

The Guardians Association

of the

Police Department

of the

City of New York

CONSTITUTION AND BY-LAWS



Compilation by the 2024-2025 Guardians Association Constitution Committee

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GUARDIANS ASSOCIATION CONSTITUTION

ARTICLE I

NAME

This organization will be known as the Guardians Association of the Police Department of the City of New York.

ARTICLE II

MISSION STATEMENT

To promote the highest ethical standards among members, to vigorously serve the community and city, and recruit, mentor, and train exemplary members for servant leadership in the police department and beyond.

ARTICLE III

OBJECTIVES

The objectives of the Association are:

1. To develop a spirit of brotherhood and good fellowship among its members; the members of the entire Department and the community it serves.
2. To encourage fuller participation in the activities of organizations existent within the Police Department.
3. To promote equal opportunity for appointment, assignment, and promotion for all members of the Police Department.
4. To encourage exemplary deportment by its members and the respect and good will of the people of their city.
5. To encourage members to thoroughly familiarize themselves with the prescribed, authorized, and accepted practice and procedures of law enforcement, and forensic presentation to the end that they will be able to serve their city in a more courteous, intelligent, and efficient manner.
6. To uphold and defend the Constitutions of the United States and the State of New York at all times.

ARTICLE IV

MEMBERSHIP

Section 1: Regular Membership

1. Membership in this Association will be open to any sworn member of the service who will signify his/her desire to become a member and who is thereafter approved by a majority vote at any regular membership meeting of the Association. In addition, the member will consult with the Financial Secretary to become financial.
2. A financial member and a member in good standing are defined in the By-Laws.
3. A member may voluntarily terminate his/her membership by submitting his/her resignation in writing to the President.

Section 2: Affiliated Membership

1. Any Civilian member of the Police Department City of New York will be eligible for affiliated membership in the Guardians Association upon approval of the voting membership at any Board meeting.
2. Affiliated civilian members will annually elect from their members, one (1) Borough Trustee from each borough. Members assigned by the department to each borough will nominate and elect from their respective members, members in good standing to serve as Civilian Borough Trustees.
3. Affiliated members will be required to pay annual dues of one-half that of regular Guardian Members.
4. Affiliated members will enjoy all the privileges and benefits of Guardians Association membership, except that they may only be nominated for and elected to the offices of Second Vice-President, Financial Secretary, Corresponding Secretary, Recording Secretary, Treasurer, Sergeant-at-Arms, and Civilian Trustee.

Section 3: Retired Membership

1. Any former Housing or Transit officer, who retired before the Departments merged, will be eligible for membership in the Guardians Association as a Retired member upon approval of a majority of the voting membership at any Board Meeting.
2. The Board of Directors has authority to approve as a retired member, by a majority vote, any retired member of the New York City Police Department who in the opinion of the Board of Directors should be eligible for membership in the Guardians Association as a retired member.

3. Retired members will, from among their members, elect annually four (4) retired trustees and an Alternate Retiree Trustee who will serve as members of the Board of Directors and will have one vote each on such board. If a Retired trustee is absent, the Alternate Retired Trustee may assume his/her responsibilities.
4. Retired Membership: Retired members will be required to pay annual dues as determined by the Board of Directors or a lump sum payment for life membership. The amount of such lump sum payment will also be determined by the Board of Directors.

ARTICLE V

OFFICERS

1. The elective officers of the Association will be a President, First Vice-President, Second Vice-President, Financial Secretary, Recording Secretary, Treasurer, and Sergeant-at-Arms. Each officer will be responsible for upholding the mission and values of the Association.

