

**BYLAWS OF
DISTRICT ATTORNEY INVESTIGATORS ASSOCIATION
OF SAN DIEGO COUNTY, Inc.**

ARTICLE I

DESCRIPTION

This Association is a non-profit mutual benefit corporation organized under the California Corporations Code. This Association was incorporated on July 12, 1982 by filing Articles of Incorporation with the Secretary of State of the State of California.

This Association shall be known as The District Attorney Investigators Association of San Diego County, Inc.

ARTICLE II

OBJECTIVE

The Objective and purpose of this Association shall be to represent the active members of the Association in all matters of wages, hours and conditions of employment; to assist in promoting the professionalization of peace officers; to encourage among the members a closer personal acquaintance and a friendly spirit of mutual cooperation; and whenever possible, to assist in matters pertaining to the welfare and advancement of active members of the San Diego District Attorney Investigators Association, and the wellbeing of the community.

ARTICLE III

DUES

The Dues of this Association are due and payable each pay period for each regular member. Retired Members and Honorary Members pay nothing. The membership dues are 1.25% of the top step DAI III base pay, to include the education bonus attached to the Advanced P.O.S.T. certificate. There are no provisions for individual offsets.

ARTICLE IV

MEMBERSHIP

4.1 **REGULAR MEMBER:** Every full time 830.1 P.C. peace officer employed as a District Attorney Investigator with the County of San Diego shall be eligible for membership. All Regular Members shall have the privilege of holding office in, voting and or sharing or participating in the affairs or benefits of this Association provided that they shall not be delinquent in the payment of accrued dues.

4.2 **RETIRED MEMBERS:** A RETIRED MEMBER shall be limited to those members who, at the time of their retirement, were Regular Members of this Association. Retired Members

shall have no voting rights, and may not hold office in the Association. No dues shall be required. The Association shall have no obligation to represent Retired Members in matters of wages, hours and conditions of employment.

- 4.3 HONORARY MEMBERS: Honorary membership in this Association shall be made through nominations by any active member and requires approval of the Board of Directors by majority vote. HONORARY MEMBERS shall pay no dues, shall have no voting rights, and may not hold any office in this Association.

The elected District Attorney shall be an Honorary Member.

- 4.4 The Chief, Assistant Chiefs, Deputy Chiefs and other non-classified law enforcement management positions in the Bureau of Investigations shall be nonvoting members and shall not hold any office in this Association. They shall pay regular membership dues.

- 4.5 Non-Discrimination: There shall be no discrimination or restriction on membership because of race, color, creed, national origin, sex, sexual orientation, age, religion, citizenship or physical handicap.

- 4.6 Termination of Membership: The membership and all rights of a membership shall automatically terminate on the occurrence of any of the following causes:

1. The voluntary resignation of a membership. The membership of any member of this Association shall automatically terminate on such members written request for such termination delivered to the President or Secretary of this Association.
2. The death of a member.
3. Where the Board of Directors, in its discretion and with the concurring approval of two-thirds (2/3) of the voting members of the Association, conclude that the continued membership of any member of this Association would be detrimental to the aims or purposes of this Association.
4. The Board of Directors, for cause, may revoke the membership of any member of the Association and such membership shall automatically then terminate, provided the member was given both a fifteen (15) days prior written notice of the termination stating the reason therefore and the timely opportunity to be heard on the matter of the termination. The notice shall be given personally to such member or be sent by first class mail or registered mail to the last known address of such member as shown on the records of the Association. The opportunity to be heard may, at the election of such member, be oral or in writing and shall occur not less than five (5) days before the effective date of termination.
5. All rights of a member in the Association and its property shall cease on the termination of such membership. Termination shall not relieve the member from any obligation for charges incurred, services or benefits actually rendered, dues, assessments, or fees arising from contracts or otherwise. The Association shall retain the right to enforce any such obligation or obtain damages for its breach and any

member whose membership is terminated by revocation, shall have no claim against the Association, its officers or members for any benefits or accruals that may be alleged to exist.

