

**ARTICLE I  
NAME, LOCATION & PURPOSE**

**SECTION 1: NAME**

The name of this Organization shall be the California Correctional Supervisors Organization, Incorporated hereinafter referred to as CCSO or the Organization.

**SECTION 2: LOCATION**

The location of the principal place of business of CCSO shall be Escalon, California.

**SECTION 3: PURPOSE**

The purpose of this Organization is to provide its membership with professional, competent, and aggressive legal representation. Our primary goal is to achieve exclusive representation rights for all excluded employees employed in the California Department of Corrections and Rehabilitation, California Correctional Health Care Services, the Prison Industry Authority, and the Department of State Hospitals.

**ARTICLE II  
MEMBERSHIP/LOCAL  
CHAPTERS**

**SECTION 1: MEMBERS, GENERALLY**

Membership of this Organization shall be comprised of active, retired, and honorary members. Membership shall be comprised of excluded employees of the California Department of Corrections and Rehabilitation, California Correctional Health Care Services, the Prison Industry Authority, and the Department of State Hospitals. Membership shall be open to all persons as hereafter described, regardless of race, color, creed, age, sex, sexual orientation, national origin, or religion.

**SECTION 1 (a): ACTIVE MEMBERS**

Active membership of this Organization shall be comprised of excluded, exempt, and confidential employees of the California Department of Corrections and Rehabilitation, California Correctional Health Care Services, the Prison Industry Authority, and the Department of State Hospitals.

**SECTION 1 (b): RETIRED MEMBERS**

Membership shall be limited to those who are retired from the California Department of Corrections and Rehabilitation, California Correctional Health Care Services, the Prison Industry Authority, and Department of State Hospitals who at the time of their retirement fit the description of an active member under Article II, Section 1(a) above. Retired membership will be encouraged to support and work for the goals of this Organization. A retired member shall not be entitled to vote in elections with the exception of elections pertaining to retired issues. A retired member shall be able to hold any elected state office, but the retired member must reside in California. Dues shall be received monthly for retired members at the rate determined by the State Board of Directors.

**SECTION 1 (c): HONORARY MEMBERS**

Any active member of this Organization may recommend a citizen for honorary membership in this Organization to the State Board of Directors. The State Board of Directors will review all applications for honorary membership making recommendations for approval or rejection, with the final approval being made by a two-thirds (2/3) vote of the State Board of Directors. Honorary membership is open to those citizens deemed to have made outstanding contributions to the Organization, the membership of the California Correctional Supervisors Organization, Inc., or to the field of penology or law enforcement. Honorary members cannot hold any office, nor shall they be entitled to vote in any election. No dues shall be required for honorary membership in this Organization.

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### **SECTION 1 (d): MEMBER IN GOOD STANDING**

Only a member who is not delinquent in payment of membership dues or fines and/or who is not under CCSO suspension, shall be deemed a member in good standing and allowed to attend the chapter meetings, the CCSO Annual Chapter President meeting, or CCSO Annual Conference with the right to vote on chapter or CCSO issues when appropriate. Any member whose conduct is deemed detrimental to the organization during any of the aforementioned events is subject to a one-year suspension. At the discretion of the State President, the member is prohibited from attending CCSO events for the duration of the suspension (Rev/7.25.25).

### **SECTION 1(e): EXPELLED MEMBERS**

Expelled member is one who has been deemed unacceptable for membership by two-thirds (2/3) of the State Board of Directors, not party to the action, for violating regulations of the CCSO Bylaws.

### **SECTION 1(f): ACCEPTANCE OF EXPELLED MEMBER**

Notwithstanding initial chapter acceptance of an expelled member, membership in good standing is deemed by the member successfully completing up to six (6) months disciplinary free period time of probation that will be set by at least a two-thirds (2/3) vote of the State Board of Directors, along with receipt of each months dues deduction by the CCSO Escalon main office (See Article VIII, Sections 1 through 13 for disciplinary process).

### **SECTION 2: LOCAL CHAPTERS**

This Organization shall be structured on a local chapter basis, wherein a full Chapter Board of eligible CCSO members at a CDCR institution, CDCR field office, or State Hospital shall constitute a local chapter.

### **SECTION 2(a): LOCAL CHAPTER MEETINGS**

Each chapter shall hold a minimum of one chapter meeting per quarter in each calendar year. At such chapter meetings, every member in good standing who is present shall be entitled to discuss and propose a chapter issue for consideration to the Chapter Board. Only a member who is not delinquent in payment of membership dues or fines and/or who is not under CCSO suspension shall be deemed a member in good standing and shall be allowed to attend such chapter meetings.

### **SECTION 2(b): EXCLUDED EMPLOYEES MEMBERSHIP**

For the purpose of these Bylaws, active members in CCSO shall be “excluded” employees of the State of California excluded from the rank-and-file unit, including those employees defined as “excluded” in Section 3513, (E), (F), (G), and 3522.1 of the Government Code, confidential, and exempt employees.

## **ARTICLE III**

### **STATE BOARD OF DIRECTORS/ANNUAL CONFERENCE & GENERAL MEETING**

### **SECTION 1: DUTIES OF THE STATE BOARD OF DIRECTORS**

All powers and rights vested in CCSO shall be exercised by a State Board of Directors made up of a State President, State Vice President, State Secretary, State Treasurer and five (5) State Board Members. Six of the nine (6/9) positions must be occupied by members holding a custody rank, active or retired. The governing body of CCSO shall be the State Board of Directors. The powers of the State Board of Directors shall be subject to those contained in the provisions of these Bylaws and include the following express powers:

- a) To perform all of the specified and required acts in the Bylaws of this Organization.
- b) Prescribe and enforce rules necessary for effectuating the requirements of the Bylaws and other such rules considered appropriate by the judgment of the State Board of Directors.
- c) To conduct, manage, and control the affairs and business of this Organization.
- d) To authorize all necessary expenditures except as otherwise provided herein.
- e) To cause a complete record to be kept of all official meetings of this Organization.

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- f) To supervise and direct all officers, agents, and employees of this Organization to see that their duties are properly performed.
- g) To present at each regularly scheduled quarterly meeting of the State Board of Directors a quarterly statement showing CCSO assets, liabilities, and the general condition of its affairs.
- h) To carry into effect the provisions of these Bylaws and enforce all rules and regulations.
- i) To do all other acts necessary to carry out the purpose of this Organization.
- j) To tour, meet with wardens, superintendents, and members at CDCR facilities and State Hospitals.
- k) To attend at least two (2) quarterly meetings annually.

### **SECTION 2: REQUIREMENTS FOR SERVICE**

All State Board of Directors members must maintain active membership in CCSO and be in good standing. The State Board of Directors, whether active or retired, is eligible to concurrently serve on the Board of Directors and hold positions within the CCSO office. In cases of promotion, demotion within their rank, or demotion to the rank and file pending exhaustion of State Personnel Board appeals, a State Board member may retain their position until the end of their term pending approval from the State Board of Directors. A Director in good standing cannot be removed except through a recall election as set forth in these Bylaws.

It is the policy of California Correctional Supervisors Organization (CCSO) that board members, (trustees and committee members) as well as employees will not disclose confidential information belonging to, or obtained through their affiliation with, CCSO to any person, including their relatives, friends, and business and professional associates, unless CCSO has authorized disclosure. This policy is not intended to prevent disclosure where disclosure is required by law.

Confidentiality is the preservation of privileged information. Board members (Trustees) and other volunteers are cautioned to demonstrate professionalism, good judgment, and care at all times in handling any information related to CCSO to avoid unauthorized or improper disclosures of confidential information.

While board and committee members (trustees and committee members) are expected and encouraged to discuss the organization with one another and Chapter Presidents, they shall not report opinions expressed in meetings, nor shall they report independently on committee action, or engage in any communication that has not been approved by 2/3 State Board of Directors or that would not be supported by board policy, procedures, or decisions.

At the end of the board or committee member's (trustee or committee member's) term or upon his/her retirement, resignation, or removal from the Board of Directors (Board of Trustees) or committee, he/she shall return, at CCSO request, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his/her possession.

It is expected that board and committee members (trustees and committee members), will not use trade secrets, client lists, or other confidential information acquired by virtue of being on the board or committee, even after they complete their service with CCSO (Rev/4.30.25).

### **SECTION 3: QUARTERLY MEETINGS OF THE BOARD**

There shall be a minimum of four (4) quarterly meetings of the State Board of Directors in each calendar year. The meeting dates shall be determined by coordination of the State President and a member of the State Board of Directors. Notice to the Directors of such meeting shall be necessary. The means of providing notice is within the discretion of the State President. It will be mandatory that the State Board of Directors attend at least two (2) quarterly meetings in the calendar year.