ARTICLE VI

DUTIES OF OFFICERS

1. Duties of President

The President will be the Chief Executive Officer of the Association. He/she will preside at all meetings and enforce the law and usage of the Association; decide all questions of order subject to appeal to the active membership present at such meeting; appoint all committees not otherwise provided for and be member ex-officio of all committees, except the Nominations Committee, sign all warrants, checks and orders on the Treasury for money ordered paid by the Association, call special meetings, [or, when requested in writing, to do so, by five or more members of this Association in good standing]. He/she will not be entitled to vote except when balloting for a candidate at an election of officers or when members are equally divided on other questions. He/she will perform such other duties as the Constitution, By-Laws, Rules and Usages of the Association demand. Should he/she be prevented by illness or otherwise from performing his/her duties, the first Vice-President will be Acting President and will have all the powers of the President while so acting.

2. Duties of the First Vice-President

The First Vice-President will aid and help the President in conducting meetings and, in the absence of the President, will have the full powers of the President. Should the office of President become vacant during the elective term, the First Vice-President will assume the

office of the President with the powers of said office. The First Vice-President will, besides his/her other duties, be the administrator of the Sick and Welfare Committee as prescribed in the By-Laws.

- a. When a Board Member is absent three consecutive Board Meetings “without just cause and notification” the First Vice-President will:

- (1) Prepare charges to dismiss the Board Member.

- (2) Notify the Board Member by Certified Mail AND regular 1st class mail of the charges.

- (3) Present the charges to the Board of Directors.

3. Duties of the Second Vice-President

The Second Vice-President will aid and assist the President in conducting meetings and, in the absence of the President and First Vice-President, will preside and while so presiding will have the full power of the President. Should the office of First Vice-President become vacant during the term, the Second Vice-President will assume the office of the First Vice-President until such time as a vacancy is filled by the Board of Directors. The Second Vice-President, in addition to his/her duties, will assume the office of the Chairperson of the Program Committee and appoint all members thereto. The duties of said Committee will be as prescribed in the By-Laws.

4. Duties of the Financial Secretary

The Financial Secretary will keep a full and accurate account of the standing in the Association of each member. Additionally, He/she will receive all reinstatement fees, dues and keep account of all money properly due and coming into the possession of the Association and will provide a receipt following each transaction. He/she will be responsible for keeping full and accurate records of all monies deposited to the account of the Association. He/she will be responsible for promptly reporting to the treasurer the source, purpose, amount and date of all deposits to and withdrawals from the accounts of the Association.

5. Duties of the Corresponding Secretary

The Corresponding Secretary will receive all mail addressed to the Association and, when appropriate, promptly forward such mail to the officer, committee or member concerned. He/She will maintain a complete and accurate file of the names and addresses of every member of the Association and advise the First Vice-President and Financial Secretary of any changes in addresses and will give due and proper notice of all changes in meetings. He / She will answer all correspondence and perform all duties incident to the office or as may be required by the Association. He/She will ensure all electronic and social media platforms are provided the same content in the same immediate timeframe. In the absence of the Recording

Secretary, the Corresponding Secretary will record the minutes and will forward the original transcribed copy to the Recording Secretary to be filed in the Minute Book, and a copy to the President.

6. Duties of the Recording Secretary

The Recording Secretary will keep a complete and accurate record of the minutes electronically and available for print, of all Membership Meetings, Board of Directors Meetings, and other meetings when required or requested to do so by the President. He/She will furnish the President and Corresponding Secretary an electronic copy, available for print, of the minutes as soon as transcribed. He/She will assure the minutes are available electronically for inspection at reasonable times, by any Member in good standing of the Association. In the absence of the Business Manager, the Recording Secretary will perform all duties of said office.

7. Duties of the Treasurer

The Treasurer will keep a complete and accurate account of all monies received by him/her on behalf of the Association. He/She will receive from the Financial Secretary an accurate account of all funds deposited to the account of the Association, and he/she will promptly record the source, purpose, amount and date of such deposits. He/She will pay all bills, claims and debts when approved by the Board of Directors in the order of their approval. Payment will only be made by check to the order of the person entitled thereto, signed by the President and the Treasurer.

