

Hearts of Gold Police Family Outreach

**BY-LAWS**

ARTICLE I

**Meetings**

Section 1 The regular meeting of the Executive Committee shall be held each month at the hour and place determined at the previous month's meeting.

Section 2 Special meetings may be called at any time by the Executive Chairperson. Notice of a special meeting may be accomplished telephonically to each member of the Executive Committee. No business shall be transacted other than that for which the session is called.

Section 3 No official business shall be transacted unless there shall be a quorum in attendance, by phone, e-mail, or in person and the question, second, and vote, shall be documented and kept as a permanent record. Minutes shall be taken for all regular meetings and kept as a permanent record.

Section 4 Four of the voting members of the Executive Committee shall constitute a quorum for the transaction of business.

Section 5 The acting Executive Committee will be in force and effect during the initial start up year in 2008, and will be composed of those members who participated in the development of the Hearts of Gold Police Family Outreach Program.

Section 6 The Delegate Committee and Subcommittees will be formed during 2008, and will go into full force and effect with the tenure clock starting in January, 2008/2009 based on alternating elections.

ARTICLE II

**Elections**

Section 1 The Executive Committee shall be comprised of three (3) sworn contributing members of the Tucson Police Department, three (3) non-sworn contributing members of the Tucson Police Department and one (1) Board member of the Tucson Police Foundation. All shall have voting rights, except the Foundation member who shall only vote when the question at hand is equally divided for and against.

Section 1 Elections for the Officers of the Executive Committee shall be held in January of every year.

Section 2 The Chairperson shall call for and accept nominations from the Delegate board, current and past board members for positions on the Executive Committee. The Chairperson will also call for nominations for members of each organization - TPOA, FOP, TPCA, TACE; and at large nominations for the Delegate Board. When no nominations come from the delegate pool, nominations may come from the contributing member subcommittees or from the at large contributing membership of the department.

Section 3 The Nominations from the organizations, divisions and the delegate committee shall be submitted at the November regular monthly meeting each year.

Section 4 Requests to be considered for nomination shall be accepted by the Chairperson at the November regular monthly meeting each year.

Section 5 Requests for nominations will also be taken from the floor during the December regular monthly meeting.

Section 6 Elections will be by secret ballot at the January meeting. The ballots will be distributed and tabulated by the Executive Director of the Tucson Police Foundation.

Section 7 Newly elected Officers, Delegates, and subcommittee members will take office commencing February 1st, following the election.

Section 8 The Chairperson, Treasurer and Secretary's tenure will be or two consecutive years with the first election set for January 2011. The Vice Chair, Chief of Staff, and Director's tenure will be for two consecutive years with the first election set for January 2010. Elections for positions on the Delegate Board will be alternating as well. The Assistance, Memorial, and Investment committee delegates will be set for election starting in 2010 and the Fundraising, Heart's Desire and Retired delegate positions will be set for election starting in 2011.

Section 9 Executive Committee members leaving office may not fill Delegate positions for one calendar year, but may serve on a subcommittee.

### ARTICLE III

#### Duties of Officers

##### Section 1 - The Chairperson (Executive Chair)

a) The Chairperson shall preside at all meetings, and shall maintain strict compliance to the By-laws, policies and procedures of programs and enforce decorum among the

members.

b) The Chairperson shall state, and put to vote; all questions moved in accordance with the rules of parliamentary procedure in the course of the proceedings and shall announce the result of the vote.

c) The Chairperson shall authenticate, by signature, all official documents that are authorized by the Executive Committee.

d) The Chairperson, along with the Treasurer, Vice-Chair, Chief of Staff, all have signing authority for disbursements from any account of the Fund. The signature of any one of the above four shall be required for amounts lower than \$1,500. Two signatures are required for any disbursement greater than \$1,500. Approval of four members of the Executive Committee must be given before any check be signed and issued.

e) The Chairperson shall have the power to call special meetings when deemed necessary, or upon proper request from any other Executive Committee member.

f) The Chairperson shall upon expiration of their term of office, convey to their successor all unfinished business, files, and documents of the Fund.

g) The Chairperson may serve in an Ex-officio capacity for one year subsequent to leaving office.

## **Section 2 - The Vice-Chair**

a) The Vice-Chair shall assist the Chair in conducting all meetings and, in the absence of the Chair, shall preside with the full power of the Chair.

b) In the event that the Executive Chairperson vacates the officer prior to the completion of the term, the Vice-Chair shall act in the capacity as the Executive Chairperson for the remainder of the term.

c) The Vice-Chair is the “historian” of the Hearts of Gold Police Family Outreach Program and shall keep a historical record of the accomplishments and milestones of the program.