4.7 Retirement Gifts:

All members of the District Attorney Investigators Association that retire in good standing shall receive the following monetary gift:

Five (5) to ten (10) years of membership = \$500.00

Ten (10) years and one day of membership = \$1000.00

- 1. The retirement gift is retroactive to all qualified members that have retired since January 2008.*
- 2. The retirement gift is not a guaranteed benefit and is subject to year to year approval by the Board of Directors and by the association accountant during the yearly Budget meeting.*
- 3. The Treasurer shall present in writing to the membership, any suspensions or limitations of the retirement gift.*
(7/2009)

ARTICLE V

BOARD OF DIRECTORS

- 5.1 The Executive and Administrative power of the Association shall be vested in a BOARD of DIRECTORS, which shall consist of a PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER, and five (5) additional DIRECTORS. The immediate PAST-PRESIDENT shall serve as a sixth nonvoting DIRECTOR.
- 5.2 The Board of Directors shall meet periodically for the purpose of administrating the affairs of the Association. The Board meetings shall be held when necessary as determined by the President.
- 5.3 The Board of Directors shall have full power to act for the Association in all matters and shall report all business conducted to the Association at the Annual Meeting.
- 5.4 A quorum of the Board needed to conduct business shall consist of at least a majority of the number of Directors then in office.
- 5.5 Obligations may be incurred and disbursements made only on approval of a majority of the Board.
- 5.6 Any vacancies that occur in the Board of Directors shall be filled from the general membership by a Presidential appointment and ratification by a majority vote of the board, with the exception of those vacancies caused by expiration of office.
- 5.7 The Board shall take office on the first of July and shall hold office for ~~one~~ **two** years. (July 2009)
- 5.8 **Presidential Prerequisite:**

The office of President shall require one-year prior experience as a member of the DAIA San Diego Board of Directors. (7/2009)

ARTICLE VI

DUTIES OF BOARD of DIRECTORS

- 6.1 **PRESIDENT:** The President shall preside at all meetings of the Association and call to order all meetings. The President shall sign and execute all contracts in the name of the Association when authorized to do so by the members; countersign all checks (in excess of \$1000.00) drawn by the Treasurer; and perform all duties incidental to the office. The President shall have at his/her disposal \$100.00 every three months of Association Merchandise to use for the good of the Association.
- 6.2 **VICE PRESIDENT:** The Vice President shall, in the absence or incapacity of the President, perform the duties of that office.
- 6.3 **TREASURER:** The Treasurer shall have the care and custody of all the funds and securities of the Association and deposit the same in the name of the Association in such banks or banks as the Association may elect; The Treasurer shall sign all checks, notes, and orders for the payment of money which shall be countersigned (where in excess of \$1000.00) by the President; the Treasurer shall at all reasonable times exhibit the Association's books and accounts to any member of the Association upon written application. Receipts will be given for all monies received. Canceled checks and stubs will be kept for a period of five (5) years for all monies disbursed.
- 6.4 **SECRETARY:** The Secretary shall keep true and accurate minutes of all meetings of the Association; minutes to be written up with the original to be filed in the Minute Book and copies to be distributed to the members. The Secretary will attend to all correspondence pertaining to the Association and perform all duties incidental to the office.
- 6.5 **FIVE ADDITIONAL MEMBERS of the BOARD of DIRECTORS:** The five remaining Board of Directors shall attend the Board of Directors meetings and shall assist in conducting the business of the Association.
- 6.6 Each member of the Board of Directors shall be assigned by the President to act as Chairperson on one of the Association committees. The following committees shall be filled:
1. The Social Committee
 2. Fallen Officer Fund Committee
 3. Merchandise Committee
 4. Insurance Committee
 5. Legal/Professional Committee

ARTICLE VII
ELECTION OF BOARD OF DIRECTORS

- 7.1 The PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER and the five (5) additional DIRECTORS shall be elected by the Regular Members by a majority vote.
- 7.2 The PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER and the five (5) additional DIRECTORS shall be elected by mail ballot prior to the Annual Meeting and the result announced at the Annual Meeting held in June.
- 7.3 Ballots shall be published and mailed to the membership thirty (30) days prior to the date of the Annual Meeting.
- 7.4 All ballots must be returned or postmarked ten (10) days prior to the date of the Annual Meeting, or at a time otherwise published in advance.
- 7.5 A valid election of Officers and Directors requires a one-third (33 1/3 percent) response from the membership.
- 7.6 Nominations for officers shall be made by Regular Members of the Association.
- 7.7 The President shall designate three (3) non-commissioned members of the Association to count the votes. The vote counting shall be overseen by the Association Accountant. The Association Accountant shall be responsible for tracking all incoming ballots. Election results will be reported to the President and to no one else. The President shall announce the new Board of Directors at the Annual Meeting.

