members located in the Office of Chief of Police, Investigations Bureau, Support Bureau and Administrative Bureau, and any other bureau, unit, section or squad established at this location; and further includes Communications, Detention, Property and Fugitive.
10. **Special Investigations.** Narcotics, Vice, and the Criminal Intelligence Unit including those units or squads detailed to the Criminal Intelligence Unit such as FBI Task Force, US Marshals Office Task Force, etc. only.

b. Each voting unit will elect two (2) representatives to serve on the Board of Directors.

1. Voting units with more than three hundred (300) members will be authorized three (3) representatives on the Board of Directors.

c. When the organization of the Department is changed so as to alter the structure of the voting units listed in paragraph a, a majority of

the Board of Directors may alter the voting units to conform to the organizational structure of the Department. This alteration shall only be done so as to provide proper alignment, representation and conformity for the membership and for no other reason. Such realignment shall be published in the next issue of the Association publication after said alteration.

### **Section 3 – The Appointed Officers**

a. The Appointed Officers of the Association are nominated by the President during January of each year, or when necessary to fill a vacancy. The appointed Officers are then confirmed by the Board of Directors. The total number of persons serving in each appointed position is determined by the President and Board of Directors based upon the needs of the Association.

b. Appointed Officers are non-voting members of the Board of Directors and cannot vote or present motions during any meetings of the Board of Directors, however, they may provide their input on any matter being discussed by the Board of Directors.

c. Any active or retired member of the Association can serve as an Appointed Officer.

d. The Appointed Officer positions are as follows:

1. Secretary-Treasurer
2. Recording Secretary
3. Sergeant at Arms
4. Chaplain
5. Legislative Monitor
6. Immediate Past President
7. Parliamentarian
8. Director of Retirees
9. Director of Reserves
10. Historian
11. President Emeritus

# ARTICLE VI DUTIES OF OFFICERS

## Section 1 – President

- a. The president shall be responsible for the following:
  1. Preside at all meetings and preserve order and decorum;
  2. Supervise the affairs of the Dallas Police Association and labor for its usefulness and efficiency;
  3. Appoint the chairman and members of all committees not otherwise provided for by this Constitution;
  4. Fill all vacancies on the Board of Directors caused by death or resignation unless otherwise provided for in this Constitution;
  5. Sign all documents of the Association;
  6. Be the official voice of the Association;
  7. Perform all other business which by custom appertains to the Office of the President;
  8. Enforce strict compliance of the Constitution and By-Laws with the assistance of the Sergeant at Arms in conjunction with “Robert’s Rules of Order” to maintain orderly meetings;
  9. Maintain impartiality on any motions introduced at any meeting of the Association and shall vote only in case of a tie vote to break the tie;
  10. Serves as the presiding officer of the governing body of the Association;

11. Conduct a Board Orientation and Training Session for all members of the Board of Directors as needed.

## **Section 2 – Vice Presidents**

- a. The Vice Presidents shall be responsible for the following:
  1. Serve as a member of the governing body of the Association.
  2. Responsible for any additional duties and responsibilities assigned by the President.

## **Section 3 – Order of Succession**

- a. In the absence of the President, the Vice President having the most tenure in his office, will assume the duties of Acting President, and will fulfill all the duties of the President.
- b. In the absence of the most tenured Vice President, the next most tenured Vice President will assume the duties of Acting President.

## **Section 4 – Board of Directors**

- a. The Board of Directors shall be responsible for the following:
  1. Serve with the President and Vice Presidents as the governing body of the Association and shall have legal care, custody, control, and management of all funds, property, and legal effects of the Dallas Police Association.
  2. They shall audit or cause to be audited the financial records of the Association as deemed necessary, or upon resignation, retirement or discharge of the Secretary/ Treasurer.
  3. They shall ensure that all monies are deposited in the name of the Association.