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If a State Board of Director misses more than two (2) meetings in a calendar year, the State Board of Directors will discuss disciplinary action up to removal as a State Board of Director.

### **SECTION 4: BOARD ELIGIBILITY TO VOTE**

At these quarterly meetings, every State Board of Director in good standing, who is present, shall be entitled to one

(1) vote. Only a State Board of Director who is not delinquent in payment of membership dues or fines and/or who is not under suspension from CCSO shall be deemed a member in good standing and shall be allowed to attend such meeting and be entitled to vote.

### **SECTION 5: SPECIAL MEETINGS OF THE BOARD**

Special meetings of the CCSO State Board of Directors for any purpose(s) other than those of the annual or quarterly meetings specified within these Bylaws, shall be called by the State President or State Secretary at the written request of ten (10%) percent of the members, or upon the discretion of the State President or a written request of two-thirds (2/3) of the State Board of Directors. Such request or call shall state the purpose of the proposed meeting. Business transacted at all special meetings shall be confined to the objective stated in the call and matters germane thereto.

### **SECTION 6: WRITTEN NOTICE OF SPECIAL MEETINGS**

Written notice of a special meeting of the State Board of Directors called, as a result of a written request of ten (10%) percent of the members or written request of two-thirds (2/3) of the State Board of Directors, shall state the time, place, and objective thereof and shall be mailed, emailed, or sent via facsimile to the CCSO main office. The CCSO main office in turn will email, fax, or mail each Chapter President and to each State Board of Director. The notice shall be mailed, emailed, or sent via facsimile at least ten (10) calendar days before the scheduled time of the meeting.

### **SECTION 7: CCSO ANNUAL CONFERENCE**

There shall be an annual conference of the CCSO. Present will be the State Board of Directors, Chapter Presidents, and an additional elected, appointed or designated officer of each chapter. The conferences are to be held at the place and time determined by the State Board of Directors.

### **SECTION 8: PURPOSE OF ANNUAL CONFERENCE**

The primary purpose of the annual conference is to permit this Organization's constituency, through its delegates, to assume greater responsibility in reviewing its policies, its projects, and its actions since the preceding conference, and assume further responsibilities in carrying through the objectives of this Organization. To that end, each annual conference shall be scheduled for a minimum of one (1) full day in order for attendees to be informed and to discuss the broadest possible range of Organization business.

### **SECTION 9: TIME AND LOCATION OF ANNUAL CONFERENCE**

The annual conference of this Organization shall be held between the months of April and May of each year. The date(s) and location of the meeting shall be determined by the State Board of Directors. Written notice of the annual meeting shall be mailed, emailed or sent via facsimile at least thirty (30) days prior to the meeting, to each chapter president entitled to vote at such address or phone number as appears on the official roster of this Organization.

### **SECTION 10: QUORUM: STATE BOARD**

A quorum for transaction of business for the State Board of Directors at any meeting of the State Board of Directors to act shall consist of six of the nine (6/9) State Board of Directors.

### **SECTION 11: VOTING AT ANNUAL GENERAL MEETING; PROXY; CHAPTER PRESIDENTS**

The annual general meeting will be held in the months of April and May of each year. At such annual general meeting, each chapter president or his/her designee shall be entitled to one (1) vote on issues presented to them by the State Board of Directors for a vote or upon such issues they may vote upon

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under these Bylaws. Proxy voting may be allowed, but proxies must be mailed to the CCSO Escalon main office and addressed to the State Secretary of the State Board of Directors by mail, email, or facsimile, at least seven (7) days prior to the commencement of such annual general meeting. Proxy votes not received by the CCSO Escalon main office addressed to the State Secretary of CCSO at least seven (7) days prior to the commencement of such annual general meeting will not be allowed, except in specific cases where an emergency, as determined by the State Board of Directors, may arise after the deadline for the forwarding of such proxies to the State Secretary. Proxies are required to be a member of the chapter board for whom they are voting.

### **SECTION 12: ATTENDANCE AT ANNUAL GENERAL MEETING; CHAPTER PRESIDENTS; DESIGNEE**

Chapter Presidents or his/her designee shall attend the general meeting. The designee must be a member of the chapter board. If there is no chapter President/designee present, the chapter will lose any vote it has under the terms of these Bylaws except in those incidents where a vote by proxy has been received in compliance with Article III, Section 11, herein.

### **SECTION 13: QUORUM: CHAPTER PRESIDENTS**

A quorum at the annual general meeting shall consist of a minimum of two-thirds (2/3) of the chapter presidents present at the annual general meeting.

## **ARTICLE IV ELECTIONS/REMOVAL**

### **SECTION 1: ELECTION OF STATE BOARD OF DIRECTORS**

Elections of State President, State Vice President, State Treasurer, and two State Board of Directors Members shall be held in odd-numbered years. Elections of the State Secretary and three State Board of Directors Members shall be held in even-numbered years. All officers and members of the State Board of Directors will be elected for a four (4) year period. The election date shall be December 5<sup>th</sup> of the appropriate year.

### **SECTION 2: NOMINATION OF CANDIDATES FOR STATE BOARD OF DIRECTORS**

On the first week of September the State Board of Directors' nomination forms along with job descriptions of the position will be sent to all active CCSO members. Members may nominate one (1) member, in good standing, for each position to be elected. The nominations will be returned, via a business envelope provided, to an independent accounting firm with the deadline to receive nominations by October 5<sup>th</sup> or the next workday. A candidate, including the incumbent must receive a minimum of 5 nominations to be placed on the ballot. If a candidate qualifies for multiple positions, the candidate must choose only one position to run for on the election ballot. The firm will tabulate the four (4) highest nominated members for each position meeting the minimum nominations. If there are no candidates that receive the minimum five (5) nominations, then the State President will have the authority to place any candidate on the board. A candidate nominated for more than one position must choose only one position to run for on the election ballot. A candidate cannot run for multiple positions. This includes the incumbents. The nominees will be notified by email and/or telephone to ascertain if he/she wants to accept the nomination. Nominees will be noticed no later than October 15<sup>th</sup>. If the nominee does not respond or is unreachable by October 25<sup>th</sup>, he/she will automatically be dropped from the election process to continue the election in a timely manner.

### **SECTION 3: STATE BOARD OF DIRECTOR ELECTION BALLOTS - VOTING DEADLINES**

At the time of the nomination of the candidates, the CCSO Operations & Financial Officer shall oversee the preparation and distribution of election ballots. Ballots shall be placed in an envelope along with a business reply envelope and a secret envelope. These will be mailed by first class postal service to all active CCSO members. Ballots must be sent to members in the first week of November. Ballots need to be returned to the designated independent accounting firm and received by the close of business on

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December 5<sup>th</sup> in order to be counted as valid. Once tabulation of votes, by the independent accounting firm has been completed, the CCSO office will notify winners and make the announcement no later than December 20<sup>th</sup>. Those elected will be contacted as soon as possible with the results and members will receive notification via the CCSO website and the weekly update no later than January 30<sup>th</sup>.

### **SECTION 4: STATE BOARD OF DIRECTOR'S ELECTION DISPUTES**

All election disputes regarding voting tabulations shall be ruled upon by the independent accounting firm. The independent accounting firm's decision regarding voting tabulations is the final authority. All election disputes not associated with voting tabulations, but with alleged unethical practices will fall under Article VIII, Sections 1 through 13.

### **SECTION 5: CONFLICTS OF INTEREST**

Any person holding an office in another union or organization, which could result in a conflict of interest with CCSO, shall not be permitted to hold office with CCSO. A member may hold two (2) offices simultaneously within both a chapter and an office on the State Board of Directors.

