



## **Denver Sheriff Lodge #27**

### **BY-LAWS**

#### **ARTICLE I: Name and Insignia**

##### **Section 1**

No member of this Lodge shall use the name or insignia of the Fraternal Order of Police except as authorized by the Grand Lodge of the Fraternal Order of Police.

##### **Section 2**

The unauthorized use or abuse of the name or insignia of the Fraternal Order of Police or the infringement of a trademark thereof by a member or by this Lodge shall be grounds for discipline, including suspension, expulsion, removal from office, or revocation of the Lodge Charter.

#### **ARTICLE II: Character**

##### **Section 1**

The Lodge shall take cognizance of all matters of interstate scope and concern affecting the welfare and interest of law enforcement officers and their dependents. The Board of Directors or,

in case of emergency, the President shall take such immediate action as shall be necessary to safeguard their welfare or interest by providing aid and such other services as shall be required.

## **Section 2**

In matters of purely intrastate scope and concern, the Board of Directors or the President may provide such legal or technical advisory services as may be appropriate.

## **ARTICLE III: Officers**

### **Section 1: President**

1. The President shall be the Chief Executive Officer of the Order. He shall preside at the meetings of the Board of Directors and Executive Committee. He shall have general charge and management of the business of the Order and shall see that all orders and resolutions of the Board of Directors are carried into effect. He shall perform such other duties as may from time to time be assigned by the Board of Directors.
2. He shall execute all contracts that may be authorized by the Board of Directors.
3. He shall be the ex-officio member of all committees.
4. He shall have power with the advice and consent of the Board of Directors to appoint a majority of any committee or committees to inquire into any affair or matter affecting or concerning the Lodge.
5. He shall call special meetings of the Board of Directors when he deems it necessary or upon petition of a majority of the Board of Directors. Unless expressly waived by the Board members, notice of such special meeting(s) shall be mailed by the Lodge Secretary to each member of the Board of Directors at least five (5) days prior to such meeting(s).

6. He shall convey to his successor all unfinished business of the Order. Together with the Secretary and Treasurer, the President shall attest to all warrants and vouchers for disbursement from any fund of the Lodge.
7. The President may also appoint an Executive Committee consisting of the Officers and such other persons as he shall appoint.
8. The President shall have the authority with the advice and consent of the Board of Directors to contract for the services of professional or administrative personnel to be employed by the Lodge in a part or full-time capacity. Administrative personnel shall not be permitted to serve on the Board of Directors and shall not have a vote as a member of the Executive Board, but may provide advice to the Board of Directors, when requested.
9. The President shall appoint the Chaplain.

## **Section 2: Immediate Past President**

1. The immediate Past President shall be recognized as such. He shall be invited and encouraged to attend all meetings of the Board of Directors. He shall advise and assist the President and the Board of Directors in the performance of their respective duties and shall execute such assignments as may be ordered by them or either of them.
2. All Immediate Past Presidents shall be members of the Board of Directors and may attend all conferences and Board meetings for a period of one (1) year after leaving office, unless he resigned or was removed from office.

## **Section 3: Past Presidents**

Past Presidents shall be comprised of all individuals that held the office of President of the Fraternal Order of Police and did not resign or were not removed from office. Further, qualifying Past Presidents shall be encouraged to attend all Board Meetings and regular meetings

of the lodge. Past Presidents shall be afforded the appropriate respect and reverence of the position of Past President. All Past President shall be encouraged to assist the current leadership of the lodge with advice and wisdom.

#### **Section 4: Vice-President**

The Vice-President shall preside at meetings of the Board of Directors in the absence of the President and shall otherwise generally perform the duties of the President during his absence. He shall also perform such other duties as shall be ordered by the Board of Directors. He shall, with the advice and consent of the Board of Directors, appoint the minority of all committees. He shall succeed to the office of President in the event of the death, resignation, or other vacation of such office during an unexpired term as hereinafter provided.

#### **Section 5: Secretary**

1. The Secretary shall receive all correspondence via US or electronic Mail. It shall be the sole responsibility or his designee to dispatch said correspondence to the appropriate authority. It shall be the duty of the Secretary to record the minutes of all meetings of this Organization and appointed committees and to keep in his or her possession a record of such. The Secretary shall be responsible for filing all required reports to both the State and National Lodges. He or she shall also be responsible for the filing of any documentation required from the Office of the Colorado Secretary of State. The Secretary shall be responsible for the timely mailing and notification of all minutes, agendas, meetings, resolutions, newsletters and all other documentation that may be required that as being the responsibility of said Secretary listed herein these By-laws. The Secretary shall perform such other duties as may be assigned to that office by the President or the Board of Directors.
2. The Secretary shall have general charge of the lodge administrative office and all lodge employees.
3. The Secretary shall be responsible for reconciling any expenditure, other than normal mandatory operating expenses, by way of expense voucher. This reconciliation will serve to

ensure expenditures other than those listed above are consistent with motions and directions by the Board of Directors.