4. They shall work with the President in determining the aims and the policies of the Association in carrying forward the purpose for which it exists.
5. They shall serve as a committee to hear any charges or complaints against the conduct of the Association or any of its members. The Board shall investigate all such complaints brought to its attention and shall make a report of its findings within thirty (30) days of such complaints.
6. They shall be responsible for the Association membership as it pertains to recruitment, problems and issues of the members, membership cancellation, and any other issues affecting Association membership.

b. The Board of Directors shall meet as follows:

1. At least once each month to discuss matters affecting the Association and its membership. They will present any and all reports to the Association as to their findings and recommendations.
2. A quorum shall consist of the President and fifty one (51%) percent of the Board of Directors (elected – not appointed). Unless filling the office of the President, the Vice Presidents shall be considered to be members of the Board of Directors when necessary to meet the requirements of a quorum.
3. The President serves as an ex-officio member of the Board of Directors, and shall only vote in case of a tie.
4. They shall be authorized to carry on all special business of the Association between meetings. The procedure for calling a special meeting shall be outlined in the By-Laws of the Association.

## Section 5 – Secretary-Treasurer

a. The duties and responsibilities of the Secretary – Treasurer shall be as follows:

1. Keep a record of the membership of the Association and keep a complete record of each member.
2. Immediately inform the Board of Directors when there is a change in the location or manner for keeping records of the membership or Association.
3. Receive all funds of the Association accruing from dues from members, donations, gifts, bequests, contributions, and by any means received.
4. Dispose, disburse or invest funds of the Association under the direction of the Board of Directors and shall keep an accounting of all receipts and disbursements of the Association.
5. Pay all bills of the Association as ordered by the Board of Directors, on vouchers that have been signed by the President and Secretary-Treasurer.
6. Prepare a financial report each month and have ready for inspection by the Board of Directors at each monthly meeting.
7. Maintain a record of the possessions and assets of the Association. The possessions and assets will be inventoried annually in December of each year.
8. All checks, drafts, and notes of the Association shall be signed by the Secretary-Treasurer. All items exceeding \$5,000.00 shall be countersigned by the President. In the absence of the President, one of the Vice Presidents must sign with the Secretary-Treasurer.

9. In the case of the absence, inability, refusal or neglect of the Secretary-Treasurer to do or perform any of the duties of his office, such duties may be performed by any member of the Association so directed by the President with concurrence of the Board of Directors.

10. He shall serve as a member of the Executive Board of the Association.

11. He shall perform other such duties as may be required by the Constitution, By-Laws or as ordered by the Board of Directors.

## **Section 6 – Recording Secretary**

a. The duties and responsibilities of the Recording Secretary shall be as follows:

1. Attending all meetings of the Board of Directors.

2. Attending all special and general meetings of the Association.

3. Record the proceedings of all meetings and make a copy of the minutes within five (5) business days to the membership.

4. Maintain a permanent copy of all minutes taken in the Association records.

## **Section 7 – Sergeant at Arms**

a. The duties and responsibilities of the Sergeant at Arms shall be as follows:

(1) Must attend all general, special, and board meetings of the Association.



(2) Maintain order at the meetings at all times and perform other duties so directed by the Presiding Officer.

## **Section 8 – Chaplain**

a. The duties and responsibilities of the Chaplain shall be as follows:

1. Serve as the spiritual advisor to the members of the Association.
2. Visit with the members and their families on behalf of the Association when a member is injured, sick or dies.
3. Perform other duties as directed by the President and Board of Directors.

## **Section 9 – Legislative Monitor**

a. The duties and responsibilities of the Legislative Monitor shall be as follows:

1. Shall be responsible for the monitoring and coordinating of legislative matters before the Texas Legislature.
2. Attend all meetings and be prepared to make a report on the status of legislative matters when directed to do so.

## **Section 10 – Immediate Past President**

a. The duties and responsibilities of the Immediate Past President shall be as follows:

1. Serve as an adviser to assist the Association President.
2. Perform such duties or functions as will benefit the Association.

## **Section 11 – Parliamentarian**

a. The duties and responsibilities of the Parliamentarian shall be as follows:

1. Serves as the parliamentary advisor to the officers of the Association on the DPA Constitution and By-Laws.
2. Shall never rule, but shall only give an opinion on an issue, then the presiding officer shall rule.
3. Shall not take sides in matters before the meeting so that there can be no question as to the impartiality of the Parliamentarian.
4. Shall have in his possession at each meeting a copy of the DPA Constitution and By-Laws.