## **Section 3 - The Secretary**

a) The Secretary shall oversee the books, records, documents, office paraphernalia, and equipment under the general authority and order of the Chair and Executive Committee.

b) The Secretary shall ensure that an accurate record of the proceedings of all

meetings of the Fund is maintained and shall conduct the general correspondence of the fund with the assistance of the Executive Director of the Tucson Police Foundation.

b) The Secretary shall, upon expiration of their term of office, deliver to their successor all books, records, documents, office paraphernalia, and equipment in their possession or control.

d) The Secretary shall keep the minutes of each meeting and maintain a historical record of documentation for all meetings and decisions made.

#### **Section 4 - The Treasurer**

a) The Treasurer shall be the custodian of the accounts of the fund and shall keep an accurate record of all receipts and disbursements.

b) The Treasurer shall coordinate with the Executive Director of the Foundation the deposit of all funds received in a bank, in a financial institution insured by FDIC or SPIC, co-approved by the Tucson Police Foundation and the Hearts of Gold Executive Committee.

c) The Treasurer shall, be the primary check signer, for all checks duly authorized for the disbursement of funds, with a co-signer when the amount of the disbursement is greater than \$1,500. If the Treasurer is not available, the Chair, the Vice-Chair, and/or the Chief of Staff may sign, provided in all circumstances that a quorum of the Executive Committee has approved the expenditure, within the signing policies outline in these By-laws.

d) The Treasurer shall report the financial condition of the fund at each regular meeting.

e) The Treasurer shall upon expiration of their term of office, deliver to their successor all accounts of the Fund, together with all books, records, documents, paraphernalia, files, etc., under their possession or control.

#### **Section 5 - Executive Committee Directors** (One TPD contributing & One TPF)

a) They shall ascertain that all monies received have been allocated to the credit of the proper funds and so deposited in the name and to the credit of the Hearts of Gold Fund.

b) They shall work with the Tucson Police Foundation to annually cause an independent audit of all funds, financial books and records of the Hearts of Gold fund for the same time period as required by law.

c) They shall perform duties as the Chair may require, except to the extent that such

direction may be in direct and express conflict with the By-laws, policies or procedures of the Hearts of Gold program.

d) They shall, at the expiration of their term of office, deliver to their successors all books, records, documents, paraphernalia, and equipment in their possession or under their control.

e) They shall coordinate with the Chief of Staff conducting a preliminary review for applications for assistance and make recommendations to the entire Executive Committee.

f) One “at large” Executive Committee member shall be a board member of the Tucson Police Foundation and shall have the right to vote only in those cases where the assembly is equally divided on a vote under consideration.

### **Section 6 - Delegate Board**

a) The Delegate Board will be comprised of twelve (12), contributing members from the department. Delegates will have a term of one year with two successive years permissible. Delegates will fill the chair position for the designated sub-committees. Delegates are voting members for all general elections associated with the selection of candidates for the Executive Committee. Otherwise they are non-voting members.

b) They shall perform duties as the Executive Chair may require, except to the extent that such direction may be in direct and express conflict with the By-laws.

c) Members shall serve as a delegate prior to being eligible for the Executive Committee.

d) The Assistance subcommittee will have three (3) Delegate Board Members and the Chief of Staff from the Executive Committee.

e) They shall, at the expiration of their term of office, deliver to their successors all books, records, documents, paraphernalia, and equipment in their possession or under their control.

### **Section 7 - Subcommittee Members**

a) They shall perform duties as the delegate chair may require, except to the extent that such direction may be in direct and express conflict with the By-laws.

b) Their term may be renewed each year. Subcommittee members must serve one year prior to becoming a delegate. At the expiration of their subcommittee membership or upon resignation, deliver to their successor all books, records, documents, paraphernalia, and equipment in their possession or under their control.

### **Section 8 - Chief of Staff**

- a) The Chief of Staff shall perform duties as the Executive Chair may require, except to the extent that such direction may be in direct and express conflict with the By-laws.
- b) Coordinate with the Executive Committee and the Delegate Assistance Committee on the acceptance, review and recommendation of applications for financial assistance from contributing members.
- c) The Chief of Staff will handle all appeals processes associated with denied requests for financial assistance by a contributing member. The Chief of Staff will arrange all appeals hearings and make notice of decisions back to the appealing member in writing.
- d) Will be the overall Chair of the Delegate Board and coordinate as needed with the Tucson Police Foundation Executive Director in the coordination of the Delegate committees.