## **Section 6: Treasurer**

1. It shall be the duty of the Treasurer to receive all monies from dues and other sources, to maintain a bank account and to disperse funds when directed to do so by approved voucher submitted by the Secretary consistent with the will of the Board of Directors and any motion made proper by the membership. The Treasurer shall be the principal financial officer of the Lodge and shall perform all duties as from time to time may be assigned by the President or by the Board of Directors.
2. The Treasurer shall make a comprehensive financial report to the membership and of this Organization annually on June Thirtieth (30th) of each year of all monies received and disbursed.
3. The Treasurer shall keep and maintain all the financial records of the Organization and shall maintain records in accordance with recognized accounting principles based upon a calendar year commencing January First (1st) and ending December Thirty-First (31st) of each year.
4. The Treasurer shall furnish the Board of Directors a monthly written, detailed report of all financial transactions of the Lodge during that month.
5. The Treasurer and President shall be the two (2) Officers authorized to sign and negotiate financial instruments of this Lodge. The Secretary may be so authorized to sign and negotiate financial instruments in the absence of either the President or the Treasurer. Further the Vice President may be duly authorized to sign and negotiate financial instruments when acting in the capacity of President Pro Tem.
6. At the expiration of his term of office, and within thirty (30) days thereafter, the Treasurer shall deliver to his successor all monies, record books, documents, record paraphernalia and

equipment in his possession and shall require and receive a receipt thereof. Should the Treasurer fail to deliver these items within thirty (30) days, the member may be brought up on disciplinary charges which may result in his expulsion from the Order.

7. At the direction of the Board of Directors, the Treasurer shall invest the surplus funds of the Lodge in interest bearing bonds, U.S. Treasury Notes, Credit Unions or Time Deposit Certificates, whichever bears the highest interest rate. All gratuities become the property of the Lodge to use, sell or raffle, with all proceeds becoming the property of the Lodge.
8. It shall be the responsibility of the Treasurer to timely file all tax returns for the Lodge. He shall be afforded the use of a Certified Public Accountant at the expense of the Lodge who shall assist the Treasurer in this task and shall also perform a year-end audit of the Lodge financial books.

#### **Section 7: 2nd Vice President**

It shall be the duty of the 2nd Vice President to examine membership cards of Officers, delegates and other members ascertaining that all present at the conferences and meetings are in good standing; take up the password and make reports to the President. He shall perform such other duties as the President or Board of Directors may require.

#### **Section 8: Sgt-at-Arms**

It shall be the duty of the Sgt. at Arms to have control and charge of the conference hall or meeting place. He shall permit only qualified persons to enter or remain. He shall perform such other duties as the President or Board of Directors may order.

#### **Section 9: Chaplain**

The Chaplain shall perform the benediction and invocation prayers at all Lodge meetings, services and functions. The Chaplain shall have authority to send the appropriate respects (cards, flowers, etc.) on behalf of the Lodge. The Chaplain shall perform such other duties as the President or Board of Directors may require.

### **Section 10: Chairman of the Representatives**

The Chairman of the Representatives shall govern all requests for the handling of grievance and legal representation involving all administrative action against the members of the Organization. He or she shall assist all appointed representatives in all matters concerning disciplinary actions against any members who are in good standing with this Organization. He or she shall also assist in the recruitment and education of said appointed Representatives in all respective facilities. This will include, but is not limited to, the on-going education, changes and updates of Personnel Rules and Regulations; Department Orders, State Statutes pertaining to Peace officer rights; National, State and local Lodge By-laws, Constitution and Resolutions; as well as the Colorado State Legal Defense Fund. The Chairman of the Representatives will be the liaison Officer between the active member in good standing and the Colorado State Legal Defense Fund Directors. The Chairman may delegate any appointed Lodge Representative to assist him or her in carrying out these duties. The Chairman of the Representatives shall be responsible for maintaining all records and documents concerning all disciplinary matters against its members. All information collected by the Chairman of the Representatives shall be strictly confidential and shall be disseminated among the Board of Directors and/or parties being involved. He shall perform such other duties as the President or Board of Directors may order. The Chairman of the Representatives shall be elected to office every two (2) years and may succeed him/herself with the elections occurring in odd numbered years.

