



CONSTITUTION AND BY-LAWS
of the
ARKANSAS ADULT PROBATION AND PAROLE ASSOCIATION

PREAMBLE

We, the law enforcement officers of the United States, in the State of Arkansas, as representatives and delegates of the Arkansas Adult Probation and Parole Association, do hereby represent the members herein, together for the following purposes:

The Arkansas Adult Probation and Parole Association is dedicated to providing leadership, information, and training to members while promoting a more efficient Criminal Justice System.

PREFACE

Wherever, in these Constitution and By-Laws, “man,” or “men” or related pronouns appear, either as words or as parts of words (other than obvious reference to named male individuals), they have been used for literary purposes and are meant for their generic sense (i.e., to include all humankind, both female and male sexes).

CONSTITUTION

ARTICLE I

NAME

Section 1. This organization shall be known as the Arkansas Adult Probation and Parole Association, and shall consist of such persons as are admitted to membership, and conform to its rules and regulations.

ARTICLE II

CHARACTER

Section 1. The Arkansas Adult Probation and Parole Association, is an organization of probation and parole officers, or criminal justice professionals of the State of Arkansas.

Section 2. The Arkansas Adult Probation and Parole Association, is an organization of probation and parole officers, or criminal justice professionals dedicated to the advancement and protection of probation and parole officers, the promotion of improved law enforcement methods, and the teaching of respect for law and order.

Section 3. The Arkansas Adult Probation and Parole Association, is non-sectarian, and shall have no affiliation, directly or in-directly, with any labor union congress, federation, or committee of like nature or political action committee, or similar organization by whatever name known. The membership of this organization shall not strike or by concerted action cause a cessation of the performance of probation and parole officers duties, or induce other members to do likewise. The penalty of such action by any member shall be immediate expulsion from the Arkansas Adult Probation and Parole Association.

Section 6. This constitution shall be the fundamental law of the Association, and together with the By-Laws enacted in conformance therewith, shall govern the conduct of the members of the Arkansas Adult Probation and Parole Association.

ARTICLE III

DEFINITIONS

Section 1. As used herein, the following terms, phrases or words shall be defined as follows:

- A. "Full-time employed" shall mean probation and parole officers or other criminal justice professionals that are engaged in such employment as their full-time occupation.
- B. "Good Cause" shall mean nonfeasance, malfeasance, dishonesty, or refusal to carry out the will of the Association.
- C. "Member in good standing", in respect to the Arkansas Adult Probation and Parole Association, shall mean a member who fulfilled all requirements of membership in

good standing in his respective and whom has all dues paid. Any member that is delinquent or has been suspended shall not be a member in good standing.

- D. "Executive Board" shall mean and consist of the Association's, President, Vice-President, 2nd Vice President, Secretary, and Treasurer.
- E. "Board of Directors" shall mean and consist of the Association's Executive Board, and the additional 13 Members at Large.

ARTICLE IV

MEMBERSHIP

Section 1. Any regularly appointed probation or parole officer, or criminal justice professional, of the State of Arkansas shall be eligible for membership in this organization, subject to provisions of this Constitution and By-Laws. No person shall be denied membership because of race, creed, or sex.

Section 2. The term "Regularly appointed probation or parole officer" shall include any regular probation or parole officer heretofore or hereafter retired from active duty in the State of Arkansas.

Section 3. There shall be three (3) classes of membership: "Active", "Active Retired" and "Honorary". The Active and Active Retired membership shall be comprised of the regularly appointed probation or parole officers or criminal justice professionals, or retired probation or parole officers or criminal justice professionals, of the State of Arkansas. The Honorary membership shall be comprised of retired regularly appointed probation or parole officers or criminal just professionals who withdrawn from Active membership after retirement.

ARTICLE V

ORGANIZATION

Section 1. The Arkansas Adult Probation and Parole Association shall be composed of the members of the association who shall be in good standing in the Association.

BY-LAWS

ARTICLE I

EXECUTIVE BOARD

Section 1. The President of the Association shall have the power to call a special meeting of the Executive Board at any time an emergency arises.

Section 2. Any vacancy in any office of the Executive Board shall be filled by a majority vote of the Executive Board.