## **Section 12 – Director of Retirees**

a. The duties and responsibilities of the Director of Retirees shall be as follows:

1. Attend all meetings and be prepared to make a report on the status and activities of the retirees when requested to do so.
2. Serve as a coordinator for all retired members of the Association and bring to the Board of Directors any problems or suggestions.
3. Serve as the official Association representative at funeral services for any retired Association member. This duty is restricted to the local Dallas-Fort Worth Metroplex and excludes out of state travel, or travel over 100 miles in any one direction.

## **Section 13 – Director of Reserves**

a. The duties and responsibilities of the Director of Reserves shall be as follows:

1. Shall attend all meetings of the Association and be prepared to make a report on the status and the activities of the Dallas Police Reserve members of the Association when requested to do so.
2. Shall serve as a coordinator for all reserve members of the Association and shall bring to the attention of the Board of Directors any problems or suggestions.

## **Section 14 – Historian**

a. The duties and responsibilities of the Historian shall be as follows:

- (1) Shall attend all meetings of the Association.
- (2) Shall collect and catalog all items collected pertaining to the history of the Association.
- (3) Shall be prepared to give a report on the items collected on the history of the Association when requested to do so.

## **Section 15 – President Emeritus**

a. Any member of the Association who has faithfully served as President of the Association.

b. This is an honorary position.

# ARTICLE VII

## TERMS OF OFFICERS

### Section 1 – Elective Offices

- a. The President and Vice Presidents shall hold elective office for a term of two (2) years, or until a successors has been duly elected and qualified.
  
- b. The Vice Presidents shall hold elective office for a term of two (2) years, or until their successors have been duly elected and qualified.
  
- c. Directors shall be elected for a term of two (2) years.
  1. Voting units having two (2) representatives shall elect one (1) representative each year.
  
  2. Any future units created within the Dallas Police Department shall be entitled to representation on the Board of Directors, within an established voting unit.
  
  3. When any member of the Board of Directors is transferred to another assignment which removes him from the members he represents, he shall continue in his term until the next General Election. However, a Special Election can be requested by majority of the members of the voting unit represented. A special election will not be conducted if a representative has less than six (6) months remaining on an un-expired term.
  
- d. In the event a permanent vacancy occurs in any office, the office shall be filled by the President with concurrence by the Board of Directors at a regular monthly board meeting. Such appointee shall hold office until a successor has been duly elected and qualified at the next regular general election.

e. If an elected member of the Board of Directors desires to run for another elective office before October 1, an election will be held during the general election in December to fill the remaining year of his term. The member will serve in his office until new officers are sworn in during the month of January.

f. A candidate for the office of the President must have served as an elected member of the Board of Directors for at least one (1) full term prior to being eligible to become a candidate for the office of President.

## **Section 2 – Appointed Offices**

a. Appointed offices of the Association are Secretary-Treasurer, Recording Secretary, Sergeant at Arms, Chaplain, Legislative Monitor, Parliamentarian, Director of Retirees, Director of Reserves, and Historian. The positions of Immediate Past President and President Emeritus are not appointed positions, per se. They are positions held by a member who has previously served in the office of Association President.

b. The members who fill these positions serve at the pleasure of the Board of Directors and do not have a term of office.

c. The member serving in an appointed office is subject to removal at anytime by the Board of Directors.

## **Section 3 – Compensation for Officers**

a. The offices of President, Vice Presidents, and the Secretary-Treasurer may receive compensation monthly as decided annually by the Board of Directors.

b. The amount of compensation will be set by the Board of Directors when they accept the Association's Annual Budget.

c. The President and Vice Presidents must work a minimum of thirty-five (35) hours per month in the performance of Association business to qualify for compensation.

d. The Board of Directors may receive compensation for their time spent performing Association business. The compensation for the Board of Directors will be determined annually during October each year.