**Section 9 - Administrative Staff** - (Tucson Police Foundation Executive Director)

- a) The Tucson Police Foundation will support the Hearts of Gold Fund and at the request of the Executive Committee may assist with the day-to-day operation of the Fund, and providing a desk and file for the Executive Committee use, maintained at the Tucson Police Foundation office.
- b) They shall perform duties in coordination with the Executive Committee except to the extent that such direction may be in direct and express conflict with By-laws.
- c) They shall coordinate a monthly financial statement and yearly audit, to be delivered to the Treasurer of the Hearts of Gold Executive Committee.
- d) Aid the Executive Committee in the retention of a professional accounting service for audit purposes.

**Section 10** -Tucson Police Advisor to the Tucson Police Foundation

- a) Will be responsible for facilitating meetings and coordinating with both the Executive Director of the Foundation and the Executive Chair of the Hearts of Gold program.

**ARTICLE IV**

**Subcommittees**

**Section 1** The following shall be standing committees of the Hearts of Gold Police Family Outreach under the Chair of a Delegate Committee member:

Assistance Subcommittee  
Fundraising Subcommittee  
Investment Subcommittee  
Membership Subcommittee  
Memorial Subcommittee  
Heart's Desire Subcommittee  
Retired Members Subcommittee

Section 2 The **Assistance** Subcommittee will consist of the Chief of Staff and three (3) Delegate Board members. It shall be the duty of the Assistance subcommittee to coordinate with contributing members in need and to receive applications on behalf of the Executive Committee.

a) It shall be the duty of this committee at the direction of the Executive Committee to thoroughly investigate each petition for assistance and determine if the petitioner's needs qualify for assistance from the Fund. All petitions for assistance will be submitted to the Executive Committee with a recommendation.

b) It shall be the duty of this committee to provide assistance to qualifying contributing members or their immediate dependent families as directed by the Executive Committee.

Section 3 The **Fundraising** Subcommittee shall consist of not less than three (3) members and not more than ten (10) members. It shall be the duty of this committee to seek and evaluate all new proposals for fundraising activities. The committee shall report these findings to the Executive Committee at the regular monthly meeting

Section 4 The **Investment** Subcommittee shall consist of not less than three (3) Delegate members and the Treasurer. It shall be the duty of this committee to thoroughly evaluate all avenues of investment of Hearts of Gold funds to ensure safeguards of deposits and dividends or interest paid on deposits. The committee shall report these findings to the Executive Committee at the regular monthly meeting.

Section 5 The **Memorial** Subcommittee shall consist of not less than three (3) members and not more than seven (7) members. It shall be the duty of this committee to assist contributing members' survivors subsequent to the death of any contributing member or immediate dependent family member. The committee will also perform any duties as directed by the Executive Committee in honor of fallen officers during Police Memorial Week, or in honor of any contributing member in the event of their death.

Section 6 The **Heart's Desire** Subcommittee will develop a process to include guidelines and applications in order to make recommendations for the approval of this program by 2010. They will process applications submitted by contributing members to the Chief of Staff of the Executive Committee. The committee will provide assistance to approved applicants as directed by the Executive Committee.

Section 7 The **Retiree** Subcommittee will develop a process for applications and make recommendations for the approval of the inclusion of retired contributing members, into the program by 2010. They will process applications submitted by retired contributing members to the Assistance Subcommittee for review by the Executive Committee. The committee will provide assistance to approved applicants as directed by the Executive Committee.

Section 8 The Chair of the Executive Committee shall appoint the Delegate chairpersons of all committees with the approval of the Executive Board.

Section 9 The Executive Chair may also establish ad hoc committees, as the need arises, to fulfill the objectives of the Hearts of Gold Police Family Outreach Program. Upon the completion of the desired purpose, the committees may be dissolved at the discretion of the Executive Chair. Capt. Harper will be the acting Executive Chair until March 18, 2008 when all Executive Committee offices are placed into full force and effect.

Section 10 The **Membership** Subcommittee will consist of (3) Delegate Board members. It shall be the duty of the Membership subcommittee to coordinate membership drives, make presentations to employees and employee groups and to answer questions about memberships directed to the Hearts of Gold program. Work with the Treasurer for any requests for voluntary withdrawal from the program.