Section 3. If a member of the Executive Board resigns his position as a probation or parole officer, or criminal justice professional, or is dismissed for cause therefrom, he or she shall automatically forfeit his or her office on the Executive Board.

Section 4. The Executive Board will be the constant overseer of the Association and its functions.

Section 5. The Executive Board shall keep records of the business transacted at every meeting and present them for approval or rejection at the next scheduled Association meeting.

ARTICLE II

BOARD OF DIRECTORS

Section 1. The President of the Association shall have the power to call a special meeting of the Board of Directors at any time an emergency arises.

Section 2. Any vacancy in any office of the Board of Directors shall be filled by a majority vote of the Executive Board.

Section 3. If a member of the Board of Directors resigns his position as a probation or parole officer, or criminal justice professional, or is dismissed for cause there from, he or she shall be allowed to remain on the Board of Directors, but shall not hold an Executive Office.

Section 4. The Board of Directors shall keep records of the business transacted at every meeting and present them for approval or rejection at the next scheduled Association meeting.

ARTICLE III

PRESIDENT

Section 1. The President shall be the Association manager. He will conduct the meetings of the Association in a dignified and impartial manner.

Section 2. The President will have the power to appoint all standing or special committees.

Section 3. The President shall have the power to call a meeting of the Executive Board, or Board of Directors whenever an emergency arises.

Section 4. The President shall submit a report of business transacted by him to the membership.

Section 5. The President or his representative may at any time inspect the books, records, etc., of the Association and compel there accuracy to be maintained.

Section 6. The President shall compel all members of the Association to comply with all rules and regulations of the Association.

Section 7. The President shall be the Official spokesperson for the Association. It shall be his duty to represent the Association in its aims and objectives.

Section 8. The President shall convey to his successor all unfinished business of the Association.

Section 9. The President shall receive no monetary compensation during his term of office.

ARTICLE IV

IMMEDIATE PAST PRESIDENT

Section 1. There shall be an office of Immediate Past President, which shall be held by the person who most recently held the office of President who completed one (1) full term, and who was not removed from office. The Immediate Past President shall advise and assist the President and the Executive Board in the performance of their duties and shall undertake such assignments as may be delegated thereby.

ARTICLE V

VICE-PRESIDENT

Section 1. The Vice-President will assume the President's duties in his absence. He will assist the President in the performance of his duties.

Section 2. The Vice-President shall perform such other duties as may be ordered by the President or the Executive Board.

ARTICLE VI

SECOND VICE-PRESIDENT

Section 1. The Second Vice-President will assume the Vice-President's duties in his absence. He will assist the Vice-President in the performance of his duties.

Section 3. The Second Vice-President shall perform such other duties as may be ordered by the President or the Executive Board.

ARTICLE VII

SECRETARY

Section 1. The Secretary shall have custody of the books, records, documents of the Association. He shall take a record and transcribe the Minutes of each meeting of the Association, and shall submit the same for approval at each succeeding meeting.

Section 2. The Secretary shall conduct the general correspondence of the Association. He shall maintain his files for review by the President.

Section 3. The Secretary shall be the official custodian of the Constitution and By-Laws of the Association. He shall keep a record of the official amendments adopted by the members.

Section 4. At the expiration of his term of office and within ten (10) days thereafter, the Secretary shall deliver to his successor all books, documents, and records in his possession.

Section 5. The Secretary shall perform other duties as are usual and indicative to the office.

ARTICLE VIII

TREASURER

Section 1. The Treasurer shall be the custodian of the funds of the Association. He shall sign all checks duly authorized by the President for the disbursement of funds. He shall keep an

itemized record of all receipts and disbursements. He shall deposit all funds collected in the bank authorized by the President and members of the Association.

Section 2. The Treasurer shall set up special accounts for special funds as directed by the President, and create an annual budget for approval, and shall allocate each, respectively, the amounts authorized or collected therefore.

Section 3. The Treasurer shall make monthly reports to the Association as to the condition of the various funds.

Section 4. The Treasurer shall perform other such duties as are usual and incident to the office.

ARTICLE IX

MEMBERS

Section 1. All members are equal at all times, regardless of rank.

Section 2. Members are required to pay dues in the amount \$30.00 per year. Active Retired members are required to pay dues in the amount of $\frac{1}{2}$ the amount of Active Members.