## **ARTICLE VIII ELECTION OF OFFICERS**

### **Section 1 – Elections Committee**

a. The Elections Committee will be responsible for the process of preparing and conducting all elections for the Association.

b. The Elections Committee will be chaired by a Vice President who is appointed by the President. The Vice President will constitute the committee by August 31 each year.

c. The members of the Elections Committee will be as follows:

1. Chairperson: Vice President
2. Elected member in good standing from the Patrol Bureau
3. Elected member in good standing from the Investigations Bureau
4. Elected member in good standing from the Administrative and Support Bureaus

d. At least three (3) members of the Elections Committee must be current members of the Board of Directors and have at least one (1) year remaining in their term.

e. No member of the Elections Committee can be a candidate for any office during the current term of the committee.

## Section 2 – The Election Process

- a. The Elections Committee will identify no later than the 3<sup>rd</sup> week in September each year, any elective office where the term will expire on December 31 of the current year. The committee will publish a listing of these elective positions in the Association newspaper and/or the Association website and make the listing available to the general membership.
- b. The Elections Committee will contact the incumbents in the elective offices where the term will expire on December 31<sup>st</sup>. The committee will ask these incumbents if they will seek re-election to their current position in the Association. The committee will further accept a written request from any member in good standing who desires to seek election to any elective office for which they qualify. These written requests must be received no later than November 1<sup>st</sup>.
- c. The Chairperson or designee will present to the membership present at the General Membership Meeting in November each year, the list of members who have announced their desire to be a candidate for an elective position in the DPA.
- d. Any member in good standing can nominate a candidate for any announced position on the Board of Directors. The member making this nomination must be a member of the nominated candidates voting unit, unless it be for the offices of President or Vice Presidents, then voting unit is not applicable.
- e. The person being nominated must be present at the meeting and accept the nomination when presented.
- f. At the conclusion of the General Membership Meeting in November each year, the list of candidates seeking election to an elective position in the Association will be final. No candidates can be added or deleted from this candidate listing. The Chairperson will then cause the preparation of the election ballot.

g. Any candidate seeking election to an elective office of the Association who is running without another candidate for the same elective office or is “unopposed” will be considered as being elected by acclamation. Their name and elected position will not be placed on the election ballot.

h. The elective positions for President and all the Vice Presidents are considered “at large” positions. Therefore, the entire membership is eligible to vote for the candidates seeking these elective offices.

### **Section 3 – Preparation of the Ballot**

a. The Chairperson of the Elections Committee will cause the preparation of the election ballot to be provided to the membership. This ballot will consist of the following:

1. Name of candidate
2. Name of the elective office
3. A blank space for a “write-in” candidate for each elective office listed on the ballot.

b. The election ballot may also contain any proposed alterations or amendments to the Association Constitution or By-Laws approved at a General Meeting of the Association. The wording of the proposed alterations or amendments to the Association Constitution or By-Laws will be provided by the Association President or his designee.

c. The election ballot, if a paper ballot, will contain a security control marking to prevent the unauthorized copying of the ballot. The security control will be a distinctive mark and not a series of numbers.

d. Only one (1) ballot will be prepared and distributed to each member in good standing.



## **Section 4 – Conduct of Association Elections**

- a. The election for the elective offices of the Association will be conducted during the month of December each year. The ballots will be provided to the membership during the 1<sup>st</sup> week of December.
- b. The election will continue for seven (7) days from the date the election ballot is provided to the membership. All election ballots must be received by 4:00 p.m. on the seventh (7th) day at the Association offices to be included in the election results.
- c. The election ballot will be distributed to each member of the Association in a manner as determined by the Board of Directors during the monthly meeting in November each year.
- d. The member will vote and return the ballot in the manner designated by the Board of Directors during the monthly meeting in November of each year.
- e. All elections conducted by the Association will be by secret ballot only. The ballots will be stored in a locked metal container at the Association office if a paper ballot. The key to this ballot box will be kept in the custody of the Chairperson.