### **Section 11: Board of Directors**

Members of the Board of Directors shall each have voice and one vote. Questions presented to the Board of Directors must be passed by a majority of members present with the President only

voting in the case of a tie. The Board of Directors shall vote on the approval and acceptance of anyone applying to become a member of the lodge.

## **ARTICLE IV: Committees**

### **Section 1**

There shall be established such committees of the Lodge as the President shall prescribe and approved by the Board of Directors. The terms of office for the committee members and their duties shall be as prescribed by the President and approved by the Board of Directors.

### **Section 2**

Vacancies occurring among the Officers or members of the committees shall within thirty (30) days of the vacancy be filled by appointment by the President, with approval of the Board of Directors. The appointee shall serve for the duration of the unexpired term.

### **Section 3**

If any Committee or Board member fails to attend three (3) consecutive committee meetings or five (5) committee meetings in a twelve (12) month period without being excused by the President or the Board of Directors, that member may be terminated from service by written notification from the President. The President shall be responsible for filling the vacancy of the committee with the approval of the Board of Directors.

## **ARTICLE V: Meetings**

### **Section 1**



1. It shall be the duty of the Secretary to prepare the minutes of the prior meeting and the agenda for the following meeting as soon thereafter as possible for review and inspection by all active members in good standing.
2. The Board of Directors shall hold its first meeting within thirty (30) days after being elected to office, at which time all elected Officers should be present. The Board of Directors shall hold regular meetings open to the membership to be scheduled on the Twentieth (20th) of each month thereafter or at such other time as scheduled by the Board of Directors, and such special meetings as may be called by the President or by the Board of Directors. A quorum of the Board of Directors shall consist of at least three (3) Officers of Directors being present. Should the 20<sup>th</sup> of the month fall on a Saturday, the meeting shall be held on Friday the 19<sup>th</sup> of that month. Should the 20<sup>th</sup> of the month fall on a Sunday, the meeting shall be held on Monday the 21<sup>st</sup>.

## **ARTICLE VI: Discipline and Hearings**

### **Section 1**

With respect to any disciplinary hearing conducted by any Lodge of the Order, Due Process shall be afforded the parties thereto. A committee shall be appointed in accordance with Article IV of these By-laws to conduct disciplinary hearings.

### **Section 2**

In all disciplinary hearings conducted by the Lodge, the body conducting such hearing, as determined by the President and the Board of Directors, shall:

1. Require the complaint, charge or allegation to be made under oath and in writing and provide such facts as may enable the charged party to be apprised of the nature of the charge;

2. Ensure that the party charged is provided with a copy of such complaint, charge or allegation and given sufficient time, which in any event shall not be less than thirty (30) days, to prepare a defense, if any, thereto;
3. Conduct a hearing upon the matter during which the trier of fact shall limit the scope of the inquiry to the specific complaint(s), charge(s) or allegation(s) set forth in the written notice thereof;
4. Adhere to an order of procedure which places the burden of proof of the preponderance of the evidence upon the party charging the member;
5. Permit the parties thereto to introduce documents, exhibits and the testimony of witnesses in accordance with such rules of evidence as may be determined and applied uniformly by such body; and
6. An Officer, a member of the Board of Directors or a member may be removed by a majority vote of the active members voting in a special election as called by the President and the Board of Directors relating to the disciplinary matter. “Associate members” or “retired members” share no rights in asking for or voting upon a disciplinary matter.

### **Section 3**

Discipline may be imposed upon a member, Officer or Director for any violation of the Good of the Order, including, but not limited to, the following:

1. Violation of the Constitution, By-laws, Ritual, Oath or Obligations of the Order;
2. Acts of dishonesty or disloyalty to the Fraternal Order of Police or Lodge 27, including, but not limited to, overt attempts to decertify the Fraternal Order of Police where such Lodge is the certified bargaining representative of its members, holding office or participating in the leadership of an organization which encourages members of the Fraternal Order of Police to

leave the Order or, where applicable, which attempts to decertify the Order or such other acts as bring disrepute, disgrace or dishonor upon the Fraternal Order of Police or the Lodge;

3. The unauthorized use or the abuse of the name or insignia of the Fraternal Order of Police or the infringement of a trademark thereof;
4. Failing to attend three (3) consecutive Board or Committee Meetings without being excused as contained in Article IV herein; or
5. Other good cause.