Section 3. Members may submit items to the President to be placed on the agenda for discussion for any meeting no later than five (5) days prior to the meeting.

Section 4. Any member may be suspended or terminated from the Association for the violation of any law of the United States, or the State of Arkansas, or any other violation that would result in termination in his employment with their criminal justice agency, and that would bring discredit to the Arkansas Adult Probation and Parole Association.

Section 5. Any member shall have the right of resignation. He shall present his resignation to the President in writing.

ARTICLE X

HONORARY MEMBERSHIP

Section 1. Honorary Members may be comprised of spirited citizens who have a desire to further the objectives of the Arkansas Adult Probation and Parole Association.

Section 2. Honorary Members may also be comprised of individuals recognized by Arkansas Adult Probation and Parole Association for exceptional service or contribution to the State of

Arkansas, the law enforcement community, or the Arkansas Adult Probation and Parole Association.

Section 5. The Honorary membership will then only be approved after nomination has been voted on and approved by a two-thirds (2/3rds) vote of the Board of Directors.

ARTICLE XI

MEETINGS

Section 1. Meetings will be conducted by the President or in this absence the Vice-President.

Section 2. All Executive Officers will submit a report of their activity, bi-annually, to the President. These reports will be submitted for approval or disapproval by the members attending the monthly meeting.

Section 3. The Secretary will keep accurate minutes of the meeting, and will make them available upon request.

Section 4. The Treasurer will give monthly reports on all accounts.

Section 5. Except as otherwise provided, "Robert's Rules of Order, Revised" shall govern the conduct and deliberations of the meeting.

Section 6. All items to be considered by the Association must be submitted in writing (or email) to the President at least five (5) days prior to the meeting. The items received will be placed on the agenda in the order in which they are received.

Section 7. Meetings will be held monthly or at a time determined by the Executive Board.

Section 8. Special meetings may be scheduled at the discretion of the President. Dates and times are to be posted on the Arkansas Adult Probation and Parole Association website, or via email..

ARTICLE XII

OFFICIAL ORDER OF BUSINESS

Section 1. The order of business shall be:

1. Call the meeting to order

- A. Establish a Quorum
- 2. Reading and Approval of the Minutes from last meeting
 - A. Acceptance of new members.
- 3. Reports of Officers
 - A. Presidents
 - B. Vice-President
 - C. 2nd Vice-President
 - D. Treasurer
 - E. Secretary
- 4. Committee Reports
- 5. Old Business
- 6. New Business
- 7. Adjourn

ARTICLE XIII

GENERAL VOTE

Section 1. All items may be introduced to the total Association membership.

Section 2. When a General vote of the Association membership is called, the President shall ensure the membership is notified of the pending vote, and in the event electronic voting is not available they will set up the voting location and take charge of the paper ballots when the polls close.

Section 3. The polls shall remain open for a minimum of two (2) but not longer than (5) days, thus giving each member ample time to vote.

Section 4. The ballot shall contain the item, or the title of the item to be voted on. In any case the item to be voted on shall be readily available for review. In the event electronic voting is not available, the paper ballot shall also contain a severable section for the voting member to sign. This ballot will be marked “Yea”(yes, for) or “Nay”(no, against).

Section 5. A general vote of the Association membership shall supersede any business transacted by the Association at any meeting.

Section 6. The votes may be tallied by a (3) member committee at the end of the voting period or at a special meeting as directed by the President.

ARTICLE XIV

NOMINATIONS FOR EXECUTIVE OFFICERS

Section 1. Candidates for election to the Board of Directors of the Association shall be active members in good standing.

Section 2. Nominations shall be made from the Association floor only, at the regularly scheduled meeting at the Fall Conference. No member may be a candidate for more than one office at the same election. A nominee may decline nomination to any office.

Section 3. When nominations are closed they shall not be reopened. At that time nominees for office shall be granted an opportunity to present their qualifications and their program, if any, before the members present in the order of which they were nominated. Time allowed each nominee shall not exceed five (5) minutes.

Section 4. The President will ensure that notice is posted of the pending election, set up the voting location, and take charge of the ballots when the polls close.

ARTICLE XV

BALLOTS AND VOTING

Section 1. Voting can be by voice vote, or show of hands vote at the regularly scheduled meeting at the Fall Conference.