## **Section 5 – Voting Results**

- a. The Chairperson of the Elections Committee will be responsible for the counting and tallying of the election ballots. The ballots will not be reviewed or counted prior to 4:00 p.m. on the seventh (7th) day following the distribution of the ballots to the membership.
- b. The Elections Committee will perform the following tasks upon completion of the election:
  1. Count all the ballots returned by the membership in the presence of the members of the Elections Committee and

any candidate or member present., only if a paper ballot was used in the election process.

2. The ballot count will be verified by the Chairperson who will prepare a listing showing the total votes received by each candidate. All decisions on the authenticity, completeness, or validity of ballots returned will be made by the Chairperson.

c. To be elected, a candidate must receive a majority of the votes cast (more than 50%).

d. In the event that a candidate does not receive more than a majority of the votes cast for the office being sought, the two (2) candidates having the greatest number of votes shall be placed in a run-off election.

e. The Chairperson will present a listing to the President of the Association after all the votes have been counted. The listing will contain:

1. The name of each candidate
2. The elective office name
3. The total votes received by each candidate
4. The names of the candidates if a run-off election is required.
5. The method used to conduct the election (paper or electronic ballot)

f. The President of the Association will present to the Board of Directors the listing of candidates elected no later than the January monthly board meeting. The Board of Directors will then certify the election results through a motion.

g. In the event voting irregularities are discovered during the elections process, the Board of Directors may declare the election to be null and void. The Board of Directors will then schedule a new election.

## **Section 6 – Run-Off Elections**

- a. Run-off elections will be conducted within thirty (30) days of the original election.
- b. The procedures for a run-off election will be in accordance with the provisions of Article VIII.
- c. The candidate receiving a plurality of votes during a run-off election shall be elected.
- d. The Chairperson will prepare a listing of the candidates in the run-off election with the total votes received. This listing will be provided to the Association President.
- e. The President of the Association will present to the Board of Directors the listing of candidates elected no later than the February monthly board meeting. The Board of Directors will then certify the election results through a motion.

## **Section 7 – Installation of Association Officers**

- a. The installation of all newly elected officers will be held during the General Meeting in January each year.
- b. The installation of any appointed officers and those elected officers unavailable during the General Meeting in January will be installed during the February Board of Directors meeting.
- c. The Oath of Office in Section IX will be administered to all newly elected and appointed officers of the Association.

The Association President or his designee will administer the Oath of Office.

## **ARTICLE IX OATH OF OFFICE**

### **Section 1 – Oath**

I (full name) will, to the best of my ability, execute the responsibilities of (title of office), and as such will faithfully support and defend the Constitution and By-Laws of the Dallas Police Association, so help me God.

## **ARTICLE X AMENDMENTS TO THE CONSTITUTION**

### **Section 1 – Alterations or Amendments**

- a. All proposed alterations or amendments to the Dallas Police Association Constitution or By-Laws will be made in writing.
- b. The written proposal will be presented at a General Meeting of the Association.
- c. All propositions to alter or amend the Constitution or By-Laws of the Association will require the following to be placed on a ballot to the membership for consideration:
  1. Presentation to the General Membership present at the General Meeting.
  2. A motion and a second to accept the proposal to alter or amend the Association Constitution.
  3. A motion and a second to send the proposal to the membership for consideration on a ballot vote.
- d. An approved proposition to alter or amend the Constitution of the Association will be voted upon by the membership within thirty (30) days after acceptance by the membership at a General Meeting.

e. The procedures for conducting a ballot vote will be in accordance with the procedures in Article VIII of this Constitution.

f. The passage of any alteration or amendment to the Constitution will require a vote in favor of the proposal of more than fifty percent (50%) of the members voting. No run-off elections can be conducted on proposals for the alteration or amendment to the Constitution.

g. The Board of Directors has the authority to correct misspellings or clarify words in the Constitution or By-Laws of the Association when discovered. This authority will not allow the changing of any meaning or the intent of any article in the Constitution or By-Laws of the Association.