## ARTICLE V

### Financial Assistance

Section 1 The Executive Committee is solely responsible for the approval of all requests for financial assistance from contributing members. The Executive Chair shall, within seventy-two (72) hours from receipt, refer any and all applications for assistance to the Assistance Subcommittee, who will investigate immediately to determine the following:

- a) That the applicant is a full-time employee of the Tucson Police Department and is a current contributing member of the Hearts of Gold Police Family Outreach fund, and/or has an immediate dependent family member as an applicant, to include spouse, domestic partner, children or other dependent family member living in the same home.
- b) That the need for assistance has evolved from an incident arising due to death, disability, illness, injury or some other catastrophic circumstance; including assistance for non-traditional therapies when a terminal illness has been diagnosed, and that the circumstance which caused the need occurred while they were employed as a full time member of the Tucson Police Department, (to be changed to include retired members of the TPD upon approval of the Executive Committee).
- c) That the need for assistance is specifically for either the regularly appointed or

full-time employed contributing member, spouse, domestic partner or children. On a case by case basis, if recommended by the Assistance subcommittee, situations regarding a contributing member's family that are outside the stated parameters of spouse, life partner or children may be considered at the discretion of the Executive Committee.

d) That the applicant has exhausted all reasonable remedies to obtain financial assistance prior to application, or that financial assistance will be significantly delayed to cause hardship on the contributing member or dependent family.

e) That the applicant's financial remedies coverage is significantly lower than the financial remedy needed (not less than \$100.00). The Fund is not set up to provide long-term or life-time disability coverage for contributing members.

f) That the need for assistance has arisen from a single natural or catastrophic disaster, even those outside of the geographical boundaries of the City of Tucson, and has adversely impacted the contributing member or immediate dependent family.

g) The maximum distribution of funds for a short-term request is \$2,500. The annual maximum distribution of funds is \$5,000 or less than or equal to 5% of the fund amount, whichever is less. The lifetime maximum distribution of funds is \$20,000 or less than or equal to 5% of the fund amount, whichever is less. Any amount above \$1500 must be approved by a quorum from the Executive Committee. No award will be given, less than \$100. The Executive Committee may authorize payment of costs directly to providers if this facilitates assistance to the contributing member. If checks are issued to a contributing member, all certificates, medical receipts, invoices, or other proofs associated with the expenditure of disbursed funds will be returned by the receiving contributing member within 45 days of the disbursement of funds, upon request of the Executive Committee.

Section 2 The following definitions shall control in matters relating to financial assistance as to the objectives of the Fund:

a) "Contributing Member" shall mean any full-time employed member of the Tucson Police Department who is in current contributing status to the general fund of the Hearts of Gold Police Family Outreach fund or any member of the department who has retired as a member of Hearts of Gold and continues to contribute to the program. Any Hearts of Gold member who has retired in 2008 and wishes to remain with the program will be "Grand fathered" to remain with the program. All future retirees in good standing as a Hearts of Gold member will be permitted to remain in the program as long as contributions are maintained.

b) "Fund" shall mean the Hearts of Gold Police Family Outreach Program accounts and Funds.

c) "Sworn Officer" shall mean any contributing certified TPD officer currently employed or employed at the time of the catastrophic event.

- d) "Non-sworn" member shall mean any full time or permanent part-time civilian contributing member of the Tucson Police Department, currently employed or employed at the time of the catastrophic event.
- e) The term "Catastrophic" for the purposes of Hearts of Gold means death, severe accidents, and severe illness requiring prolonged hospitalization or recovery; usually involves high costs for hospitals, doctors and medicines or a natural or man-made disaster that is unusually severe.
- f) "Disabled" shall mean the incapacitation of a contributing sworn or non-sworn member of the department, to the extent that they are unable to perform the duties for which they have been educated or trained, and their ability to so perform shall be determined exclusively by the Executive Committee from factual, competent medical evidence presented by the Assistance Subcommittee. Disabled shall also mean the mental or physiological incapacitation of a contributing member's immediate dependent spouse, domestic partner, children or other dependent permanently living in the member's home.
- g) "Killed or Disabled in the Line of Duty" shall mean death or incapacitation of a contributing member occurring as a direct result of injuries incurred while in the performance of an activity directly related to fulfilling the primary mission of the Tucson Police Department.
- h) "Off-duty" death or disability shall mean the death or incapacitation of a contributing member as a result of a catastrophic event occurring at times other than when the contributing member is at work.
- i) "Unusual Medical Expenses" shall mean expenses arising from those types of catastrophic related medical, dental, or psychiatric treatments, which are not covered by or are above and beyond a policy of health, medical, hospital, or other insurance.
- j) "Unusual Accident Expenses" shall mean expenses arising from those types of catastrophic events what are not covered by or are above and beyond accident insurance.
- k) "Termination of membership" Any member of Hearts of Gold may voluntarily withdraw from the program by written notice to the Hearts of Gold membership committee who will coordinate with the Treasurer to stop automatic payments. Any member of the Hearts of Gold program may be removed for cause based on any act of misrepresentation or any other cause shown to be detrimental to the program. Members who discontinue paying or leave prior to retirement will be dropped from the program. Any funds collected prior to the above are not refundable to the leaving member.