Section 2. When voice vote, or show of hands vote is contested or otherwise impractical, electronic voting, listing the nominees, in the order in which they are nominated, shall be made available to qualified members at the polling place designated by the President.

Section 3. The active members of the Association may cast a vote for any regular position for the election of the Board of Directors. A vote will be considered illegal and will not be counted

for any office that has: more than one candidate chosen for any office, or the mark is illegible (in the event of a paper ballot), or absent.

Section 4. When an electronic or paper ballot vote is needed, the polls shall remain open for a minimum of two (2) but no longer than five (5) days.

Section 4. An Executive Board member or designee will be in charge of the polls at all times.

ARTICLE XVI

ELECTION RESULTS

Section 1. The President or designee will tabulate the votes at the time the polls close. In the event of an electronic or paper ballot, a candidate or his representative may be present at the counting of the ballots. The election committee will determine for each office:

- A. Number of votes cast
- B. Number of votes for each candidate
- C. Number of illegal votes

They shall report the results to the President and members present. The President will declare the winner of each office. All results will be recorded in the official minutes or the meeting.

Section 2. A candidate who receives the plurality of the votes cast will be deemed to have won that office. In case of a tie vote, the Executive Board will decide the winner.

Section 3. Officer-elect shall be installed on January 1st of that year, by the Past President, and shall take office forthwith.

Section 4. A copy of the election results will be posted on the Association website or via email to the members.

Section 5. Any irregularities in the election must be made known to the President within (7) days of the meeting. After this time all results of the election will be final.

ARTICLE XVII

SCHOLARSHIP FUND

Section 1. Purpose: The purpose and objective of this fund is to provide active members a source funding to assist with continuing education. The scholarships will be administered, and the recipients chosen through a committee selection process.

Section 2. Eligibility: Dues paying members of the Arkansas Adult Probation and Parole Association are eligible to receive scholarships. A members family is eligible as well including a spouse, or children under the age of 22 years. A member must be a member in good standing for at least 12 months prior to the application deadline to qualify. Members of the Board of Directors, and their family, are ineligible to receive scholarship funds.

Section 3. Definitions:

Active member: An active member is a dues paying member as defined by these Constitution and By-Laws as “active” or “retired”.

Qualified Member: Any active member of the Arkansas Adult Probation and Parole Association.

Spouse: Any person who is legally married to an active member of the Arkansas Adult Probation and Parole Association.

Children: Any person who is a qualified member's child or step-child, (22 years of age or younger) living in the member's household or claimed as a dependant on members State and Federal income taxes.

Section 4. Process:

1. The annuals scholarships shall be in an amount and number as specified by the Executive Board. Funds are to be credited only toward tuition and other related academic expenses through a process approved by the Arkansas Adult Probation and Parole Association Executive Board. This scholarship will initially be funded by the treasury of the Arkansas Adult Probation and Parole Association. The President will monitor expenditure and if it becomes necessary, make recommendations to further finance or reduce said scholarship.
2. The applicant must be a U.S. Citizen of good reputation and character.
3. Applicant must be pursuing an associate, bachelor, or graduate degree at a nationally accredited college or university.
4. Applicants must be entering their college freshman, sophomore, junior, or senior year, or graduate school. Freshmen or first year students must be officially accepted into college or university.

5. The applicant must submit an application form and letter of candidacy attesting to his/her worthiness or need for the scholarship. Applicant must demonstrate evidence of their ability to succeed in collegiate or academic studies while in pursuit of part-time or full-time formal education at the undergraduate or graduate level. The applicant must provide all required attachments, and submit the entire package to the Scholarship Committee prior to the deadline.

6. Each applicant's need for the scholarship including family size and economic status, commitment to his studies, and the tenure of the employee may be considered in the selection process.

7. The recipient will be eligible to receive the scholarship on one time.

Section 5. The Scholarship committee will meet within five (5) working days to make a determination of whether the disbursement meets the criteria as set out by the Executive Board. The committee will then forward the request, their findings and recommendations to the Executive Board.

Section 6. The Executive Board will then make the decision of whether or not to grant the disbursement. The Executive Board will determine the number of recipients to receive scholarship funds. The Executive Board will also decide how much assistance to grant. If practical, this decision will be made at the next scheduled Association meeting. Under circumstances when it is not practical to wait for the next meeting, the President may operate within the limitations below.