# **BY-LAWS**

## **DALLAS POLICE ASSOCIATION**

### **Article I**

#### **MEETINGS**

#### **Section 1 – Regular Board and General Meetings**

- a. Shall be held at the office of the Dallas Police Association or another designated location.
- b. Board meetings shall be held once monthly.
- c. General meetings shall be held quarterly during the months of January, April, July, and November.

#### **Section 2 – Special Board and General Meetings**

- a. May be called by the President.
- b. Shall be called upon the request of three (3) members of the Board of Directors.
- c. Shall be called upon the request of seven (7) members in good standing.
  1. Said request shall be in writing, stating the object for which it is being called.

#### **Section 3 – Rules of Order**

- a. All meetings shall be conducted according to the Constitution and By-laws.

## Article II **PROCEDURE**

### **Section 1 – Order of Business**

a. Meeting shall be called to order at the appointed hour and the order of business conducted as follows:

- Pledge of Allegiance (General Meetings only)
- Invocation
- Reading of the minutes of previous meetings upon arrest
- Recognition of visitors and new members
- Old business
- New Business
- Closing

### **Section 2 – Obtaining the Floor**

a. Any member of the Association wishing to make a motion, deliver his or her opinion, or speak upon any subject shall stand and respectfully address the chair. He/she shall confine him or herself to the question under discussion and avoid personalities. If two (2) or more members speak at the same time, the president shall decide who shall speak first. The presiding officer may set the length of time allowed for a member to speak or debate.

b. No member shall interrupt another in his remarks, unless to call him to order for words spoken. No member shall speak more than once on the same subject, until all the members wishing to speak have done so.

c. Any member while speaking, being called to order by another, shall cease speaking until the question of order is determined.

### **Section 3 – Motions**

a. All motions shall not be subject to action until seconded and stated by the chair.

b. When a question is before the Association, no motion shall be received except;

- (1) to adjourn;
- (2) to close the debate;
- (3) to take the previous question;
- (4) to lay on the table;
- (5) to postpone action to a definite or indefinite time;
- (6) to refer;
- (7) to amend; with precedents in the order here and arrange.

The first four of which shall be decided without debate.

c. A motion to adjourn shall always be in order, except when a member is speaking or vote is being taken. A motion to adjourn failing of passage, cannot be renewed until some other proposition is made or business transacted.

d. When a motion has been passed, it shall be in order for any member voting in the majority to move for reconsideration thereof at the time or at the next meeting.

e. Any member of the Association may call for a division of the question.

f. Any motion made from the floor at a general meeting shall be acted upon as determined by majority vote of those members present at the general meeting. Those members present at the general meeting shall have two (2) options:

Vote shall be either

(1) table the motion until the next general meeting or,

(2) shall be put to a ballot vote of the entire membership of the Association.



## **Section 4 – Voting**

- a. When reading of a paper other matter is called for, and the same is objected to by any member, it shall be determined by a vote of the majority whether it shall be read or not.
- b. No member of the Association shall vote on a question which directly affects his own personal interest.
- c. If a board member is on unexcused absence from a meeting of the Board of Directors, he she may give a written proxy to another elected board member or email or fax the proxy form to the Recording Secretary. The voting member shall declare that he/she is voting with the proxy vote and shall provide the proxy form to the secretary. The proxy will allow a vote for any or all matters brought before the Board of Directors for that specific meeting.

## **Section 5 – Exits from Meetings**

- a. No member of this Association shall be permitted to leave the room without the permission of the presiding officer when there is a closed meeting.

## **Section 6 – Open and Closed Meetings**

- a. All meetings shall be open to all members and non-member guests.
- b. Any member may request a closed meeting at any time during a meeting in the form of a motion. Such motions shall have a second before the president shall call a vote. A majority vote of members voting shall declare the outcome.
- c. If the meeting is declared closed, all non-members shall be required to leave the meeting.

