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| DOUGLAS COUNTY SHERIFF'S OFFICE | | Policy and Procedure |
| Ancillary Organizations | | P&P-N-100 |
| Deputy Sheriff's Association Bylaws | | |
| Effective Date: 12-14-17 Supersedes: 10-31-17 | Approval: Sheriff | Number of Pages: 9 |
| References: P&P-A-107, P&P-E-101 | Reevaluation Date: Annually | Standards: 22.3.5 |

I. POLICY

A special support unit of the Sheriff's Office, the Douglas County Deputy Sheriff's Association is a non-profit association whose intent is to further the profession of law enforcement, create awareness within the community, serve as a service organization to the Sheriff's Office, and to help provide and support programs which are of direct benefit to the members of the Sheriff's Office. This association is subject to Office policy.

The restrictions and guidelines set forth in P&P-E-101 – *Extra-Duty Employment* shall be adhered to at all times.

The Deputy Sheriff's Association Bylaws are hereby appended to and incorporated into the policies and procedures of the Sheriff's Office.

The following will be incorporated into the rules and procedure for signing up for off duty positions:

Once a deputy commits to sign up for a shift, they are immediately obligated to work the assignment. Regardless of the timeframe, deputies that cancel out of an assignment are still responsible for covering it until it's filled by another deputy. When the replacement deputy signs up, he or she then carries the same burden to ensure the assignment is filled.

Deputies that fail to show will be sanctioned under the bylaws of the DCDSA. Deputies will be excused for family emergencies, sickness, court subpoenas (provided the subpoena was after the deputy signed up) however, a DCDSA Board member must be notified.

By Order of the Sheriff

**DOUGLAS COUNTY DEPUTY
SHERIFF' S ASSOCIATION
BYLAWS**

Revised: November 3, 2016

INTENT AND PURPOSE:

The Douglas County Deputy Sheriff' s Association (DCDSA) is incorporated under the laws of the State of Colorado, and whose intent is to provide service for the Douglas County Sheriff' s Office, and provide support programs and facilitate extra duty employment, which directly benefit the members of the Association. The DCDSA is subject to the policies and procedures of the Sheriff' s Office.

DCDSA MEMBERSHIP:

Membership of the DCDSA consists of all full-time and part-time paid Douglas County Sheriff' s Office employees, both civilian and commissioned, and reserve deputies. Only full-time and part-time paid employees of the Douglas County Sheriff' s Office are eligible to serve on the DCDSA Board of Directors (BOD). Directors may be civilian and/or commissioned employees. Employees and BOD members whose purposes, objectives, or actions are determined by the BOD to be in conflict with the purposes, objectives, or welfare of the DCDSA shall not be eligible to serve as directors.

Members that work Extra-Duty, as detailed in P&P-E-101 – *Extra Duty Employment*, shall pay dues. The amount of dues paid annually will be determined by the BOD. Members acknowledge acceptance of the rules and regulations stated in these bylaws by clicking on the Power Details login agreement.

BOARD OF DIRECTORS & EXECUTIVE COMMITTEE:

The BOD shall consist of five (5) members, whose duties include financial oversight, annual budget, member discipline, and member representation. Those director positions consist of; **President (PRES); Vice President (VP); Member at Large (MAL); Special Events Coordinator (SEC); Compliance Officer (CO).**

The **VP, SEC** and **CO** positions are appointed by the Sheriff. The **PRES** and **MAL** are elected by the DCDSA members. The Sheriff shall also appoint a financial representative who serves in an ex-officio, non-voting, capacity to represent the fiduciary responsibilities of the Sheriff.

The BOD shall have an Executive Committee, made up of the **PRES, VP** and **MAL**. The **MAL** shall serve as BOD Secretary at meetings. The executive committee shall be authorized and responsible to perform duties on behalf of the BOD as follows: (i) to act on behalf of and with full authority of the BOD when, in the sole discretion of the executive committee, circumstances require immediate action and consultation with the full BOD is not practical; (ii) to inform all directors in a timely manner of any such actions taken; (iii) to ensure an annual budget is presented; (iv) to ensure meetings are noticed and held in accordance with these bylaws; (v) to ensure that minutes of meetings and records of the DCDSA are maintained in accordance with Sheriff' s Office policy and; (vi) to ensure directors are elected upon a vacancy and/or as directed in Sections (a) through (c) below.