### **SECTION 6: ELECTION OF CHAPTER OFFICERS**

Each chapter shall individually elect a President, Vice President, Secretary, Treasurer, and three (3) Board Members, which will consist of at least one lieutenant, one sergeant, and one non-custody member. A fourth board member may be substituted with the Chapter Treasurer when the local chapter does not participate in revenue sharing, thus, maintaining a local chapter checking account. The chapter terms would be for four (4) years. In odd-numbered years, chapters with odd numbers shall conduct their elections, and in even-numbered years, chapters with even numbers shall conduct their elections. Nomination forms will be mailed on March 1<sup>st</sup> or the next workday with a return deadline of April 1<sup>st</sup>. A nominee, including the incumbent, must receive a minimum of three (3) nominations to be placed on the ballot. If a nominee qualifies for multiple positions, the nominee must choose only one position to run for on the election ballot. CCSO headquarters will tabulate the four (4) highest nominated members for each position meeting the minimum nominations. If there are no candidates that receive the minimum three (3) nominations, then the State President will have the authority to place any candidate on the chapter board. Each nominee will be sent a letter, emailed, and/or telephoned to verify whether she/he wish to run for the nominated position(s). The nominees who confirm their intent to run or accept their elected position will then be placed onto the chapter election ballot. Nominees who are unreachable or do not return messages within seven (7) business days will be automatically dropped from the election process to continue elections in a timely manner. Chapter election ballots will be mailed on May 1<sup>st</sup> or the next workday with a return deadline of June 1<sup>st</sup>. The new Chapter Boards will begin their term on July 1<sup>st</sup>. Each office shall be filled by a majority vote of the chapter members. Any chapter member who is a member in good standing as defined by the Bylaws can be nominated, except for the positions of the Chapter President and the Vice President, which is subject to the following additional eligibility requirements:

#### **Nomination Eligibility Chapter President and Vice President:**

In order for a member to be considered eligible for nomination to the position of Chapter President or Vice President, the member shall:

- 1) Be a member in good standing as defined by the Bylaws;
- 2) Have been a member of CCSO consistently for a minimum of two (2) years; and
- 3) Have served as a CCSO Chapter Officer or Board Member at some point in the previous two (2) years.

In the event there is no nomination of a CCSO Chapter Officer or Board Member that has served in the previous two (2) years as outlined in eligibility, the State President will review nominations of members not meeting the eligibility requirement for Chapter President or Vice President for approval of nomination(s). (Rev:05/01/25).

**In lieu of a tie vote:**

The CCSO main office will initiate a tiebreaker election for the designated chapter position. The ballots for a tiebreaker will be mailed out of the CCSO office no later than ten (10) business days after determining a tie. Ballots will be returned to the CCSO office fifteen (15) business days from the date of mailing out, in order to determine the results.

a) APPOINTMENT VERSUS A CHAPTER ELECTION

If after having mailed out the nomination ballots, as cited in Section 6, there are NO MEMBERS interested in running for a Chapter position, the CCSO Main Office will contact the former Chapter President to ascertain if he/she will accept an appointment by the State President to run as Chapter President for the new term. If the Chapter President declines, the State President may appoint a Chapter President.

b) If after having mailed out the nomination ballots, as cited in Section 6, there is only one person nominated for each position on the Chapter Board, those nominees will be appointed by the State President in lieu of having an election.

Any vacancy in the Chapter President position shall be filled by the Chapter Vice President in the event the Chapter President is unable to fill his/her duties until the next scheduled CCSO election. If the Chapter Vice President is unable or unwilling to assume the Chapter President position, the line of Chapter succession will become effective until the next scheduled CCSO election.

SECTION 7: REMOVAL OF THE STATE BOARD OF DIRECTORS BY MEMBERSHIP

Any member may initiate a recall of an officer of the State Board of Directors. The member wishing to initiate a recall must follow the guidelines set forth below:

a) Charges shall be in writing and signed by the member(s) bringing the charges. The charges shall be specific, citing in detail the nature, the date, and the circumstances of the alleged offense serving as the basis for the recall. Where the violation of a Bylaw provision is alleged, the specific section shall be cited along with the specific act or omission that constitutes the alleged violation. These charges will then be submitted by certified mail, return receipt requested, to the CCSO main office in Escalon, California, addressed to the State Secretary of the State Board of Directors or if the State Secretary is the subject officer, then to the State President who shall thereafter execute all duties given to the State Secretary under this section. The written charges shall include arguments as to why such an officer should be removed. The CCSO main office in Escalon, California, under the direction of the State Secretary, shall send copies of the written charges within fifteen (15) working days of receiving charges to all members of the State Board of Directors. The CCSO Escalon main office will send the charges back to the person(s) filing the charges by certified mail, return receipt requested. Along with a letter from the State Secretary or the State President's designee, authorizing the commencement of a petition and notification of the thirty-day limit.

b) Upon receipt of the list of charges, the person(s) initiating the recall will have thirty days to circulate a petition for signatures of members. In order for the recall to proceed, thirty-five (35%) percent of the total membership must sign the petition, excluding retired members. Before the close of business hours of the Escalon, California main office on the thirtieth (30<sup>th</sup>) day, the petition with the necessary signatures must be mailed to the CCSO main office in Escalon, California, addressed to the State President or his/her designee by certified mail, return receipt requested. The petition will then be ruled on by a three-member committee selected by the highest-ranking State Board of Directors who is not subject to the recall. If no such State Board of Director qualifies, then the chapter presidents shall hold an emergency meeting as soon as possible

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to vote on the selection of the committee. Said committee will consist of one (1) member from each of the three (3) geographical regions. The committee shall be nominated and approved at the emergency meeting. A two thirds (2/3) vote of the chapter presidents shall approve the committee. If the three-member committee by majority vote deems that all requirements for recall have been met, a recall election shall be conducted within forty-five (45) days of said committee's vote. The election shall be conducted as follows:

- 1) In case of a recall election, it shall be the duty of the appointed committee to set the timetable for the recall election, but it is to take place no later than forty-five (45) days after the vote of the committee approving the recall election. The process of the election shall be by ballot. No proxy votes may be cast. A two-thirds (2/3) vote of the membership shall be required to remove such elected officer. The process of the election shall be set forth under Article IV Section 3 above subject to the requirements of this section. The removal shall be effective immediately following the conclusion of the vote count.
- 2) If the recall election is successful, the vacancy caused by the election shall be filled by the next elected State Board of Director in line to succeed. If there is no other elected official to fill the vacant position, a chapter president may be appointed by the highest elected official of the State Board of Directors, serving at the time. If the entire State Board of Directors is recalled, then the committee shall appoint chapter presidents to fill the positions. These seven (7) positions will be appointed on balance from all three (3) geographical regions. These appointments will last until the next regular election. Those recalled shall immediately turn over all documents and properties belonging to this Organization to the person(s) who will fill the vacant position(s).
- 3) Should the recall/election fail for lack of signatures on the petition or failure to comply with the time constraints of these Bylaws, then the reasons given in the petition cannot be used again for a minimum of 365 days after the date of the event causing the failure. A petition cannot be initiated for 365 days after the date of the incident(s) causing the failure. In any event, no State Board of Directors can be subjected to more than two recall attempts for the same or substantially similar underlying reasons.

### **SECTION 8: REMOVAL OF CHAPTER OFFICERS**

Any member may initiate a recall of an officer of the Chapter Board. The member wishing to initiate a recall must follow the guidelines set forth below:

- a) Charges will be submitted by certified mail, return receipt requested, to the CCSO State President. The State President shall oversee the recall process. The written charges shall include arguments as to why such an officer should be removed. Charges will be mailed to the Chapter Officer up for recall, within fifteen (15) working days of receipt of charges, in order to provide him/her time to respond and submit a rebuttal to the charges. The rebuttal must be returned to the State President within fifteen (15) working days of the receipt of charges mailed to said Chapter Officer.
- b) Once the CCSO State President reviews the rebuttal, the CCSO office will, within fifteen (15) days, notify and mail both the rebuttal and charges to the State Board of Directors. Both charges and rebuttals will be reviewed by the Board for validity.
- c) If charges are found to be false, the State Board of Directors can administer action against the accusers, at their discretion, and up to removal from the Chapter Board or CCSO membership.
- d) Once the CCSO State Board of Directors verify the charges and rebuttals, the CCSO office will, within fifteen (15) working days, notify the Chapter Board members representing the particular institution affected, and individual member being accused of charges. Chapter

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Board members and all affected individuals will be mailed the charges and rebuttals. The charges and rebuttals will be censored by the State Board of Directors, except for the accused to protect individual members cited in either charges or rebuttals.