## **Section 7 – Executive Session**

- a. An Executive Session may be called by the President or Vice President acting in the absence of the President.
- b. The Executive Session is called in order to discuss Association business that is sensitive in nature and its disclosure could bring potential damage to the Association or a member of the Association if discussed in an open or closed session.
- c. During an Executive Session, only the elected members of the Board of Directors may be present to include the Secretary/ Treasurer. The President or Vice President acting on his behalf will determine what other person(s) may be present during an Executive Session.
- d. No minutes will be kept of the discussions had in an Executive Session. If any of the discussions had in an Executive Session require a motion and vote by the Board of Directors, this motion will be brought in an Open or Closed meeting.

## **Article III** **LEAVE**

### **Section 1 – Military Leave**

Members of the Association in good standing entering the military service during a national emergency, or leaving the Dallas Police Department because of compulsory service or in any capacity in connection with the national defense, time a war or other national emergency, shall be carried as a non-dues paying member until his return to the Dallas Police Department in accordance with the Charter of the City of Dallas.

### **Section 2 – Voluntary Leave or Retirement**

Whenever an active member of this Association who is in good standing, is on an official leave of absence from the Police

Department for any cause or reason whatsoever, other than military leave, such member shall pay his or her dues in advance to the Secretary/Treasurer of this Association in order to remain a member in good standing.

### **Section 3 – Sick Leave or Injury Leave use**

- a. Any member injured on duty, on sick leave, on in a leave without pay status, may request to be exempted from paying dues at the discretion of the Board of Directors.
- b. This exemption may be granted at the discretion of the Executive Board.

## **Article IV** **SUSPENSIONS**

### **Section 1 – Suspension from the Police Department**

- a. Any member of this Association who has been relieved from duty by suspension from the Police Department in accordance with the rules and regulation of the Dallas Civil Service provisions, shall continue his membership in the Association upon completion of the period of suspension from the Police Department..
- b. No dues will be collected from the member for the period of the suspension and the member is not entitled to any of the benefits of membership during the period of the suspension except as outlined in the DPA Legal Guidelines

### **Section 2 – Suspension of Members from the Association**

- a. Any member of this Association may be fined or suspended from membership in the Association for a violation of the Constitution and By-Laws, or for conduct unbecoming an officer.

### **Section 3 – Charges Shall be in Writing**

- a. Any member of the Association may prefer charges against a member or members. Such charges shall be in writing and be brought before the Association at a regular meeting.
- b. A member or members found guilty of divulging any of the business of the Association to outsiders unless authorized to do so, shall be fined not less than ten (10) dollars nor more than fifty (50) dollars, or may be expelled from the Association.

### **Section 4 – Members Charged with Violations**

- a. When a member has been charged with violation of any provisions of this Constitution or of conduct unbecoming an officer, the member so charged shall be notified of such charges by the Secretary/Treasurer in writing. The member shall be given two weeks to prepare or make his or her defense.

### **Section 5 – Trial of Members**

- a. No member or members shall be fined or suspended until he has been given an impartial trial and found guilty of charges that may have been preferred against the member or members.

### **Section 6 – Jury for Trials**

- a. The person charged shall be given a trial by the Board of Directors. The Board of Directors shall sit as a jury, the President having no vote except in cases of a tie. Any member fined or punished by the Association shall stand suspended from all rights and privileges until the fines are paid or the requirements of the sentence have been complied with.

# Article V **COMMITTEES**

## **Section 1 – Special Committees**

- a. Special committees may from time to time be appointed by the President with the consent of the Board of Directors.
- b. The number of such members shall be decided by said board, whose duty it shall be to carry out the purpose for which it shall have been created, and such committee shall make their reports to the President.

## **Section 2 – Terms of Committees**

- a. Each committee as herein provided shall serve until its duties shall have been fulfilled and completed and it has been discharged by the President and confirmed by a majority vote by the Board of Directors.

## **Section 3 – Disability of Committee**

- a. If for any reason, any member of any committee is unable to act, the President may appoint any other qualified member of this Association to act in the place of such member until such disability is removed.

## **Section 4 – Record of Committees**

- a. A committee log shall be maintained by the Secretary/Treasurer with complete listings of committee members.
- b. All committees will be headed by chairman and the chairman will make their reports either in writing or verbally at a Board of Director's meeting. If a committee report is made in writing, it will become part of the Association minutes for the meeting in which it is presented.