- (a) Number. The number of directors of the DCDSA shall be five (5), as determined by these bylaws, the Sheriff, and DCDSA members.
- (b) Terms. For continuity in governance, the regular term of office for a director, unless sooner terminated, shall be four years, which coincides with a single term of the elected Sheriff in office. If the Sheriff is serving a term shorter than four years, then the term for directors is only as long as the term of office for the sitting Sheriff.
- (c) Election; Vacancies. Candidates for DCDSA BOD membership shall be nominated by any Sheriff's Office member to the **CO**. Director positions open for DCDSA membership election are the **PRES** and **MAL**. The **CO** will ensure that an election of the DCDSA members is held within 30 days of any **PRES** or **MAL** vacancy.

The **CO** shall notify the Sheriff within 14 days anytime there becomes a BOD vacancy for **VP**, **SEC**, or **CO**. The Sheriff shall fill any such vacancy within 30 days of receipt of notice of such vacancy.

Candidates must meet the qualifications as stated in these bylaws. Directors shall be elected by the majority vote of DCDSA members. Nominated candidates may vote for themselves. After any DCDSA BOD election, or Sheriff's BOD appointment, the **SEC** shall post a notice of such election or appointment results to DCDSA members within 14 days.

Any vacancy of an elected director may be filled by the affirmative vote of a majority of the DCDSA membership. A director elected, appointed or designated to fill a vacancy shall hold the office for the unexpired term of such director's predecessor in office. A vacancy that will occur at a specific later date may be filled before the vacancy occurs, but the new director may not take office until the vacancy occurs.

- (d) Election Voting. Each member present at any regular or special meeting shall have one vote on each motion presented to the membership for action, with the **CO** voting only in case of a tie vote. Said voting may be conducted by majority vote by members present, or by absentee ballot. Prior to a ballot being put to the membership for vote, the ballot must be approved by the majority of the BOD. The Sheriff has ultimate authority over the DCDSA and may veto any measure or majority vote by the DCDSA.
- (e) Voting Members. Voting members shall have full rights, privileges and duties of membership in this DCDSA, including the right to vote in the election of the DCDSA **PRES** and **MAL**.
- (f) Resignation; Removal. Any director may resign at any time by giving written notice to the **PRES**, **CO**, or the Sheriff. A director's resignation shall take effect at the time specified in such notice, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. A director shall be deemed to have resigned in the event of such director's incapacity as determined by the BOD.

Any member of the BOD may be removed from office at any time by the Sheriff. Any DCDSA membership-elected director may be removed at any time if DCDSA members petition a two-thirds vote requesting the removal of a BOD member and submit that petition to the Sheriff. Any such petition must articulate in writing the reason the request is being made. Directors are automatically removed by discontinuing employment or membership with the Douglas County Sheriff's Office, either voluntarily or involuntarily.

The following describes the duties and responsibilities of each BOD office:

PRESIDENT (PRES): The **PRES** is elected by a majority vote of DCDSA members. General duties include presiding over DCDSA meetings; seeing that all resolutions of the BOD are carried into effect; presiding over membership elections; consultation with the Sheriff on all matters involving proposed changes in DCDSA bylaws/policies; ensuring an annual budget is presented and adopted; consultation with the Sheriff on any proposed changes to membership dues and/or hourly pay rates; coordinating any public relations duties with the Sheriff or his/her designee.

VICE PRESIDENT (VP): The **VP** is appointed by the Sheriff. General duties include assisting the **PRES** and shall perform such duties as may be assigned by the **PRES** or by the BOD; at the request of the **PRES** or in the **PRES**'s absence or inability or refusal to act, perform the duties of the **PRES** and when so acting shall have all the powers of and be subject to all the restrictions on the **PRES**.