8. Duties of the Sergeant-at-Arms

The Sergeant-at-Arms will enforce order at the meetings; inspect all present before the opening of the meetings and ascertain their right to sit at such meetings; announce the precinct or division of any member entering after the opening of the meeting, except during the reading of the minutes or while the presiding officer or someone is speaking from the floor. In such cases, he must announce the member after the minutes are read of the speaker has finished. He/She will take his/her seat near the inner door and allow none to enter without authority. In the Parliamentarian's absence, the Sergeant-at-Arms will perform parliamentary duties.

9. Duties of the Parliamentarian

The Parliamentarian will be appointed by the President and will serve for a full term of elective office. The parliamentarian when requested will provide an interpretation of this Constitution and By-Laws to the Board of Directors. The Parliamentarian will be an ex-officio member of the Board of Directors but will not have voting power, except when participating in the organization's elections or at meetings where a vote is required by the general membership. The Parliamentarian can only be removed by the President for cause due to an inability to perform the duties of the office, by disciplinary proceedings, or by

resignation to the President in writing. In the Parliamentarian's absence, the Sergeant-at-Arms will assume his/her duties.

10. Duties of the Business Manager

The Business Manager will be appointed by the President and will be responsible for assisting the President in carrying out the daily operations of the organization and perform all other duties as assigned by the President. The Business Manager will serve for a full term of elective office. The Business Manager will be an ex-officio member of the Board of Directors but will not have voting power, except when participating in the organization's elections or at meetings where a vote is required by the general membership. The Business Manager can only be removed by the President for cause due to an inability to perform the duties of the office, by disciplinary proceedings, or by resignation to the President in writing. In the Business Manager's absence, the Recording Secretary will perform the duties of Business Manager.

ARTICLE VII

ELECTIONS

1. At the Board Meeting in August in each alternate year, a Nominations Committee consisting of five (5) members shall be appointed to select members of the Elections Supervisory Committee. The President shall select two (2) members, and the Board of Directors shall select three (3) members. Those selected will comprise the Nomination Committee. The chairperson will report their selection to the Association at the Membership meeting in September.
2. To be eligible as a candidate for an elective office, a member must be certified by the Financial Secretary and First Vice-President as having been financial in the year of the NYPD Guardians Association elections.
 - a. Except that candidates for the elective offices of President or First Vice-President must be certified by the Recording Secretary and the Financial Secretary as having served as an elected officer for one (1) year and having been financial in the year of the NYPD Guardians Association elections.
3. At the Membership Meeting in August, the Nominating Committee will inform the Membership that nominations for elective offices will be accepted by mail or email/with letter of intent attached, to be received by the Chair by September 30 of the election year. Nominations presented by petition must be signed by three (3) or more members in good standing. At the Membership Meeting in September, nominations may be made from the floor for all offices by written petition signed by three (3) or more members in good standing. No one will be nominated by the Nomination Committee or by petition without first having given his / her written consent.