## Article VI

# REMOVAL AND RECALL OF OFFICERS

### Section 1 – Removal and Recall

- a. An officer this Association may be recalled or removed from office for willful neglect of performance of duties in relation to this Association or for the commission of any acts detrimental to the welfare of this Association, provided however that whenever such officer is to be removed, he shall be served with a copy of the notice of his/her suspension pending a hearing and trial on the charges forming the basis of his/her contemplated removal.
- b. Such charges must be set forth in writing in clear and concise language signed by the President upon the direction of the majority of the Board of Directors. If the officer against whom charges are pending shall be the President, such charges may be signed by the Vice President or another officer directed to do so by the Board of Directors.
- c. The officer charged shall have the right to a full, fair and impartial hearing before the Board of Directors concerning the charges preferred. If the Board determines after such hearing that the charges are sustained and sufficient cause for removal, the board shall submit a copy of the charges together with their findings to the membership and shall call a special recall election not less than 30 days no more than 60 days from the original date of suspension. If two-thirds of the members voting shall vote for his/her removal from office, the Board of Directors shall thereupon declare such office vacant. Established voting procedures shall apply in this section.
- d. An Officer of the Dallas Police Association is defined in Article V, Sections 1 through 3, of the Dallas Police Association Constitution.

## **Section 2 – Removal and Recall for Failure to Attend Meetings**

a. Any officer or director who willfully fails, neglects or refuses to attend regular monthly board meetings, or accumulates a total of six (6) or more unexcused absences in a twelve (12) month period for regular monthly meetings of the Board of Directors, maybe summarily removed from office by the Board of Directors, provided, however, that such Board may consider the reasons or cause of such neglect, refusal or failure if presented to such Board at the time it acts upon such removal.

b. The provisions of Section 1 shall have no application to the removal of an officer or director.

## **Section 3 – Vacancies Filled by Appointment**

a. In the event that any permanent vacancy shall occur in any office, the same shall be filled by appointment made by the President with the consent of the majority of the remaining members of the board.

b. Such appointee shall hold office until his successor has been duly elected at the next regular election following date of such appointment.

c. Should the vacancy be that of the president, the most tenured Vice President shall fill the office of the President until the next regular election.

## **Article VII** **AMENDMENTS OF THE BY-LAWS**

### **Section 1 – Amendments**

a. All proposed alterations or amendments to the bylaws of the Dallas Police Association will be made in writing at a regularly scheduled Board or General Meeting.

b. All propositions will be presented to the Board of Directors at the next scheduled monthly Board Meeting and will require for passage unanimous approval by the elected board members present.

## Article VIII

# MATTERS PERTAINING TO BOARD OF DIRECTORS

### **Section 1 – Transaction of Business**

a. All business transacted by the Board of Directors of this Association shall be in accordance with the Dallas Police Association Constitution and By-Laws.

b. All business transacted by the Board of Directors shall be subject to recall, restraint or amendment by the membership at a General Meeting as follows:

1. A motion and second to take such action at a General Meeting can be made by any member. The motion must be approved by a majority of members present at the General Meeting; and
2. The motion will then be held over to the next General Meeting; and
3. At the next General Meeting, the motion will be voted upon without discussion and must be approved by a majority of members present in order to carry, and
4. The motion carries only if at least ten percent (10%) of the total eligible voting members are present at said meeting, otherwise the motion fails.

### **Section 2 – Attendance at Board of Directors Meetings**

a. Any member of the Dallas Police Association in good standing may attend meetings of the Board of Directors.



b. Any member shall have the right to address the Board of Directors in regard to any matter affecting the Dallas Police Association or its members.

c. The President or presiding officer of the Board of Directors shall have the power to limit an address by a member to five (5) minutes and to exclude any member from a Board of Directors meeting whose language or demeanor is so objectionable as to make his/her continuing the address insulting to the Board of Directors.

d. The Board of Directors shall have the right to exclude any member being considered for a position in the Association from the Board of Directors meeting at which such consideration is taking place.

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