**Section 3 - Disclosure:** The applicant further agrees to complete an Application for Benefits form, which includes a truthful Financial Disclosure form. Confidentiality will be adhered to.

**Section 4 - Reports:** Upon completion of their investigation, the Assistance Subcommittee shall submit their findings and recommendations to the Executive Committee. The committee's report will be reviewed by the Executive Committee as soon as practical or at the next regularly scheduled monthly meeting or at a meeting specifically called by the Executive Chair for this purpose. The Executive Committee shall decide, by a majority vote of its members in attendance, whether or not the applicant is entitled to financial assistance. Applicants' cases discussed at any meetings of the Executive Committee are confidential and shall not be discussed or disclosed outside the purview of the Hearts of Gold program.

**Section 5 - Notifications:** The applicant shall be notified, by the Chief of Staff, verbally or in writing if requested, as to the Executive Board's decision on the applicant's request for financial assistance.

- a) In the case of approval, this notification shall include the length of time and the amount of funds to be granted.
- b) In the case of denial, this notification shall include the reason(s) the request was denied.

**Section 6 - Funding Limitations:** The Executive Committee through these By-laws shall set a limit on the length of time and the amount of funds to be granted to the applicant in instances where they rule that the applicant is entitled to such assistance. In fixing the length of time and the amount of funds granted, the Executive Committee shall consider the nature of the request, the applicant's financial situation, and will, whenever possible, see that payments are made directly to creditors or vendors from the Hearts of Gold fund. If further assistance is needed, the Assistance Committee shall submit their findings and recommendations, including all assistance provided to date, to the Executive Committee for further review and approval.

- a) In urgent situations, or in cases where assistance provided in a timely manner will result in cost-effectiveness, the Assistance Subcommittee, with the approval of the Executive Chair or any other officer in the absence of the Chair, is authorized to expend funds up to \$1,500 per assistance request, not to exceed a total of \$2,500 prior to the next regular monthly meeting. An application will be completed as soon as possible for the contributing member, with follow up verification by the Assistance Committee. The expenditure will be reported to the Executive Committee at the next regular monthly meeting.

## **ARTICLE VI**

### **Working Agreement**

**Section 1** A working agreement between the Executive Committee of the Hearts of Gold

Police Family Outreach Program and the Board of Directors of the Tucson Police Foundation will be enacted to formalize the relationship between the two as a Tucson Police Foundation subprogram.

ARTICLE VI

Amendments

Section 1 Proposed amendments to these By-laws shall be submitted in writing and read at two (2) consecutive regular meetings of the Executive Committee. Final action shall be taken on the second reading. Upon adoption by two-thirds (2/3) of the Executive Committee and Board of Delegates, present at the second reading, provided such meeting shall have in attendance a quorum as provided by the By-laws, the proposed amendment shall become effective.

Section 2 By-laws will be reviewed formally once per year by the Executive Chair and Secretary to determine if any changes are necessary.

Signed:

\_\_\_\_\_  
Executive Chair – Susan Shankles

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Vice Chair – Ed Schlitz

\_\_\_\_\_  
Chief of Staff - Tammie Penta

\_\_\_\_\_  
Treasurer - Anthony Kadous

\_\_\_\_\_  
Secretary – Kim Messinger

\_\_\_\_\_  
Director – Adella Hernandez

\_\_\_\_\_  
Director - Mendi Coombes (Tucson Police Foundation)

\_\_\_\_\_  
Date

Board of Delegates

\_\_\_\_\_  
Assistance Delegate - Michael Gillooly (TPC) Assistance Delegate – Shelly Urias

\_\_\_\_\_  
Assistance Delegate - John Strader

\_\_\_\_\_  
Investment Delegate - Tom Earley

Investment Delegate – Michael Garcia

Investment Delegate – Rick Prater

\_\_\_\_\_  
Fund-Raising Delegate – Bill Young

\_\_\_\_\_  
Fund-Raising Delegate – Esthela Anderson

\_\_\_\_\_  
Memorial Delegate – Sworn

\_\_\_\_\_  
Memorial Delegate – Non-sworn

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Heart's Desire Delegate - Jeff Mockbee (TPOA)

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Heart's Desire Delegate – Adella Hernandez

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Retired Delegate –

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Retired Delegate –

\_\_\_\_\_  
TPF Executive Director - Mike Feder

\_\_\_\_\_  
TPD Liaison - Bill Richards

\_\_\_\_\_  
Date