- e) The State Board of Directors, during this period, may initiate a mediation date between all affected individuals whereby at least one State Board of Director would attend the mediation.
- f) If mediation is not successful in resolving the Chapter problem(s) then, upon receipt of charges and rebuttals, the person(s) initiating the recall will be mailed from the CCSO Escalon main office an approved petition to circulate for signatures by chapter members. The petition would include the member's printed name, along with a signature, and his/her last four (4) social security numbers. The person(s) initiating the recall will have thirty- days to circulate the petition to obtain the required signatures. In order for the recall to proceed, thirty-five (35%) percent of the total chapter membership must sign the petition on the thirtieth (30<sup>th</sup>) day, the petition with the necessary signatures must be mailed to the CCSO State President. CCSO Escalon main office will contact both the chapter officer up for recall and the person(s) initiating the recall to inform them of the next step in the recall procedure. If after thirty days, the recall petition does not have signatures of thirty-five (35%) percent of the total chapter membership, the recall process will terminate.
  - 1) If the petition is received within the specified time to the CCSO main office and has thirty-five (35%) percent of the total chapter membership's signatures, the CCSO main office will have fifteen (15) working days to mail to the chapter members, at their residence, the charges and rebuttals along with advance notification of a recall election. All names, except for the accused, and/or personal or damaging accusations in the rebuttals and charges, will be censored for protection of individual members before mailing with notification letter to members. Two weeks after the notification, a recall election will proceed. The process of the election shall be by ballot. No proxy votes may be cast. A two-thirds (2/3) vote of the chapter membership shall be required to remove such elected officer. The process of the election shall be set forth under Article IV Section 6 above subject to the requirements of this section. The removal shall be effective immediately following the conclusion of the vote count.
  - 2) If the recall election is successful, the vacancy caused by the election shall be filled by the next elected chapter official in line to succeed. If there is no other elected official to fill the vacant position, a Chapter President may be appointed by any good standing member into the vacancy. If the entire Chapter Board is recalled, then the CCSO Main Office in Escalon, California will initiate a Chapter election. The election process used will follow Article IV, Section six (6). Those recalled shall immediately turn over all documents and properties belonging to this Organization to the person(s) who will fill the vacant position(s).
  - 3) Should the recall/election fail for lack of signatures on the petition or failure to comply with the time constraints of these Bylaws, then the reasons given in the petition cannot be used again for a minimum of 365 days after the date of the event causing the failure. A petition cannot be initiated for 365 days after the date of the incident(s) causing the failure. In any event, no Chapter Board member can be subjected to more than two recall attempts for the same or substantially similar underlying reasons.

## **ARTICLE V DUTIES OF OFFICERS**

### **SECTION 1: OFFICERS OF THE STATE BOARD OF DIRECTORS**

The officers of the State Board of Directors shall be a State President, State Vice President, State Secretary, State Treasurer, and five (5) State Board Members. Six of the nine (6/9) positions must be

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occupied by members holding a custody rank, active or retired.

In the event of a vacancy (other than by means of recall) in the office of the State President, after a regularly scheduled statewide election, the State Vice President position shall fill the vacant State President position until the next scheduled statewide election cycle (example: term of office is four (4) years and every two (2) years a State Board of Directors election takes place).

Any vacancy in any of the State Board of Directors positions shall be filled by appointment by the State President and confirmed by a majority vote of the State Board of Directors. The appointment shall continue through the next scheduled statewide election cycle (example: terms of office are four (4) years and every two (2) years either an odd or an even election takes place).

### SECTION 2: DUTIES/POWERS OF THE STATE PRESIDENT

The State President of CCSO shall have the following duties and powers:

(Rev.1.23.26)

- a) She/he shall preside over all meetings of this Organization and the State Board of Directors. She/he shall, have one (1) vote at all meetings of the State Board of Directors, including the annual general meeting with the Chapter Presidents and/or their delegates.
- b) She/he shall have the general supervision and control over all affairs and operations of this Organization when the State Board of Directors are not in session and shall discharge such other duties as may be required of him/her by the Bylaws of this Organization or by the resolutions of the State Board of Directors.
- c) The CCSO State President, upon proper authorization, shall execute in his/her official capacity, all conveyances, contracts, and other instruments in writing and shall cosign all checks except when other persons may be authorized by the State President. The exception lies with the State President's account, which need only be signed by the State President. Monies expended over \$5,000 for one expenditure will be approved first by the State Treasurer, and if approved by the State Treasurer, the State Board of Directors will be informed prior to expenditure being made. Exceptions to this process will be the expenditures relating to the CCSO Annual Conference, Annual General Meeting, Chapter Workshops, and Legal Expenditures which the State President will have sole discretion to determine expenditures.
- d) She/he shall, at the commencement of and during his/her term of office, appoint all such committees as required and other such committees as deemed appropriate and beneficial to this Organization except as otherwise stated in these Bylaws, subject to the approval by a majority vote of the State Board of Directors. She/he shall also be responsible for the removal of any member from said committee subject to approval by a majority vote of the State Board of Directors. Each committee shall consist of a chapter person who is also a member of the State Board of Directors. Other committee members shall consist of members of this Organization who have been recommended by the State Board of Directors. The State President shall be able to appoint anyone that is not an elected official to special assignments, as needed, to meet operational needs. Additionally, he/she shall have the authority to remove anyone from such special assignment(s) at his/her discretion, subject to review by the State Board of Directors. She/he shall be an ex-officio member of all committees and have the power to make changes therein, when, in his/her opinion, the best interests of the Organization will be served thereby.
- e) Tour and meet with wardens/superintendents and members.
- f) If during a Chapter election no nominations (s) are received from that Chapter, the State President shall appoint a Chapter President from the Chapter Board. If there is no Chapter Board the State President shall appoint any CCSO member in good standing from that Chapter to be the Chapter President.
- g) To attend at least two (2) quarterly meetings annually.
- h) The State President will be allowed to retain his/her State Board of Director State President position until expiration of term, subject to State Board of Directors approval, in the event of

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demotion to a rank-and-file position until State Personnel Board appeals have been exhausted.

- i) In the event of death, resignation, retirement, or removal from office, all money or property of this Organization under his/her control shall be immediately delivered to his/her successor of this Organization.

### **SECTION 3: DUTIES/POWERS OF STATE VICE PRESIDENT**

The State Vice President of CCSO shall have the duties and responsibilities subject to the direction of the State President, of looking after the interests of the members. The State Vice President may be assigned other duties and responsibilities, as the State Board of Directors and/or the State President deem appropriate.

- a) The State Vice President shall have one (1) vote each at all State Board of Director's meetings including the annual general meeting with the Chapter Presidents and/or their delegates.
- b) The State Vice President will be allowed to retain his/her State Board of Director Vice President position until expiration of term, subject to State Board of Directors approval, in the event of demotion to a rank- and-file position until State Personnel Board appeals have been exhausted.
- c) A State Vice President must be willing to assume the duties of the State President in the event the State President is unable to fill his/her duties.
- d) Tour a facility and meet with a Warden and/or Superintendent and members at least a minimum of one facility in a calendar year.
- e) To attend at least two (2) quarterly meetings annually.
- f) In the event of death, resignation, retirement, or removal from office, all money or property of this Organization under his/her control shall be immediately delivered to the State President of this Organization.

### **SECTION 4: DUTIES/POWERS OF THE STATE SECRETARY**

The State Secretary of CCSO shall have the responsibility of ensuring that all non-financial records are maintained, in addition to the following duties:

- a) Oversee that minutes of all State Board of Director meetings are recorded.
- b) In the absence of the State President, to call and publish notices of any special meetings.
- c) To maintain records and mail copies as required on all recall or removal from office motions as set forth in these Bylaws.
- d) To act as otherwise specified in these Bylaws or as directed by the State President.
- e) The State Secretary shall have one (1) vote at all State Board of Director meetings including the annual general meeting with the chapter presidents and/or their delegates.
- f) The State Secretary will be allowed to retain his/her State Board of Director Secretary position until expiration of term, subject to State Board of Director approval, in the event of demotion to a rank-and-file position until State Personnel Board appeals have been exhausted.
- g) The State Secretary must be willing to assume the duties of the State President in the event the State President is unable to fill his/her duties, and the Vice President is unable or unwilling to fulfill the duties of the State President.
- h) Tour a facility and meet with a Warden and/or Superintendent and members at least a minimum of one facility in a calendar year.
- i) To attend at least two (2) quarterly meetings annually.
- j) In the event of death, resignation, retirement, or removal from office, all money or property of this Organization under his/her control shall be immediately delivered to the State President of this Organization.