Section 7. Limitations: Maximum payments from the fund are allowed as follows per incident.

Scholarship for Continuing Education = \$250.00

Maximum limitations may be reassessed by the Executive Board following a disbursement from scholarship funds.

Section 8. The decision of the Executive Board concerning the disbursement from this fund will be final.

ARTICLE XVIII

CONDUCT OF OFFICERS

Section 1. The Board of Directors Members of the Association are expected to represent the Association and themselves in a manner as not to bring discredit to the Association.

Section 2. The Board of Directors Members of the Association are expected to attend all called meetings of the Association. Should an Executive Board Members of the Association not attend

three (3) consecutive meetings of the Association, he shall be considered derelict in his duties and shall present justification for his absence in order to be retained as Board of Directors members.

Section 3. The Board of Directors Members of the Association are expected to attend to the business of the Association on a timely basis.

Section 4. The Board of Directors Members of the Association are expected to maintain accurate, complete and legible records of any business transacted by them on behalf of the Association.

Section 5. Should a Board of Directors Member of the Association not be able to fulfill his obligation to the Association, he may submit a letter of resignation to the Executive Board. At a called meeting of the Executive Board, a member will be elected to fill the vacated position.

ARTICLE XIX

DISCIPLINE AND HEARINGS

Section 1. In respect to any disciplinary hearing conducted by any member of the Association, due process shall be afforded the parties thereto.

Section 2. In all disciplinary hearings conducted by any member of the Association, the body conducting such hearing shall:

- A. Require the complaint(s), charge(s) or allegation(s) be made under oath and in writing and provide such facts as may enable the charged party to be fairly apprised of the nature of the charge;
- B. Ensure the party charged is provided with a copy of such complaint, charge or allegation and given sufficient time, which in any event shall be not less than thirty (30) days, to prepare a defense, if any, thereof;
- C. Conduct a hearing upon the matter during which the trier of fact shall limit the scope of the inquiry to the specific complaint(s), charge(s) or allegation(s) set forth in the written notice thereof;
- D. Adhere to an order of procedure which places the burden of proof upon the party charging the member;
- E. Permit the parties thereto to introduce documents and exhibits and the testimony of witnesses in accordance with such rules of evidence as may be determined and applied uniformly by such body.

Section 3. Discipline may be imposed upon a member of the Association for any violation of the good of the Association, including, but not limited to, the following:

- A. Violation of the Constitution, these By-Laws, or obligations of the Association;
- B. Acts of disloyalty to the Arkansas Adult Probation and Parole Association, including, but not limited to, holding office in an organization which encourages members of the Arkansas Adult Probation and Parole Association to leave the Association or, where applicable, which attempts to discredit the Association or such other acts as bring disrepute, disgrace or dishonor upon the Arkansas Adult Probation and Parole Association;
- C. Distribution or use of the membership list for any reason without the express permission.
- D. The unauthorized use or the abuse of the name or insignia of the Arkansas Adult Probation and Parole Association or infringement of a trademark thereof.

ARTICLE XX

IMPEACHMENT

Section 1. Any member of Arkansas Adult Probation and Parole Association who willfully violates the Constitution and By-Laws of the Association or their oath of office may be suspended or impeached from the Association by a two-thirds (2/3) vote of the Association.

Section 2. Any member accused of a violation shall be notified, in writing, within ten (10) days of the receipt of the report by the Executive Board and the accused member may request a hearing before the Executive Board within fifteen (15) days of notification. The Executive Board then will set a date, time, and place for the hearing with said date being within thirty (30) days of such request. The Executive Board, after hearing from both sides, shall recommend either "FOR" or "AGAINST" impeachment proceedings. The matter is then forwarded to the next regularly scheduled Association meeting for disposition.

ARTICLE XXI

AMENDMENTS

Section 1. Amendments to the Constitution and By-Laws will be submitted to the Secretary to be placed on the Agenda of the next scheduled meeting. A majority of the members present shall

vote to submit the amendment to the total Association membership. If a majority is not received the amendment shall fail.

Section 2. Any article or sub-section shall be removed using the guidelines in Section 1.

Section 3. Amendments to the Constitution or By-Laws must be approved by a majority vote of the members voting at a general vote.