COMPLIANCE OFFICER (CO): The **CO** is appointed by the Sheriff. The **CO** is responsible for investigating allegations of members accused of violating DCDSA bylaws and related policies, and imposing discipline or sanctions upon members when appropriate. The **CO** shall maintain DCDSA discipline reports and shall publish quarterly discipline reports to the DCDSA members and the Professional Standards Chief Deputy. The **CO** is the Chairman of the Disciplinary Review Board. The **CO** may also perform any or all duties of the **SEC** when directed by the Sheriff. <22.3.5d>

SPECIAL EVENTS COORDINATOR (SEC): The **SEC** is appointed by the Sheriff. The **SEC** general duties involve DCDSA operational and administrative business functions to include; point of contact for DCDSA contractors; preparation of contracts and contract negotiations with vendors, submit invoices, and receive payments for services; assist in determining the number and qualifications of staff needed to fulfill each contract; post positions in Power Details and oversee that positions are filled by qualified staff per policy; coordinate time reports; verify and submit DCDSA compensation due to members (other than DCDSA compensation due to the **SEC**) to the county payroll department; report violations to the **CO**; purchase orders and payments of equipment purchased on behalf of DCDSA membership; proper sales tax reporting on equipment sales; quarterly tax reporting, annual preparation of tax forms and any payments, and liaison between contract accountant and the DCDSA; daily maintenance of the accounts payable/receivable; daily maintenance of financial records and accounts; serve as DCDSA records custodian and archive records that are required by policy; participate on the Disciplinary Review Board; maintain the minutes of BOD meetings as required by policy; complete the annual report to the Sheriff regarding overall annual DCDSA financial status, number of contracts, hours worked, highlights and major DCDSA issues.

DCDSA MEMBER REPRESENTATIVE AT LARGE (MAL): The **MAL** is elected by a majority vote of the DCDSA members. The **MAL** shall act and vote in the best interests of the DCDSA member body. The **MAL** will participate on the Disciplinary Review Board, serve as BOD Executive Committee Secretary by documenting minutes of meetings, and may perform the duties of the **SEC** as needed or directed by the BOD.

SHERIFF'S FINANCIAL REPRESENTATIVE (SFR): The **SFR** is appointed by the Sheriff and serves in an ex-officio, non-voting, capacity to represent the fiduciary oversight responsibilities of the Sheriff and the DCDSA. The **SFR**, or their designee, will also complete a monthly bank reconciliation of DCDSA accounts; complete a quarterly sampling review of time reports maintained by the **SEC** and submitted to the county payroll department; final oversight of all DCDSA financial records and accounts. The **SFR** shall also oversee all financial records of the Douglas County Fallen Officers Fund.

DCDSA MEETINGS:

A DCDSA meeting shall be held at least annually and at any time there is a vacancy among elected member(s) of the BOD. The BOD shall determine the date time and location of the annual meeting. Members shall be informed of meetings at least five business days prior to the meeting via Power Details email notification. Official business cannot be conducted unless three BOD members are present at the meeting. All meetings of the membership shall be conducted in accordance with these bylaws and in any instance not covered therein, then by Robert's Rules of Order.

ORDER OF BUSINESS:

At all annual meetings of the membership, the order of business shall be as follows:

- Calling of meeting to order;
- Proof of notice of meeting;
- Reports of officers;
- Report of committees;
- Old business;
- New business;
- Adjournment.

SPECIAL MEETINGS:

Special meetings may be called at any time by a majority BOD vote, or by 20% of the general membership vote, providing three days notice is for the meeting.

DCDSA FINANCIAL DUTIES:

The Douglas County Government Payroll Department collects DCDSA monthly time reports for compensation due to DCDSA members and pays compensation due, to include collecting and paying monthly payroll taxes.

On behalf of the BOD, the **SEC** is responsible to prepare contracts and handle contract negotiations with vendors, submit invoices, and receive payments for services; verify and submit DCDSA compensation due to the DCDSA members (other than DCDSA compensation due to the **SEC**) to the county payroll department; enter into purchase orders and payments of equipment purchased on behalf of DCDSA membership; ensure proper sales tax reporting on equipment sales; ensure quarterly tax reporting, annual preparation of tax forms and any

payments are made, and liaison between contract accountant and the DCDSA; daily maintenance of the accounts payable/receivable; daily maintenance of financial records and accounts.

Any reimbursement of DCDSA expenses to any director shall be done with the approval of two other directors (no BOD member shall sign a check being issued to oneself) and any check for such reimbursement must be signed by the other two approving directors.

Expenditures of DCSDA funds are at the discretion of a majority vote of the BOD. All financial records shall be made available to any DCDSA member, or released to non-members at the discretion of the Sheriff.