### **SECTION 5: DUTIES/POWERS OF THE STATE TREASURER**

The State Treasurer of CCSO shall have general supervision of all funds and securities of this

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Organization, and the following duties:

- a) Ensure the Organizational funds and securities are accounted for and kept accurate. Monies expended over \$5,000 for one expenditure will be approved first by the State Treasurer and if approved by the State Treasurer, the State Board of Directors will be informed prior to expenditure being made. Exceptions to this process will be the expenditures relating to the CCSO Annual Conference, Annual General Meeting, Chapter Workshops, and Legal Expenditures, which the State President will have sole discretion to determine expenditures.
- b) Ensure that all financial transactions and deposits of this Organization, to include transactions and deposits to the State President's business account, are appropriately documented and reported to the State Board of Directors on a quarterly basis. This task shall be coordinated through the CCSO Chief Operations & Financial Officer.
- c) Ensure that the funds of this Organization are disbursed as ordered by the State Board of Directors. Immediately report to the State Board of Directors any non-compliance with such directive.
- d) Have unrestricted access to any/all written documentation as it relates to the financial status of this Organization.
- e) Evaluate the quarterly audit of this Organization's funds prior to dispersal to each State Board of Director. This quarterly audit will be mailed directly from the auditor to the State Treasurer at his/her mailing address as listed on the official records maintained at CCSO Escalon main office. Any questions relative to the financial status of this Organization shall be directed to the State Treasurer. Any fiscal difficulties or problems will be directed to the State President and/or the State Board of Directors. If the problem still exists, a State Board of Director's meeting may be called to rectify the problem.
- f) The position of State Treasurer is one of trust and is a confidential position. She/he is entrusted with all fiscal aspects of CCSO and may not discuss these aspects with anyone outside of their normal scope of duties without the permission of the State President and/or a quorum of the State Board of Directors.
- g) In the event of death, resignation, retirement, or removal from office, all money or property of this Organization under his/her control shall be immediately delivered to the State President of the Organization.
- h) The State Treasurer shall have one vote at State Board of Director meetings, including the annual general meeting with the Chapter Presidents and/or their delegates.
- i) The State Treasurer will be allowed to retain his/her State Board of Director Treasurer position until expiration of term subject to State Board of Directors approval, in the event of demotion to a rank-and-file position until State Personnel Board appeals have been exhausted.
- j) Any fiscal training for this position may be accomplished through meetings with the CCSO State President and the Chief Operations & Financial Officer or training deemed appropriate.
- k) The State Treasurer must be willing to assume the duties of the State President in the event the State President is unable to fill his/her duties, and the State Vice President and/or the State Secretary is also unable or unwilling to fulfill the duties of the State President.
- l) Tour a facility and meet with a Warden and/or Superintendent and members at least a minimum of one facility in a calendar year.
- m) To attend at least two (2) quarterly meetings annually.

### SECTION 6: DUTIES/POWERS OF STATE BOARD OF DIRECTOR MEMBERS

- a) To replace, at least temporarily, any position on the State Board of Directors, which cannot be filled, for whatever reason, by succession. A State Board of Director Member may have to assume the duties of the State President, State Vice President, State Secretary, or State Treasurer depending on circumstances and expediency.
- b) State Board of Directors Members should possess a working knowledge of all positions on the State Board of Directors.
- c) State Board of Director Members shall act, as advisors to the State President and during meetings

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will aid in maintaining order and decorum.

- d) State Board of Director Members may be appointed to and/or be ex-officio members of various committees as deemed necessary by the State President.
- e) State Board of Director Members shall have one (1) vote each at all State Board of Director meetings, including the annual general meeting with the Chapter Presidents and/or their delegates.
- f) State Board of Director Members will, to the best of their abilities, carry out all lawful assignments mandated by the State President.
- g) Tour a facility and meet with a Warden and/or Superintendent and members at least a minimum of one facility in a calendar year.
- h) Office holders will be allowed to retain his/her State Board of Director Member position until expiration of term, subject to State Board of Director approval, in the event of promotion or demotion within their rank, or in the event of demotion to rank and file position until State Personnel Board appeals have been exhausted.
- i) To attend at least two (2) quarterly meetings annually.
- j) In the event of death, resignation, retirement, or removal from office, all money or property of this Organization under his/her control shall be immediately delivered to the State President of this Organization.

### **SECTION 7: DUTIES/POWERS OF CHAPTER OFFICERS**

The officers of each chapter shall have the following powers/duties as defined by these Bylaws once approved by the State Board of Directors. Each chapter president shall handle the daily affairs of the chapter as well as execute the duties set forth within these Bylaws. Chapter officers will remain neutral in differences between members. A Chapter Board will not take the side of one member over another member. If an issue arises between members, the Chapter President or Chapter Board Member will be contacted to mediate the situation under the guidance of the CCSO Escalon main office. Each chapter vice president shall have the duty, subject to the direction of the President, of looking after the interests of the members of the chapter. The secretary shall ensure that all non-financial records in the chapter are properly maintained.

### **SECTION 8: DUTIES OF THE CHAPTER PRESIDENT**

The Chapter President shall have the following duties: Retired Chapter President is excluded from the following duties: The Retired Chapter President's main duty is to provide representation at the annual conference and/or other designated CCSO events.

- a) Chapter Presidents must have at least one meeting every three months, preferably once a month with Chapter members. She/he shall preside over all Chapter meetings. She/he, however, shall have one (1) vote at all meetings of the Chapter Board.
- b) She/he shall have the general supervision and control over all affairs and operations of the chapter when the Chapter Board is not in session and shall discharge such other duties as may be required of him/her by the Bylaws of this Organization or by the resolutions of the Chapter Board.
- c) The Chapter President upon proper authorization shall execute in his/her official capacity, all conveyances, contracts, and other instruments in writing and shall cosign all checks except when other persons may be authorized by the State President.
- d) The Chapter President or designee has a choice of having a chapter account for chapter revenue sharing utilizing his/her personal social security number to open the bank account or the chapter may submit receipts for chapter expenses and the chapter will be reimbursed by CCSO. If a chapter account is selected, the chapter President needs to obtain a bankcard, and establish two (2) or more members from the chapter authorized to sign on/off.
- e) The Chapter President will complete all audit forms and interest forms and return them to the CCSO main office by the stated deadline date. (The deadline will be determined by the Chief Operations and Financial Officer). If the audit form is not received in the main office by the stated deadline date, Chapter Revenue Sharing will terminate until the form is received.

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- f) The Chapter President shall oversee the monthly Chapter Revenue Sharing checks, which will cease if the Chapter has outstanding checks for two months. Once the checks have cleared the bank, revenue sharing will commence for the current month. Checks outstanding for six (6) months + will not be re-issued.
- g) The Chapter President must be willing and able to have at least one monthly meeting with the Warden and take any supervisory problems to this meeting and work toward a settlement. Be assertive and have valid issues. The Chapter Board needs to be cognizant of and involved in the issues.
- h) She/he shall, at the commencement of and during his/her term of office, appoint all such committees as required and other such committees as deemed appropriate and beneficial to this Organization except as otherwise stated in these Bylaws, subject to the approval by a majority vote of the Chapter Board of Directors. She/he shall also be responsible for the removal of any member from said committee subject to approval by a majority vote of the Chapter Board. Each committee shall consist of a chapter person on the Chapter Board. Other committee members shall consist of members of this Organization who have been recommended by the Chapter Board. The Chapter President shall be able to appoint any member that is not an elected official to special assignments, as needed, to meet operational needs. Additionally, he/she shall have the authority to remove anyone from such special assignment(s) at his/her discretion, subject to review of the Chapter Board. She/he shall be an ex-officio member of all committees and the power to make changes therein, when, in his/her opinion, the best interests of the chapter will be served thereby.
- i) The Chapter President or designated Board Member needs to have CCSO membership applications and insurance brochures/applications on hand to distribute to CCSO members and prospective members.
- j) She/he shall appoint a CCSO chapter member of good standing to fill any vacant position on the Chapter Board, be it a temporary or permanent appointment with the approval by a majority vote of the Chapter Board of Directors. If the Chapter Board is not active, the Chapter President can solely appoint a member in good standing to fill any vacant or specified future vacant (retirement) position without the majority vote of the Chapter Board of Directors.
- k) In the event of death, resignation, retirement, or removal from office, all money or property of the Chapter under his/her control shall be immediately delivered to the successor for the Chapter President position of the Chapter.

### **SECTION 9: DUTIES OF CHAPTER VICE PRESIDENT**

The Vice President shall have the duties and responsibilities subject to the direction of the President, of looking after the interests of the members. The Vice President may be assigned other duties and responsibilities as deemed appropriate by Chapter President.

- a) The Vice President shall have one (1) vote each at Chapter Board meetings.
- b) The Chapter Vice President will be allowed to retain his/her Chapter Board Vice President position until expiration of term, subject to Chapter Board approval in the event of promotion or demotion within their rank, or in the event of demotion to rank and file until State Personnel Board appeals have been exhausted.
- c) A Vice President must be willing to assume the duties of the President in the event the President is unable to fill his/her duties.
- d) In the event of death, resignation, retirement, or removal from office, all money or property of the Chapter under his/her control shall be immediately delivered to the President of the Chapter.

