

# CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

## CONSTITUTION

Amended 8/29/19

**PREAMBLE** We, the members of the California Probation, Parole and Correctional Association understanding the causal and resultant social, economic and emotional costs inherent in delinquency and crime, are seriously and objectively concerned. We are convinced of the need for preventive and corrective facilities, professions and skills that are effective in reducing the incidence and impact of delinquency and crime. Social acceptance, dignity and self-esteem are normal human needs; that when proffered with empathy, supported by mutual understanding and developed with realistic intelligence and professional methods, may serve to modify cultural and psychological causes and effects.

### **Article I. NAME**

The name of this organization shall be the CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION.

### **Article II. PURPOSE**

The purpose of this Association shall be:

- (a) To promote a program of public information and education in order to build and maintain an enlightened public interest in the provision of effective preventive and correctional services;
- (b) To advance the science, processes and arts of correctional services and to further the professional standards and training of personnel;
- (c) To inspire and encourage in probation, parole and correctional practitioners the highest ethical concepts of individual and collective social responsibility and adherence to the Association's code of ethics; *and*
- (d) To make studies and recommendations in matters pertaining to legislation.

### **Article III. MEMBERSHIP AND DUES**

**Section 1** Specific qualifications for membership may be established by the Board of Directors of the Association, published in two different communication devices utilized by the Association, one of the being *Correctional News*, and then referred via mail/electronic ballot to all members of the Association granted voting privileges in this constitution for their approval or rejection, as directed by the majority voting in that mail/electronic ballot. Membership privileges current at the time of the ballot shall not be affected by this action. Subsequent changes in membership qualifications may be made in accordance with this constitution, Article IX.

Membership shall be of five (5) classes.

- (a) Professional. Professional members shall be those persons regularly or previously employed in a permanent professional or sworn peace officer status in a probation, parole or correctional agency/department and who make payment of dues pursuant to Section 3 of this article.

- (b) Honorary Life.** Honorary life membership may be bestowed by a majority vote of the Board of Directors upon any Association member as a special recognition for an outstanding contribution to the field of corrections or for special or long-term meritorious service to the Association. All Association Presidents shall be designated as honorary life members at the conclusion of their term of office.
- (c) Paid Life.** Paid Life members shall be those professional members who pay a one time fee of ten (10) times the annual dues rate.
- (d) Associate.** Associate members shall be those persons who serve on advisory boards and/or commissions; probation, parole or correctional agency/department support staff, students; volunteers; and private citizens.
- (e) Patron.** Patron members shall be corporate or individual commercial sponsors.
- (f) JJ/DP Commission Membership:** A juvenile justice, delinquency prevention, or joint juvenile justice/delinquency prevention commission which seeks a group membership. Professional, Paid Life and Honorary Life members in good standing shall be voting members of this Association.

**Section 2** A member may be dropped from membership in the Association for conduct which is incompatible with the purposes of the Association. Any member dropped from membership in the Association for incompatible conduct may appeal their membership status to the Board of Directors. Any person dropped from the membership of the Association by action of the Board of Directors may be reinstated by action of the Board of Directors.

**Section 3** The dues required for membership shall be proposed by the Board of Directors and submitted to the membership delegates at a business meeting for approval by a majority of the votes cast.

#### **Article IV. GOVERNMENT**

**Section 1** This Association shall be governed by the following bodies:

- (a)** The membership of the Association
- (b)** The Board of Directors
- (c)** The Executive Committee

**Section 2** All the legislative, executive, administrative and judicial powers of the Association shall be vested in the membership of the Association when in session except as otherwise provided in this constitution.

**(a)** The State shall be divided up into a minimum of four regions. The counties making up a region will be set out in the Bylaws of this Association. Each region shall elect a Regional Vice President.

**(b)** Members in a region may form chapters to further the objectives of this Association. No county shall contain more than one chapter. No member shall possess voting privileges for more than one chapter, although members may participate in chapter activities for more than one chapter/region as appropriate Chapters will elect Delegate(s) to represent them. Delegates shall serve from January 1 to December 31

**(1)** The number of delegates allotted to each chapter shall be based on the official voting membership at the close of business on June 1, according to the following

schedule:

ONE DELEGATE for each chapter of less than fifty (50) members.

ONE ADDITIONAL DELEGATE for chapters of fifty (50) to ninety-nine (99) members.

ONE ADDITIONAL DELEGATE for each additional fifty (50) members up to four hundred (400).

ONE ADDITIONAL DELEGATE for each one hundred (100) members over four hundred (400).

**(2)** The chapter membership, at its discretion, may bind its delegates to its instruction, as a group of delegates or as individual delegates, or it may free its delegates to vote according to their best judgment at the first or subsequent ballots, either as a body or as individual delegates.