BOARD OF DIRECTOR POWERS:

The management of all of the affairs, property and interest of the DCDSA shall be vested in the BOD, and in addition to the powers and authority conferred upon said BOD by the articles of incorporation of the Association and by the laws of the State of Colorado, the BOD shall exercise all powers and do all such lawful acts and things as are not by statute or by Articles of Incorporation required to be done or performed by members; provided that all bylaws shall be enforced and respected by the BOD until and unless the same has been duly amended.

In addition to such powers as are conferred above and by laws of the State of Colorado, the BOD is specifically charged with the following duties:

- A. To review, approve, reject or amend, as necessary a yearly budget for the DCDSA.
- B. To review, approve, reject or amend, as necessary any special appropriations which may arise during the course of the year.
- C. May disburse funds from the DCDSA.
- D. All appointments of agents and employees of the DCDSA shall be subject to approval by the BOD and Sheriff.
- E. The BOD retains the authority to negotiate contracts on behalf of the DCDSA and its members, and to delegate authority necessary for the management of the business of the DCDSA to said agents or employees, under the laws of the State of Colorado.

EXTRA DUTY EMPLOYMENT: <22.3.5>

Members working extra duty must be eligible according to the Policy and Procedure Manual of the Douglas County Sheriff's Office, and must be a member of the DCDSA. If members are injured while working an extra duty assignment, the member must follow the same policies as set by the Douglas County Sheriff's Office Policy and Procedure Manual P&P-L-103.

The rate of pay at which employees will be paid is determined by the BOD in consultation with the Sheriff. Members are paid by the Douglas County Government Payroll Department for extra-duty assignments after the assignment has been completed.

All extra-duty employment must be approved through the BOD, and must be in compliance with the Policies and Procedures of the Sheriff's Office. Requests for deputies to work extra duty assignments at bars, lounges, dispensaries or similar establishments must be approved by the Sheriff. The SEC may only authorize extra duty assignments within Douglas County. Any assignment outside of Douglas County must be authorized by the Sheriff.

Criminal and Policy and Procedure violations or any violation or action which would be

detrimental to the image of the Douglas County Sheriff's Office constitutes action by the Douglas County Sheriff's Office, and shall be reported in a manner consistent with the policy and procedures of the Douglas County Sheriff's Office. Any complaint received in relation to misconduct during extra duty employment will be investigated in accordance with the Douglas County Sheriff's Office Policy and Procedures.

Members may only apply for two extra duty positions within a 24 hour period. This includes applying as alternate for any positions. The BOD or Sheriff may permit members to apply for more than two positions within a 24 hour period if the position is at risk of not being filled. Notifications for these positions are made through Power Details.

The Sheriff retains the authority to authorize employment of personnel from other law enforcement agencies for major events that require manpower beyond the capability for the DCDSA members to cover. Individuals from those other agencies will be responsible for their own worker's compensation, unemployment insurance and all other fees, taxes, etc. the law requires. They are working strictly as contract labor and have no standing or claims against the DCDSA, the Douglas County Sheriff's Office, the Sheriff or the Douglas County Government.

DISCIPLINE PROCEDURES: <22.3.5c>

Members shall be disciplined for the following violation(s). All subsequent sanctions are violations committed within 12 months of the same violation:

Late For Duty:

- First Offense: Shall be equal to one 1.0 hour at the rate of DCDSA hourly pay
- Second Offense: Shall be equal to 3.0 hours at the rate of DCDSA hourly pay.
- Third Offense: Shall be equal to 4.0 hours at the rate of DCDSA hourly pay.
- Fourth Offense: Shall be suspended from extra duty employment for a period of one (1) year from the date of violation.

Failure To Show or Violation of Application Rules (sign-up violation):

- First Offense: Shall be equal to 2.0 hours at the regular rate of DCDSA hourly pay.
- Second Offense: Shall be equal to 4.0 hours at the regular rate of DCDSA hourly pay.
- Third Offense: Shall be suspended from extra duty employment for a period of one (1) year from the date of violation.

Conspiracy to Violate Application Rules: Upon investigation it is proven that any member of the Douglas County Sheriff's Office who registers for a DCDSA special assignment, knowing they have no intention of working the assignment and only sign up to reserve the position for another member to fill at a later time shall be sanctioned. The member conspiring to fill that position shall also be sanctioned.