### **SECTION 10: DUTIES OF THE CHAPTER SECRETARY**

The Secretary of a Chapter shall have the responsibility of ensuring that all non-financial records are maintained, in addition to the following duties:

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- a) Ensure that the minutes of all Chapter Board meetings are recorded.
- b) A Chapter Secretary must be willing to assume the duties of the Chapter President in the event the Chapter President is unable to fill his/her duties, and the Chapter Vice President is also unable or unwilling to fulfill the duties of the Chapter President.
- c) In the absence of the President, to call and publish notices of any special meetings or post updates from the CCSO Escalon main office.
- d) To maintain records and mail copies as required on all recall or removal from office motions as set forth in these Bylaws.
- e) To act as otherwise specified in these Bylaws or as directed by the President.
- f) The Secretary shall have one (1) vote at all Chapter Board meetings.
- g) The Chapter Secretary will be allowed to retain his/her Chapter Board Secretary position until expiration of term, subject to Chapter Board approval, in the event of promotion or demotion within their rank, or in the event of demotion to rank and file until State Personnel Board appeals have been exhausted.
- h) In the event of death, resignation, retirement, or removal from office, all money or property of the Chapter under his/her control shall be immediately delivered to the President of the Chapter.

### **SECTION 11: DUTIES OF THE CHAPTER TREASURER**

The Treasurer of a Chapter shall have general supervision of all funds and securities of the chapter, and the following duties:

- a) Ensure the Chapter funds and securities are accounted for and kept accurate.
- b) A Chapter Treasurer must be willing to assume the duties of the Chapter President in the event the Chapter President is unable to fill his/her duties, and the Chapter Vice President, and/or Chapter Secretary is also unable or unwilling to fulfill the duties of the Chapter President.
- c) Ensure that all financial transactions and deposits of the Chapter are appropriately documented and reported to the Chapter Board on at least a quarterly basis.
- d) Ensure that the funds of the Chapter are disbursed as ordered by the Chapter Board. Immediately report to the Chapter Board any non-compliance with such directive.
- e) Have unrestricted access to any/all written documentation as it relates to the financial status of the Chapter.
- f) The position of Treasurer is one of trust and is a confidential position. She/he is entrusted with all fiscal aspects of the Chapter and may not discuss these aspects with anyone outside of their normal duties, without the permission of the Chapter President and/or a quorum of the Chapter Board.
- g) In the event of death, resignation, retirement, or removal from office, all money or property of the Chapter under his/her control shall be immediately delivered to the President of the Chapter.
- h) The Treasurer shall have one vote at Chapter Board meetings.
- i) The Chapter Treasurer will be allowed to retain his/her Chapter Board Treasurer position until expiration of term, subject to Chapter Board approval, in the event of promotion or demotion within their rank, or in the event of demotion to rank and file until State Personnel Board appeals have been exhausted.
- j) Any fiscal training for this position may be accomplished through meetings with the CCSO Chief Operations and Financial Officer or training deemed appropriate.

### **SECTION 12: DUTIES OF CHAPTER BOARD MEMBERS**

- a) To replace, at least temporarily, any position on the Chapter Board, which cannot be filled, for whatever reason, by succession. A Chapter Board member may have to assume the duties of the President, Vice President, or Secretary, depending on circumstances and expediency.
- b) Chapter Board members should possess a working knowledge of all positions on the Chapter Board.
- c) Chapter Board members shall attend quarterly and special meetings of the Chapter Board.
- d) Chapter Board members shall act as advisors to the President and during meetings will aid in maintaining order and decorum.

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- e) Chapter Board members may be appointed to and/or be ex-officio members of various committees as deemed necessary by the President.
- f) Chapter Board members, to the best of their abilities, will carry out all lawful assignments mandated by the President.
- g) Chapter Board members shall have one (1) vote each at Chapter Board Meetings.
- h) To mediate problems and/or differences between members.
- i) To unify CCSO members and never work against Chapter members. Issues that cannot be settled on the local level will be brought to the attention of the CCSO headquarters for mediation.
- j) Office holders will be allowed to retain their Chapter Board Member position until expiration of term, subject to Chapter Board approval, in the event of promotion or demotion within their rank, or in the event of demotion to rank and file until State Personnel Board appeals have been exhausted.
- k) In the event of death, resignation, retirement, or removal from office, all money or property of the Chapter under his/her control shall be immediately delivered to the President of the Chapter.

## **ARTICLE VI ORDER OF BUSINESS**

### **SECTION 1: ORDER OF BUSINESS**

The order of business at all regular meetings of this Organization shall be as follows, conducted by using the Robert's Rules of Order. There will be no consumption of alcoholic beverages or alcoholic beverages brought into CCSO meetings.

### **SECTION 2: ATTENDING STATE BOARD MEETINGS**

Members in good standing who want to address the State Board of Directors must follow the CCSO policy: Members Attending the State Board of Director's Meeting adopted by the State Board on October 17, 2008.

## **ARTICLE VII AMENDMENTS**

### **SECTION 1: AMENDMENT OF BYLAWS**

The Bylaws of CCSO may be amended as follows:

- a) Any proposed amendment or appeal of these Bylaws must be submitted to CCSO Headquarters via mail, fax, or email. The proposal will be distributed to the State Board of Directors via email. The email will contain the proposed amendment and a vote to approve or deny the amendment. The State Board of Directors shall respond to email within 7 business days. If necessary, the proposal can be discussed by the State Board of Directors at their next regularly scheduled quarterly meeting, or an emergency meeting may be convened. The State Board of Directors may vote to have the proposed amendment sent out for a cost analysis prior to voting on whether to approve or deny the amendment. Once the cost analysis is completed, the results will be distributed to the State Board of Directors. An affirmative vote of two-thirds (2/3) of the State Board of Directors shall be sufficient to approve the proposed amendment.
- b) Any local Chapter President may make a verbal proposal from the general meeting floor to amend the CCSO bylaws, provided the proposal receives a second motion. The proposed bylaw amendment must have been submitted in writing to CCSO headquarters at least 30 days prior to the general meeting. The State Board of Directors Secretary shall read aloud the exact wording of the proposal to the members of the general meeting prior to administering and recording a voice vote of the local Chapter Presidents in attendance. If, during discussion, multiple revisions to the original language are suggested and agreed upon by the Chapter Presidents, the newly revised language must be redrafted and reclarified before any vote is administered. In such cases, a brief recess may be called to allow time for the new language to be prepared and distributed. If

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the revised language is not ready in a reasonable amount of time, the proposal will be tabled and added to the agenda for the next regularly scheduled State Board meeting (Rev/7.25.25). If approved by the majority of Chapter Presidents, the amendment or repeal shall be referred to the State Board of Directors for review prior to final approval. The purpose of this review is to assess any potential financial impact, conduct a legal review of the proposal, and ensure compliance with the organization's bylaws, confirming that the proposal does not conflict with or alter any existing bylaw provisions. No floor proposal shall be adopted until this review process has been completed and the State Board of Directors has provided its recommendation at their regularly scheduled quarterly meetings. The State Board of Directors will have the final vote on the proposed amendment. If the State Board of Directors does not approve the amendment, the Chapter Presidents will be notified in writing of the reason for the disapproval (Rev/4.30.25).

- c) Any proposed amendment to Article IX, Section 1, relating to dues for membership in this organization must be submitted to all Chapter Presidents to be voted on. The voting procedure will be the same as that outlined in Section 1 (a) above. An affirmative vote of the majority shall be sufficient to amend Article IX, Section 1.
- d) Amendment to Article IX, Section 1 shall become effective upon certification of the results to the State President. The State Board of Directors shall designate the period during which the vote upon the change in dues must be conducted and completed.

### **SECTION 2: AMENDMENTS' EFFECTIVE DATE**

Unless expressly provided to the contrary, the adoption, amendment, or repeal of any portion of these Bylaws shall become effective immediately after the official ratification of the Chapter Presidents is complete.

## **ARTICLE VIII DISCIPLINE AND DISCIPLINARY PROCEEDINGS**

### **SECTION 1: FILING CHARGES**

Filing of charges: Except as hereinafter provided, any member of CCSO may file charges for acts or omissions as hereafter described including, but not limited to, the act or omissions of such individual while a member of CCSO.