**(c)** Following the Annual Business Meeting, the membership delegates shall elect a Delegate Vice-Chair. The Delegate Vice-Chair shall be elected from the northern and the southern areas of the state in alternating terms. The duties of the Vice Chair shall include coordination of delegate activities and communications as directed by the chair; s/he shall assume the duties of the chair whenever the chair is unable to perform elective duties and shall assume the position of State Chair of the Delegates in the fiscal year following completion of his/her term as Delegate Vice-Chair. The Delegate Chair and Vice Chair are both 2 year terms of office.

**Section 3** The Board of Directors shall consist of the President, First Vice President, Second Vice President, Vice President(s) Northern Region, Vice President(s) North Coastal Region, Vice President(s) Central Valley Region, Vice President(s) Southern Region, Vice President(s) DAPO Northern, Vice President(s) DAPO Southern, Vice President(s) DAI Northern, Vice President(s) DAI Southern, the State Chair of the Delegates, the Immediate Past President, Treasurer, a Sergeant at Arms, a representative of the Board of State and Community Corrections a representative of the Department of Juvenile Justice, a representative of CDCR Division of Adult Parole Operations, a representative of the Chief Probation Officers of California, a representative of the California Association of Probation Institution Administrators, California Association of Probation Services Administrators, the Chair of the Legislative Committee, the Chair of the Planning and Scope Committee, the Chair of the Public Information Committee, the Chair of the Membership Committee and the Chair of the Juvenile Justice/ Delinquency Prevention Committee. The Chief Probation Officers of California, the California Association of Probation Institution Administrators and Juvenile Justice and Delinquency Prevention Commissions shall each annually appoint a representative who must be a voting member in good standing of the Association.

The Board of Directors shall be responsible for carrying out the purposes and objectives of the Association. Voting members of the Board of Directors shall be those members who comprise the Executive Committee (Article IV, Section 4). The remaining members of the board shall serve as nonvoting members whose principal responsibility is advisory, to serve on task forces, to make recommendations and to submit reports on the business/programs of the Association.

When the Association membership is not in session, all powers of the Association shall pass to and be vested in the Board of Directors except as otherwise provided in this constitution. There shall be a meeting of the Board of Directors at the adjournment of the Annual Business Meeting.

Other meetings of the Board of Directors may be called by the President or upon written request made to the President by at least five members of the board. No action shall be taken by the Board of Directors of this Association unless a quorum of said Board of Directors has voted thereon.

The Board of Directors shall adopt a policy for payment of necessary expenses of Association members in the transaction of Association business.

**Section 4** Executive Committee: the Executive Committee shall consist of the President, First Vice President, Second Vice President, Treasurer, Vice President(s) Northern Region, DAPO Northern, DAI Northern, Vice President(s) North Coastal Region, Vice President(s) Central Valley Region, Vice President(s) Southern Region, DAPO Southern, DAI Southern, the State Chair of the Delegates and the Immediate Past President. The Executive Committee shall be empowered to administer the executive and administrative duties of the Board of Directors. It shall be bound by and shall carry out the principles and policies established by said board.

The President or a member of the Executive Committee in the absence of the President shall report at each meeting of the Board of Directors on actions taken by the Executive Committee and not previously reported to the board.

A quorum of the Executive Committee shall consist of nine (9) members of the committee unless there are vacant positions. If there are vacant positions, a quorum will consist of 2/3 of the board positions actively held.

**Section 5** Proxy: any voting member of the Board of Directors may select any voting member of the Association as his/her proxy to attend and vote at a meeting of the board or may request the presiding officer to appoint a proxy to act for him/her. No member of the Board or proxy shall have more than one vote.

**Section 6** Executive Director/Management Firm: The Executive Director, or management professionals may employ such additional office staff as may be necessary with the approval of the Board of Directors, within contractual allowances. The Board of Directors shall specify conditions of contract services for the Executive Director and/or the Association Management firm. The Executive Director shall be hired by majority vote of the Board of Directors and may be modified or terminated for reasonable cause by such majority vote.

## **Article V. OFFICERS**

**Section 1** The officers of this Association shall be the President, First Vice President, Second Vice President, Vice President Northern Region, Vice President DAPO

Northern, Vice President DAI Northern, Vice President North Coastal Region, Vice President Central Valley Region, Vice President(s) Southern Region, Vice President DAPO Southern, Vice President DAI Southern, State Chair of the Delegates, Immediate Past President, and Treasurer. All officers shall be voting members in good standing when elected and throughout their terms in office.