ARTICLE VIII
MEETINGS

- 8.1 The Board of Directors shall meet periodically for the purpose of administrating the affairs of the Association. The Board meetings shall be held when necessary as determined by the President.
- 8.2 Regular meetings shall be held at least once every three (3) months, the time, date, and the place to be designated by the President.
- 8.3 Special Meetings of the Board of Directors may be called by the President. Regular Members may request a Special Meeting in writing to the President when at least ten (10) Regular Members join in that request. In their request for a Special Meeting, the ten (10) Regular Members must state the reason for the meeting to the President and who is to speak at the meeting.

- 8.4 The Annual Meeting shall be held in June at a time and in a place designated by the President.
- 8.5 All called meetings shall be published and notifications mailed with a list of the issues to be considered (E-mail shall comply with the term mailed) at least fourteen (14) days prior to the date of the meetings and list the issues to be considered.
- 8.6 The Board of Directors or any active member, with Board approval, may request an advisory vote of the general membership for consideration by the Board of Directors. Any such advisory vote made by the general membership shall be done by a show of hands unless a ballot is requested by an active member present at the meeting.
- 8.7 All votes on business requiring a vote of the general membership, such as ratification of the collective bargaining agreement, election of Board members and officers, and modification of the Bylaws, shall require a one-third (33 1/3 percent) response by the membership to make a quorum. A majority vote where a quorum is present is necessary to make a decision except where some other number is required by law. Proxy voting is permitted. Mail voting is permitted as specified in the California Corporation Code.
- 8.8 All votes on business must be passed by a majority of those Board members present at a meeting unless specified otherwise by the Bylaws or parliamentary authority.
- 8.9 All voting shall be by a show of hands, unless otherwise requested by any member or officer.
- 8.10 ORDER of BUSINESS:
- 1 Roll Call
 - 2 Minutes of Previous Meeting
 - 3 Member's Business
 - 4 Treasurer's Report
 - 5 Report of Committees and / or officers
 - 6 Unfinished Business
 - 7 New Business.

ARTICLE X

COMMITTEES

Committees shall be appointed by the PRESIDENT from time to time as deemed necessary to carry on the business of the Association.

In addition to the committees stated in Article IV, the PRESIDENT, and the BOARD of DIRECTORS shall establish a FALLEN OFFICER FUND. The FALLEN OFFICER FUND shall follow Committee Rules attached to these BYLAWS.

ARTICLE XI

AMENDMENT to the BYLAWS

These Bylaws may be amended at any regular meeting of the Association by having one-third (33 1/3 percent) of the entire membership voting and a majority of those voting to pass the amendment, in accordance with the California Nonprofit Corporation Law. The amendment must be submitted in writing at the previous meeting and the proposed amendment must be submitted to all Regular Members (E mail will constitute a valid submission to the REGULAR MEMBERS).

ARTICLE XII

RECALL

Any DIRECTOR may be removed by a majority vote of at least two thirds (2/3) of the total membership of the Association. A recall election may be held at any Annual, regular or Special Meeting wherein a Notice of Recall Election has been published and mailed (E mail shall comply with the term mailed) at least fourteen (14) days prior to the date of the recall election. All non-votes shall be considered as "NO" votes in a recall election.

ARTICLE XIII

AMENDMENT TO BYLAWS

The Standing Orders shall be now known as Amendments to the Bylaws.

Amendment 1. The benefits of the good and welfare fund are limited to Association Members and those persons residing in the Member's household. A limit of \$50.00 is authorized to be expended without Board approval. All other action must be approved. 7/91; 10/91; Amended 6/2003

Amendment 2. Each outgoing President shall receive a plaque with the appropriate engraving and an affixed badge of office. All other members of the Board of directors (Vice President, Secretary, Treasure, Directors), with two or more years of service, shall receive a plaque with appropriate engraving and an engraved badge of our office. 7/2001

Amendment 3. The Annual Picnic is open to Association Members and immediate family members. 7/91

Amendment 4. Association plaques will not be given to other than DAI's without Board approval. Cost to be born by special interest.

Amendment 5. The Association will not provide alcoholic beverages at any hosted function that is consecutive with any work shift. 4/94

AGENT FOR SERVICE

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