## **ARTICLE VII: Legal Aid**

### **Section 1**

1. A request for legal aid or financial aid shall be made in the following manner:
  - a. Before requesting legal aid from the Lodge, the member must request coverage under the Colorado Fraternal Order of Police Legal Defense Fund (COFOPLDF).
  - b. Should the matter not be covered by the COFOPLDF, the members shall submit a written request for aid or assistance setting forth the specific aid or assistance requested, and the reasons therein to the Board of Directors.
  - c. The Board of Directors shall review the request and authorize legal aid upon a majority vote of the members present at the meeting during which the request is reviewed.
2. In the event the Lodge is unable to provide all or part of the requested assistance, the Lodge may request such aid or assistance from the State Lodge.

## **ARTICLE VIII: Dues**

### **Section 1**

1. Any member more than thirty (30) days and less than ninety (90) days in arrears of dues, for reasons other than a disciplinary job suspension of thirty (30) days or more or termination, shall be deemed delinquent and not eligible for any of the benefits of the Lodge.
2. Any member more than ninety (90) days in arrears shall be automatically suspended. Reinstatement may be accomplished by full payment of all past due amounts and approval of the Board of Directors.
3. The Board of Directors shall have full exclusive powers to raise or lower dues fees to meet its current and long term financial obligations as deemed necessary for the operations of this Organization.
4. Upon acceptance as a member of this lodge the amount of monthly dues for Active Lodge members, who are also bargaining unit members, shall be one and one seven-five hundredth percent (1.75%) of a starting monthly base rate of pay for a Denver Deputy Sheriff. Monthly dues for Active Members, who are not members of the bargaining unit, and Associate Members shall be \$50.00 per month. Active Members who have Retired dues shall be \$100.00 per year.
5. All monies collected from the membership as dues shall go towards the payment of Legal Defense Fund premiums, State and National per capita dues, and other dues and assessments with the remainder of said funds going toward the operational, legal, educational, and other expenses of the Lodge.
6. For members who have been suspended for thirty (30) days or more or have been terminated from employment, the Board of Directors may in its discretion allow the members to remain in good-standing without paying dues and shall make all necessary payments to ensure there

is no lapse in any Lodge benefit until such time as the members return to work, they have exhausted all appellate rights or discontinued their appeal.

7. Members may make a special request to the Board of Directors to provide them with a waiver of their dues requirement due to a financial hardship or other legitimate reasons as determined in the discretion of the Board of Directors.

## **ARTICLE IX: Order of Business**

### **Section 1**

The meeting of Lodge 27 shall be conducted in accordance with "ROBERTS RULES OF ORDER" as revised, except where modified by Colorado law, the Constitution and/or By-laws of this Organization. The order of business for all meetings shall be as set forth in the Fraternal Order of Police ritual book.

## **ARTICLE X: Nominations and Elections**

### **Section 1: Nominations**

The Officers of this Organization shall be as listed in the Constitution and By-laws. All Officers shall be elected for a period of two (2) year terms and can succeed themselves in office without limitation. Nominations will be made at the May meeting. Any member nominated for any position must be present at the May meeting to accept said nomination to ensure the accuracy of the ballot. The President, Secretary, 2nd Vice President and Chairman of the Representatives shall be elected in odd-numbered years. The Vice-President, Treasurer, and Sergeant at Arms shall be elected in even-numbered years.

### **Section 2: Election dates**

1. Elections will be held commencing on the third (3rd) Wednesday in June lasting for a period of one-day (a twelve (12) hour period). The President will make absentee ballots for those who will not be available during the regular scheduled voting time. Newly elected Officers shall begin their term of office and will be sworn in at the July Twentieth (20th).
2. All Officers elected for a newly created post, or to fill a vacant office, shall serve only the portion of the term remaining.