**Section 2** President -- Duties: the President shall call and preside over all meetings of the Board of Directors and Executive Committee. S/he shall, with the advice and consent of the Board of Directors, appoint a chair over each committee and shall fill any vacancies occurring during the term of office of the Chairs of such committees. S/he shall be a member ex-officio of all committees with the exception of the Nominations and Election Committee.

**Section 3** First Vice President - Duties: the First Vice President shall, when directed by the President or in the absence of the President, preside at meetings of the Association, the Board of Directors and the Executive Committee. S/he shall, when requested by the President or when the President is unable to perform his/her duties, perform the duties of the President. S/he shall approve all projects and committees of the regions and chapters requiring such approval as set forth in the constitution. S/he shall make him/herself available as consultant to the regions and chapters and act as liaison between the regions and Board of Directors. S/he shall preside over business meetings of the membership delegates as provided for in this constitution.

**Section 4** Second Vice President -- Duties: the Second Vice President shall, when directed by the President or in the absence of the President and First Vice President, preside at meetings of the Association, the Board of Directors and the Executive Committee. S/he shall, when requested by the President or First Vice President or when the President or First Vice President are unable to perform their duties, perform the duties of President or First Vice President and such other duties as designated by the President. The Second Vice President shall, in addition to his/her other duties, be the liaison for the Association's Patron Members.

**Section 5** Regional Vice Presidents - Duties: the Regional Vice President(s) shall be the administrative officer(s) of the region. At the beginning of each calendar year, the Regional Vice President(s) shall establish communication within ninety (90) days with the chapter chairs in the region and quarterly thereafter. The first meeting is for the purpose of delineating the duties and responsibilities of the chair. The Vice President shall propose viable regional programs and goals for the chapters in the ensuing year. The incoming Regional Vice Presidents shall meet with each other and the appropriate State Vice President at the Annual Conference orientation. S/he shall report at the Board of Directors and Executive Committee meetings. The Regional Vice President(s) shall not succeed him/herself more than once, except upon approval from the Executive Committee.

**Section 6** Chair of the Delegates -- Duties: the Chair of the Delegates shall be the administrative officer of the delegate body, shall preside over meetings of the delegates, foster communication among and between delegates, represent the delegates on the Board of Directors, maintain a delegate body column in *Correctional News ezine*, and serve on the annual conference committee.

**Section 7** Immediate Past President -- Duties: the Immediate Past President shall function as a resource to the President, First Vice President, Second Vice President and other board members as requested and needed. The Immediate Past President shall, in addition to his/her other duties, serve as the Association's liaison with other local Correctional Associations and with other associations as funding may permit.

**Section 8** Treasurer – Duties: The Treasurer shall provide fiscal oversight of all matters relating to the Association's budget, income and expenditures; work directly with the Executive Director to provide a quarterly report to presented at each meeting of the Board of the Directors and Annual Business describing assets and liabilities, and; shall provide an annual forecast of the Association's fiscal condition.

**Section 9** The Board of Directors may require any officer of this Association to perform additional duties and functions. Each officer shall at the expiration or termination of his/her term of office deliver to his/her successor in office all Association records and properties in his/her possession.

**Section 10** Any elected officer of the Association may be removed from office for cause by the Board of Directors. The Board of Directors shall present to an officer under consideration for removal a written statement of the alleged reasons for removal. S/he shall be allowed thirty (30) days to request a hearing. The officer charged may respond personally and/or in writing to any allegation and said response shall be considered by the Board of Directors before action is taken. All decisions by the Board shall be final.

**Section 11** Membership Delegates -- Duties: to attend the Annual Business Meeting (and other business meetings of the Association membership as shall be called); to represent the members of the chapter by whom elected; and to propose motions, discuss motions proposed and vote as membership representatives.

## **Article VI. TERM OF OFFICE**

**Section 1** Calendar Year: The calendar fiscal year of this Association shall be from January 1 through December 31

**Section 2** The terms of office of the President, First Vice President, Second Vice President, Treasurer and the membership delegates shall be for the calendar year following their election. The terms of office for the regional vice presidents and Treasurer shall be for two (2) fiscal years following their election. Elections for Regional Vice Presidents shall be staggered as determined by the Board of Directors so that two regions elect vice presidents each year. Regions having more than one vice president

shall stagger their elections as determined by the Board of Directors.

**Section 3** The term of office for all other members of the Board of Directors shall be for the calendar year following their election or appointment except the Chair of the Legislative Committee, and the State Chair of the Delegates, who may serve for two (2) years.

## **Article VII. NOMINATIONS AND ELECTION**

**Section 1** The following persons may be nominated for the office of President, First Vice President, Second Vice President, Treasurer of the Association and Regional Vice Presidents.

(a) Any Professional member in good standing who is currently employed in a corrections capacity.

(b) Any member in good standing who previously held a professional membership and is employed, or has retired from corrections capacity.