### **SECTION 2: GROUNDS FOR DISCIPLINE**

The following shall constitute the basis for the filing of charges:

- a) Violation of any provision of the Bylaws of this Organization.
- b) Misappropriation, embezzlement, or improper or illegal use of this Organization or chapter funds.
- c) Any action by any officer of this Organization results in the expenditure of money without proper written authorization from this Organization.
- d) Acting in collusion with management to the detriment of the welfare of the Organization or its membership.
- e) Any activity, which assists or intends to assist with malice a competing employee organization.
- f) Refusal or deliberate failure to carry out legally authorized decisions of the State President of CCSO, or the State Board of Directors.
- g) Instituting or urging others to institute legal action outside this Organization, before any forum whatsoever, against this Organization, or any officer or employee thereof or another CCSO member, without first exhausting all internal remedies within this Organization. The foregoing shall not apply where the action was instituted in order to prevent the loss of rights under the applicable statute of limitations and the member has diligently pursued his/her internal remedies.
- h) Using the name or assets (including mailing lists) or goodwill of CCSO in an unauthorized manner or for an unauthorized purpose.
- i) Deliberately interfering with any official of this Organization in the discharge of his/her lawful duties.
- j) Conviction of a crime, which could result in defamation of this Organization or bring this

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Organization into disrepute.

- k) Knowingly submitting any false financial report or statement to this Organization.
- l) Disrupting this Organization's meetings or disrupting this Organization in its official business, both at the local and/or state level.
- m) Acting in a manner such as to harm substantially the interests of the California Correctional Supervisors Organization, Inc.
- n) Submit false allegations against CCSO employees, officers, or CCSO members, both at the local and/or state level.

### **SECTION 3: FORM AND CONTENT OF CHARGES; METHOD/TIME OF FILING CHARGES**

Charges shall be in writing and shall be signed by the member(s) bringing the charge(s). The charge(s) shall be specific, citing in detail the nature, the date, and the circumstances of the alleged offense(s). If the violation of a Bylaw provision is alleged, the specific section shall be cited along with the specific act or omission that constitutes the violation. The charges shall be filed with the State Secretary of CCSO or if he/she is a directly interested party, the State President of CCSO. Within fifteen (15) working days of receipt of the charge(s), the State President and/or the State Secretary shall forward the charge(s) to the State Board for review.

### **SECTION 4: SERVICE OF CHARGES**

Within fifteen (15) working days of receipt of the charges by the State Secretary or the State President, the State Secretary or the State President shall cause the charges to be served on the individual(s) charged by registered mail, return receipt requested, to the address last known to this Organization. Alternatively, the service may be made personally. The charges shall be served at least thirty days before any hearing on the charges before the State Board of Directors.

### **SECTION 5: HEARING COMMITTEE CONSISTS OF STATE BOARD**

The State Board of Directors shall receive a copy of the charges filed against a member, or officer of CCSO and the rebuttal of accused from the State Secretary or State President.

### **SECTION 6: HEARINGS**

Any member of CCSO accused and charges filed under this Article shall be entitled to a hearing before the State Board of Directors to appeal and/or contest the charge(s). The State Board of Directors shall cause to be served a notice of the right to appeal the charges within fifteen (15) working days of the State Board of Director's receipt of the charges from the State Secretary or the State President. Service may be made by registered mail, return receipt requested or by serving the charge(s) personally. Said notice sent by the State Board of Directors shall also set forth that the accused has the right to an appeal hearing within thirty days of the accused receipt of the charges. The thirty- day limit may be waived by mutual consent of the accused and the accuser. Continuances may be granted at the State Board of Director's discretion.

### **SECTION 7: RIGHTS OF THE ACCUSED**

The accused shall have the right to present testimony, the right to select a person of their own choosing, who is a member in good standing or an officer of CCSO to present their case, the right to have a hearing and the right to cross-examine any witness, including the accuser, and witnesses who testify on behalf of the accuser, the right to present a written answer to the charge(s) and the right to be presumed innocent until proven guilty. The burden of proof involved is the preponderance of evidence. The burden lies on the accuser. The accused has the right to be represented by counsel, if authorized by the hearing committee. If the hearing committee authorizes the accused the right to be represented by counsel, the cost of the representation will be paid by the accused and not the California Correctional Supervisors Organization, Incorporated.

### **SECTION 8: RIGHTS OF THE ACCUSER**

The accuser shall have the right to present testimony, the right to select a person of their own choosing,

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who is a member in good standing or an officer of CCSO to present their case, the right to have a hearing and the right to cross-examine any witness, including the accused, and witnesses who testify on behalf of the accused. The burden of proof involved is the preponderance of evidence. The burden lies on the accuser. The accuser has the right to be represented by counsel, if authorized by the hearing committee. If the hearing committee authorizes the accuser, the right to be represented by counsel, the cost of the representation will be paid by the accuser and not the California Correctional Supervisors Organization, Incorporated.

### **SECTION 9: CONDUCT OF THE PARTICIPANTS AT THE HEARING**

Formal rules of evidence need not apply. The State Board of Directors may be advised by counsel; thus, safeguarding the whole of this Organization. Such counsel cannot participate in either presenting or defending against the charges before the State Board of Directors. The State Board of Directors will not suffer or be tainted by the inappropriate conduct of representatives, the accused, or the accuser.

### **SECTION 10: STATE BOARD OF DIRECTORS COMMITTEE**

The CCSO State Board of Directors will not participate whatsoever in proceedings involving appeals to the State Board of Directors as set forth in this Article, concerning any hearing in which he/she has participated. A State Board of Directors cannot be a witness to the facts underlying the action. In the event a State Board of Directors is disqualified, the State President shall designate an alternative member.

### **SECTION 11: REMEDIES/DISPOSITION AFTER HEARING**

The State Board of Directors may, if it finds the accused person guilty, assess anyone or more of the following penalties:

- a) A formal reprimand, accompanied by a formal warning against any repetition of the act or omission of which the accused is guilty.
- b) A fine in an amount not to exceed \$500.00 to be paid to CCSO's general fund.
- c) Full or partial restitution where the consequences of the offense can be measured in material terms.
- d) Removal from office.
- e) Suspension from membership for a specific period, not to exceed one (1) year.
- f) Expulsion from membership.
- g) Referral to the District Attorney in cases which involve criminal conduct.
- h) Such further relief/remedy as the committee deems just and proper.

### **SECTION 12: CHARGES BROUGHT IN BAD FAITH/MALICE**

If the charges are not sustained and were not brought in good faith or were actuated by malice, the State Board of Directors acting as described below may impose such penalty on the charging party as in its judgment is deemed proper under the circumstances. The penalty imposed must be one cited in Section 11.

### **SECTION 13: DECISIONS AFTER HEARING**

All decisions shall be rendered by the State Board of Directors within thirty days following completion of the hearing. Except by mutual consent of the accuser and the accused, such decision shall be in writing and shall be transmitted by registered mail, return receipt requested, to the person bringing the charge and to the accused simultaneously.

## **ARTICLE IX DUES, FINES AND ASSESSMENTS**

### **SECTION 1: MEMBERSHIP DUES**

CCSO will have a formula driven two-tier system payable in monthly installments. Dues shall be payable in advance and shall be due on the first day of each month. Dues increases shall occur when the

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respective tier receives a raise.

a) Tier 1

CCSO dues are calculated by 0.92% of Correctional Sergeant' highest salary. This tier applies to all members whose highest monthly gross income in their respective classification is equal to or greater than a Correctional Sergeant's highest salary.

b) Tier 2

CCSO dues are calculated by 0.93% of Staff Services Manager I highest salary. This tier applies to all members whose highest monthly gross income in their respective classification is less than a Correctional Sergeant's highest salary.

### SECTION 2: LAPSE IN MEMBERSHIP DUE TO NON-PAYMENT

The member who is in arrears in paying dues ninety (90) days, or ninety (90) days in arrears in paying any fine or penalty levied against him/her, after the decision to levy such fine has been final, may be automatically dropped from membership from this Organization, without further hearing or proceedings. Such member shall be notified of such fact by registered mail, return receipt requested to the address last known to this Organization.

## **ARTICLE X EXHAUSTION OF REMEDIES BEFORE SUIT**

### SECTION 1: EXHAUSTION OF REMEDIES

No officer or member of CCSO shall resort to judicial proceedings of any description, before any forum, with regard to any matter pertaining to this Organization, or his/her membership or his/her office, until all remedies provided for within these Bylaws have been fully exhausted. The foregoing shall not apply where the action was instituted in order to prevent the loss of right under, and applicable statute of limitations and the member or officer has diligently pursued his/her internal remedies.