- First Offense: Shall be suspended from working extra duty for a period of six (6) months from the date of violation.
- Subsequent Offenses: Shall be suspended form working extra duty for a period of one (1) year from the date of violation.

The CO shall prepare a Notice of Discipline that action has been taken. The Notice of Discipline will also contain the penalties and notice of the right to appeal. The above mentioned disciplinary action taken by the DCDSA is subject to appeal, in writing, to the CO within seven P&P N-100 – Deputy Sheriff's Association Bylaws

days of the notice. All disciplinary fines are removed from the member's next submission of hourly compensation after the appeal deadline has passed, or the Disciplinary Review Board has ruled on the appeal.

The CO may prevent a member from working an extra duty assignment based upon a complaint by a particular vendor requesting such action. Such complaint shall be submitted in writing to the Professional Standards Chief Deputy for review or investigation. Any Douglas County Sheriff's Office Executive Officer or Division Captain may prevent or restrict any member under their authority from working extra duty based upon disciplinary action, or in the best interest of the member or the Sheriff's Office. Such decision is not appealable. Members who are in the Patrol or Detention Division FTO program may not work extra duty without the approval of their Division Captain.

DISCIPLINARY REVIEW BOARD: <22.3.5c>

The purpose of the Disciplinary Review Board is to serve as an appeal process, by which a member may appeal DCDSA discipline if they feel they have not violated the bylaw(s) they have been accused of violating, or that the discipline is excessive based upon the circumstances. Appeals must be submitted in writing to the CO within seven days the Notice of Discipline is received articulating the grounds for the appeal. The Disciplinary Review Board will consist of the **CO**, **SEC**, and **MAL**. The Disciplinary Review Board will, upon notice of an appeal, convene a hearing at a time and place agreed upon, to review and accept, or modify discipline which has been imposed by the CO. The ruling of the Disciplinary Review Board is final.

During the hearing the CO shall present their investigation to the Disciplinary Review Board and present any evidence supporting their allegation. The accused member has a right to present evidence and witnesses refuting the charges. The CO only presents the case to the SEC and the **MAL** and may not vote on discipline or recommend modifications to any discipline. The Disciplinary Review Board may not impose sanctions which exceed the original sanction imposed by the CO.

POWER DETAILS:

Power Details is the online program utilized as the method for members to view and apply for extra duty employment, as well as members billing the DCDSA for jobs worked. Any member who works extra duty employment must complete billing through Power Details within one week of the event in order to be paid on or about the 15th of each month. If the member fails to submit their hours by the 10th of each month they will not receive compensation until the following DCDSA pay period. Power Details is maintained by the SEC. Prior to applying for an extra duty position, members must create an account online at:

<https://powerdetails.com/newuser.aspx?Role=Personnel&SiteID=DCSOF>

Members can then begin searching and registering themselves for extra duty jobs at:

<https://powerdetails.com/login.aspx?SiteID=DCSOF>

Regular vendor assignments for the following month are made available at 1300 hrs on the 15th day of each month. Other jobs are posted by the SEC as needed. Reserve Deputies must wait for 48 hours after the posting to register for an extra duty assignment.

If a member is unable to work, or does not wish to work the assignment after registering for it. They must terminate their position within Power Details to make the position available to others,

or find a person to replace the position. That person is now responsible to work the assignment. If no replacement is found to work the assignment, or in the event of an emergency, the member is unable to work the assignment the registered member should contact a member of the Board of Directors by phone or pager as soon as possible.

MANDATORY EXTRA-DUTY REPORTING REQUIREMENTS: <22.3.5e>

All members must report any enforcement action taken or any employee injury while working extra-duty. Therefore when the member submits their time for billing in the “Item Comment” section they must list ALL case numbers and ticket numbers pulled during their extra-duty assignment, to include damage to county property and employee injury reports. If the event worked was a large event in which a log of case numbers pulled is kept, the supervisor or command officer in charge of the event is responsible for submitting a copy of the case log to the **SEC**.

Members must also report any court appearances (scheduled and actually attended) to the **SEC** via email to the **SEC**. The email shall contain the related case number(s) and the amount of time spent in court. If the case was disposed prior to court appearance, the member should advise that they were not required to appear.

The **SEC** is responsible for maintaining the above records for a period of three years after the reported incident.