Nominations for each of said offices shall be by petition submitted in writing and shall be accompanied by a signed statement of the nominee confirming his/her willingness to accept such nomination. Call for nominations shall be made in January, and will be accepted through March 15 for publication and vote in the spring publication of *Correctional News ezine*.

**Section 2** The Nominations and Election Committee may nominate additional persons for each office and shall nominate one or more persons for each office for which no person has been nominated by petition. The delegates may also bring forward candidate(s) at the annual delegate meeting held in conjunction with the annual training conference.

**Section 3** The Association shall publish two news articles containing election ballots and information on the election process, candidates and their professional affiliation via electronic ballot. .

**Section 4** An emailed ballot, including the names of all persons nominated by petition or by the Nominations and Election Committee, will be sent to voting members of the Association whose email address appears in the Association membership records and whose dues are paid as of March 15 of the year. With each ballot will be enclosed a brief statement from each candidate, if available. Ballots shall be accompanied by voting instructions. Voting members of the Association shall mark their ballots and submit them via electronic ballot for the Executive Director to collect. The Executive Director shall deliver all ballots to the Nominations and Election Committee or Association staff as required and appropriate.

**Section 5** The Nominations and Election Committee shall tabulate the ballots, and shall report the results of the ballot tabulation to the Executive Director and to the President of the Association within ten (10) days. The candidate for each office receiving the greatest number of votes cast shall be elected. If the position of Nominations and Elections Chair is vacant, the Executive Director may tabulate the ballots and report the results to the President of the Association within ten (10) days.

**Section 6** The Regional Vice Presidents shall seek their successors. If they are unable to find a successor, they may put their position on the ballot for nomination and vote. The nominations shall be conducted in a manner similar to that provided for state officers and the election shall be in conjunction with the election of state officers. The names of those nominated shall appear on the annual ballot to be voted on by the eligible voters in that region.

**Section 7 Delegate and Chapter Officers:**

- (a) Any voting member of the Association may be nominated to represent the members of his/her chapter as a membership delegate provided s/he does not serve concurrently as a delegate and a member of the Executive Committee.
- (b) The method of nomination and election shall be in accordance with chapter bylaws governing the election of chapter officers. Immediately upon completion of elections, the chapter secretary shall notify the Executive Director of the names of the elected membership delegates.

**Article VIII. ANNUAL BUSINESS MEETING**

**Section 1** There shall be an Annual Business Meeting of the Association each calendar year. The First Vice President shall preside. Two-thirds of the total number of the elected delegates for the current fiscal year shall constitute a quorum. Other general membership business meetings may be called by a majority vote of the Board of Directors.

**Section 2** The time and place of the Annual Business Meeting shall be selected by the Board of Directors and shall be set in conjunction with the Annual Conference. At the Annual Business Meeting the officers, committee chairs and such others as may be directed by the President shall report to the membership. A summary of these reports shall be published in the next regular issue of the Association's news ezine. Notice of the Annual Business Meeting shall be made to the general membership at least thirty (30) days before the meeting.

**Section 3** Attendance at the Annual Business Meeting shall include the number of elected membership delegates for the current fiscal year. Delegates will be seated separately from other members for the purpose of voting. Only delegates may propose and second motions from the floor. The Annual Business Meeting shall be open to all members in good standing.

**Section 4** A majority vote shall be required to pass any motion presented at the meeting. A concurring majority vote of the Executive Committee of the Board of Directors shall be required for the Association to be bound by the motion passed by the membership delegates.

**Section 5** If by a majority vote, the Executive Committee rejects a motion passed by the membership delegates, a two-thirds vote at a combined meeting of the Executive Committee and the membership delegates shall be required to pass the motion or a

subsequent motion related to the original motion. A quorum shall consist of the quorum of each body as provided in this constitution.

**Section 6** The Board of Directors of the Association shall be bound by and shall carry out any motion passed as provided by these provisions.

**Section 7** In those instances when the delegate body meets jointly with the Executive Committee, the President shall preside.

**Section 8** As provided for in this constitution, the Executive Committee shall meet at the adjournment of the Annual Business Meeting and shall consider all motions passed by the membership delegates at said meeting. The Executive Committee may act on all motions at this time or at its own discretion may postpone a vote.

Should the Executive Committee fail to vote on any motion passed by the membership delegates by the last day prior to the next Annual Business Meeting of the Association, such motion shall be deemed to have been passed by a majority vote of the Executive Committee and shall take effect on the date of the Annual Business Meeting immediately following such failure to act.

## **Article IX. AMENDMENTS**

An amendment to this constitution may be proposed by the Board of Directors by resolution and delegate body vote. The resolution shall be read by the Executive Director at a regular meeting of the Board of Directors.