## **ARTICLE XI NEGOTIATIONS AND REPRESENTATION**

### SECTION 1: NEGOTIATIONS COMMITTEE

At any time that this Organization is to engage in bargaining for agreements or any meet and confer session with the Department of Corrections and Rehabilitation or any other State agency the State President shall appoint a negotiations committee. The committee shall consist of a minimum of three members. The members of any such negotiation committee(s) may be replaced at any time at the discretion of the State President.

### SECTION 2: QUALIFICATIONS FOR NEGOTIATIONS COMMITTEE

The State President may appoint any active member and/or CCSO Headquarter staff and/or Regional/Labor Representative to a negotiation committee, or subcommittee, dealing with a proposed agreement.

## **ARTICLE XII GUIDELINES AND PROCEDURE FOR THE USE OF REPRESENTATION**

### SECTION 1: REQUESTS FOR REPRESENTATION AND COVERAGE

All requests for retention of legal counsel or a professional labor relations representative shall be made to the State President. With the permission of the State President, delegated CCSO employees may retain labor/legal representation. CCSO will not pay for legal representation for a new CCSO member, who has a pre-existing adverse action notice and/or hearing date, unless the State President deems it necessary to pay representation fees. The State President shall consult the State Board of Directors in all decisions for representation in legal matters that are controversial or that could require large expenditures or involve

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high notoriety. It is the intent of CCSO that the representation of members is an important priority. All referrals for representation will be handled in a timely manner. The State President's decision to retain a professional labor relations specialist or legal counsel shall be based on the following criteria:

- a) Nature of the charges
- b) The principals involved
- c) The precedent-setting value of the case with regard to other members and other cases that may arise
- d) Local or statewide importance
- e) The likelihood of a successful outcome, with the understanding that all members under most job-related circumstances have a right to representation through CCSO.
- f) Other tangible and intangible benefits or detriments to this Organization.

### **SECTION 2: REQUESTS FOR REPRESENTATION AFTER OR OUTSIDE THE STATE PERSONNEL BOARD SYSTEM**

Attorney or labor representation fees may be incurred for representation. It is the intent of CCSO that representation of members in disciplinary matters shall be made from the notice informing the member of an investigation through the final decision of the State Personnel Board, if necessary. A member may request legal representation for any proceedings during the State Personnel Board proceedings and/or after the State Personnel Board decision becomes final. Such requests shall be made in writing via mail, email, or facsimile to the State President. The State President may, at his/her discretion, approve, deny, or modify the request.

### **SECTION 3: REVIEW OF EXPENDITURES**

The State President shall review all requests for legal representation and monitor expenditures for such representation. If any concerns are raised by or to the State President regarding the representation, the State President may submit those to the State Board of Directors at a regularly scheduled State Board of Director's meeting or, if necessary, an emergency meeting shall be held consistent with the provisions of these Bylaws. The State Board of Directors may take appropriate action by a majority vote.

### **SECTION 4: DECISIONS BY PRESIDENT/STATE BOARD; REVIEW**

If the State President acts on any concerns without submitting it to the State Board of Directors, his/her decision may be appealed as set forth in Section 5 below. Any decision of the State Board of Directors shall be final.

### **SECTION 5: REVIEW BY STATE BOARD OF DIRECTORS**

A denial of a request for legal defense services by the State President may be appealed to the State Board of Directors. The appeal is to be made in writing stating the reasons for the appeal. The appeal must be filed within sixty –days

(60) of receipt of the denial by the State President. If the next State Board of Directors meeting is not to be held until after three (3) weeks from the date of receipt of the appeal, the appeal shall be sent to a three (3) person committee consisting of the State Vice President and any other member(s) of the State Board of Directors in order to comprise a committee of three (3). That committee will give an expedited ruling, following a conference either in person or by telephone conference call. A person requesting expenditures for legal defense may appeal from an adverse ruling of that committee to the State Board of Directors. Any such appeal must be filed within ten (10) days of receipt of the committee's decision. Said person(s) will have to wait until the next regularly scheduled State Board of Directors meeting to appeal the committee's ruling to appear before the State Board of Directors once the appeal is filed. All decisions of the committee, above described, or of a State Board of Directors, shall be confirmed in writing to the person requesting legal defense services, with a copy to be sent to this Organization's CCSO Escalon main office, attention to the State Secretary. The member requesting the appeal has the right to present any information to the State Board of Directors or committee at the meeting on the appeal. Said member has the right to be represented by a representative of his choice at said meeting. The representative shall

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not be involved in the facts underlying the basis for the appeal.

### **SECTION 6: PAYMENT OF LEGAL EXPENSES**

Approval for legal expenditures shall be cleared through the State President or his /her designee to ensure that funds are available in the amount required. All bills for legal expenses shall be sent directly to this Organization's Escalon main office. Said bills shall be reviewed prior to said bill being forwarded to the accountant for payment.

### **SECTION 7: DISCIPLINARY/GRIEVANCE MATERIALS PROVIDED FOR REVIEW**

Copies of all relevant materials to a grievance or punitive action, which becomes the subject of a request for legal defense expenditures, must be made available to the State President who will review the expenditure request. Additionally, it will be mandated that when the State President considers expenditures for the purpose of legal representation, he/she will consult a quorum of other State Board of Directors in cases where large expenditures are required.

### **SECTION 8: COVERAGE OF GRIEVANCES**

This Organization reserves the right to exercise discretion as to whether or not to carry forth a grievance on behalf of a member, subject to a screening or review of said grievance according to this Organization's Bylaws regarding coverage on requests for representation.

### **SECTION 9: NO AUTOMATIC DUTY TO REPRESENT MEMBER**

CCSO will not pay for legal representation for a new CCSO member who has a pre-existing adverse action notice and/or hearing date, unless the State President deems it necessary to pay representation fees. This Organization does not incur any duty to represent any member who joins this Organization after circumstances occur that prompt either a punitive action against said member or a grievance from said member. This Organization may decide to carry such issue forth upon review by the State President, consistent with the provisions of these Bylaws. All grievances are reviewed by the State President or his/her designee for violations of existing policy, procedures, or related labor law.

### **SECTION 10: CONTACT WITH LAW FIRM**

Requests for legal defense expenditures and/or requests for advice on grievance or punitive action matters are not to be mailed directly to this Organization's legal counsel until approval is given by the State President or State Board of Directors.

## **ARTICLE XIII POLITICAL ACTION COMMITTEE**

### **SECTION 1: ESTABLISHING PAC**

The State Board of Directors is hereby authorized to establish a Political Action Committee (PAC). The CCSO State President shall appoint members to the PAC committee. The PAC will consist of three (3) CCSO members.

### **SECTION 2: NAME**

The name of this committee shall be the California Correctional Supervisors Organization (hereinafter referred to "CCSO") Political Action Committee (PAC).

### **SECTION 3: PURPOSE**

The general purpose of the PAC is to support and further the goals and policies of CCSO. The specific purposes are:

- a) To support candidates and/or positions on ballot measures endorsed and sanctioned by CCSO State Board of Directors.

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- b) To further the common good and general welfare of the members of CCSO as well as the citizens of the State of California by promoting improvements in and educating the public about CDCR excluded employee's protection and safety as it is uniquely related to CCSO and its members.
- c) To promote the welfare of our active and retired members and CDCR excluded employees in general.
- d) To encourage the improvement of benefits, compensation, working conditions, retirement status, and the collective bargaining position of our active and retired members and CDCR excluded employees in general.

### **SECTION 4: CONTRIBUTIONS TO PAC**

Members of CCSO may contribute to the PAC directly or through payroll deduction. In addition, the State Board of Directors of CCSO may earmark a portion of member dues for the PAC. This amount may be changed from time to time as is deemed necessary by the State Board of Directors. Contributions per member may not exceed \$50.00 per calendar year. The PAC may accept contributions from persons who are not members, subject to the approval of the State Board of Directors by a majority vote.

### **SECTION 5: CONTROL OF PAC**

The PAC Board shall have control over the funds and affairs of the PAC and shall establish and carry out all policies and activities of the PAC as long as it does not conflict with the CCSO State Board of Directors' policies or political positions. In the event of opposing positions, the PAC will bring its recommendations and justifications to the State Board of Directors for review. The PAC Board may delegate all or some of the responsibilities of the PAC to an executive committee, a committee of the PAC Board, or a separate committee comprised of members appointed by the PAC Board.

## **ARTICLE XIV MISCELLANEOUS**

### **SECTION 1: CCSO Chapter and State Officials Member Eligibility**

All Chapter Board Members and State Board of Directors of this Organization must be members of the CCSO in good standing.