### **Section 3: Eligibility**

1. To be eligible for office or appointment, a member must be an active member in good standing continuously for a period of one (1) year prior to nomination and remain in good standing during his term in office. Any Lodge Officer who is suspended from membership will be deemed to have resigned his office and will be replaced by the Board of Directors. In addition, to be eligible to run for a Board of Directors position, the member must have attended at least three (3) monthly meetings in a twelve (12) month period immediately prior to the date of the election. Furthermore, to be eligible to run for the office of President, a member must have held another office on the Board of Directors prior to the election for President.
2. To be eligible to vote in the annual election, a member must be an active member in good standing by April 20th of the year in which the election takes place.
3. All Officers of the Board of Directors are expected to attend Board meetings and all other Lodge meetings whenever possible.
4. If a Lodge Officer finds that other commitments will prevent him or her from participating in the Lodge, he or she must contact the President and request up to a three (3) month deferment of duties. This request will be voted on at the next regular meeting of the Board of Directors. At the end of the deferment, the Lodge Officer is expected to resume an active role or resign his or her position on the Board of Directors.

#### **Section 4: Declaration of the winner**

Candidates who receive the most votes of any candidate, shall be declared the winner of that race. If two candidates receive the same number of votes for a specific office that results in a tie for the most votes, there shall be a run-off election that will take place in two (2) weeks. This shall determine the winner who will be sworn into office at the July Twentieth (20th) meeting.

#### **Section 5: Vacancies**

Vacancies in office shall be filled by appointment by the President and approval of the Board of Directors to run the duration of said unexpired term. This shall be done within thirty (30) days of any vacancy.

#### **Section 6: Election Committee**

There will be a committee or committees to help fulfill the responsibilities and duties connected with elections.

#### **Section 7: Ratification**

In ratification of any collective bargaining agreement between the City and County of Denver and the Lodge, the Board of Directors shall have authority to call for a ratification vote of the agreement by active and limited active members of the Lodge who are members of the bargaining unit. The Board of Directors shall establish the time and place for such ratification vote, the way the vote shall take place and the procedure for the voting. The Board of Directors, in its sole discretion, shall give notice of the time and place for such vote to members of the Lodge in a manner and time as it determines, subject to the condition that notice must be given at least twenty-four (24) hours prior to the beginning of the voting. In its sole discretion, the Board of Directors may authorize a vote by the entire membership of the bargaining unit to ratify the agreement, otherwise only the active and limited active members of the Lodge, who have been

members at least forty-eight (48) hours prior to the beginning of the ratification vote, and who are members of the bargaining unit, will have the right to vote on the ratification. Ratification of the agreement is to be determined by a majority vote of those persons voting in the ratification vote. Upon ratification of the agreement, the appropriate Officers and Directors are authorized to execute any documents needed to carry out and approve the collective bargaining agreement.

## **ARTICLE XI: National Constitution and By-laws to Govern**

### **Section 1**

Any item deleted or otherwise not mentioned in the Constitution and By-laws of this Lodge shall be governed by the Constitution and By-laws of the Grand Lodge, Fraternal Order of Police, or the State Lodge, Fraternal Order of Police.

### **Section 2**

In the event of the suspension, cancellation, revocation or disbanding of this Lodge, all books, records, funds and other property of this Lodge shall remain under the direct control of the Board of Directors of this Lodge until proper settlement is reached by the State Lodge of the Fraternal Order of Police.

## **ARTICLE X11: Amendments**

### **Section 1**

1. Only a Board member of this Lodge may propose an amendment to these By-laws. Such proposals shall be in resolution form, stating the reasons for the amendment, signed by the member and then submitted to the Secretary.



2. Any proposed amendment to the By-laws of Lodge 27 shall be submitted in writing to the Secretary at least thirty (30) days prior to the convening of the next regular scheduled Board meeting. The Secretary shall mail to each Board member of this Lodge a copy of such proposed amendment at least ten (10) days prior to the next regular scheduled meeting. The proposed amendment shall then be submitted at the regular scheduled Board meeting. Upon adoption by a majority vote of the Board members present at said meeting; the proposed amendment shall become a part of these By-laws.

### **ARTICLE XIII: Indemnification**

#### **Section 1**

Any person who is or was an Officer, Director, employee or agent of the Lodge shall be indemnified by the Lodge fully permitted, and fully required by

Colorado law. UNANIMOUS WRITTEN CONSENT OF DIRECTORS OF COLORADO FRATERNAL ORDER OF POLICE, DENVER SHERIFF LODGE TWENTY-SEVEN

The undersigned, together constituting all the Directors of the Colorado Fraternal Order of Police, Denver Sheriff Lodge twenty-seven, a Colorado non-profit corporation, pursuant to the provision of 7-23-110, C.R.S., hereby adopt the following resolution that has been duly proposed by a Board member by unanimous written consent as it said resolution had been duly adopted at a duly convened meeting of the Board of Directors. Resolved, that the By-laws are amended to include the above paragraph.