4. After all nominations have been made by September 30 of the election year, those members of the Nominating Committee, who are not candidates or potential appointees for Trustee positions, will become members of the Election Supervisory Committee. At this meeting the membership may elect additional members, who are not candidates for any office, to the Election Supervisory Committee (the total membership for such committee will be no more than ten (10)).
5. There will be no write-in candidates. All members interested in running for office, must follow the procedures outlined in this section and be eligible to run for elective office as required by paragraph 2 and 2(a). Vacancies that occur in elective office, will be filled in accordance with paragraph 8 and/or 9, whichever is applicable.
6. The Association will hold its election during the Membership Meeting in November of each alternate year. Officers are to serve for a period of two (2) years and to take office on the first day of January of the year following the election. Members unable to be present in the case of paper ballot election, may vote by mail or designate courier to deliver their sealed ballot. Officers will be elected by a plurality of those voting by secret ballot.
7. Whenever a vacancy occurs in the office of President, The First Vice-President shall assume the office of the President immediately with the said power of that office and remain in that position until the remainder of the prior President's term of office. Upon the First Vice-President assuming the said duties of the President, the vacancy of the First Vice-President shall be immediately assumed by the Second Vice-President with the powers of that said office and remain in that position until the remainder of the prior First Vice-President's term of office. Whenever or upon the vacancy of the Second Vice-President such vacancy will be filled by the Board of Directors no later than 30 days after the vacancy occurs.
8. Should a vacancy occur in the office of President, First Vice-President, or Second Vice-President after July 1 of his/her second year of office the Board of Directors will fill such vacancy by appointment within forty-five (45) days after such vacancy occurs. The vacancies shall be filled by a majority vote of the Board of Directors present during the meeting which includes the determination of these matters. The persons selected to fill those vacancies must be persons who would otherwise qualify to run for said offices in a regularly scheduled election. The provisions of Section 9 of this Article will apply to appointees to the positions of President and First Vice-President. Other persons selected will remain in the office, unless removed for good cause shown, until the next special or regularly scheduled election. The actions above will be taken by the Board of Directors within thirty-two (32) days of the vacancy or at the next scheduled Board of Directors meeting, whichever comes first.
9. There will be a non-elective office of President Emeritus retroactive to July 1, 1969. The Board may appoint a former President of the Association to the position of President Emeritus by a vote of 4/5 of the members present at a regularly scheduled Board meeting.

10. The Board of Directors has authority to designate a former member to an Emeritus position relating to the title of an office formerly held, notwithstanding the elective process in effect.

ARTICLE VIII

COMMITTEES

A. The following are committees of the Association:

1) Membership Committee

- (a) Responsible for recruitment of new memberships. The First Vice-President will be the chairperson.

2) Nominations Committee

- (a) The Nominations Committee will be responsible for selecting members in good standing who are eligible to run for elected office. The President and Board of Directors will each select members to the committee, who in turn will select a chairperson amongst themselves.

3) Elections Supervisory Committee

- (a) The Elections Supervisory Committee will:
1. Supervise the Association's Elections.
 2. Supervise the establishment of appropriate machinery, provisions, and procedures for conducting either a mail in paper ballot or election voting, in accordance with this Constitution.
 3. If mailing in a paper ballot, ensure one (1) completed ballot containing the names of all persons nominated for office ensuring placement on candidate names and offices are not hindered or blocked or lost by document separation.
 4. Electronic methods will be used to conduct online voting, polling, and elections in addition to paper ballots.
 5. Ballot will be produced 30 days prior to election and will be reviewed and approved by at least 3 members of the committee.
 6. Candidates will have five days to challenge the finalized ballot.
 7. Protect the right of each financial member of the Association to cast his/her ballot properly and have it counted.
 8. Count all ballots and provide the results to the Association.

The Board of Directors will select a chairperson.

4) Sick and Welfare Committee

- (a) The Sick and Welfare Committee will be responsible for acting on behalf of the Association when a member dies or someone in his/her “immediate family” dies or when a member becomes sick or injured. The President may select any member in good standing to be chairperson.

5) Constitution and By-Laws Committee

- (a) The Constitution and By-Laws Committee will be responsible for amending, editing, updating, and receiving and reviewing proposed changes to this Constitution and By-Laws. The Parliamentarian will be the chairperson.

6) Affiliated Members’ Committee

- (a) The Affiliated Members’ Committee will be responsible for acting as a liaison to the Board of Directors to address the needs and concerns of the civilian uniformed members of the Association. Affiliated members will select their chairperson by plurality vote.

7) Program Committee

- (a) The Program Committee will be responsible for creating, designing, selecting, and facilitating programs and events of the Association. The Second Vice-President will be the chairperson.

8) Fundraising Committee

- (a) The Fundraising Committee will be responsible for creating, designing, and implementing events to raise funds for the Association. The Financial Secretary will be the chairperson.

9) Political Action/Awareness Committee

- (a) The Political Action Committee will be responsible for selecting and presenting proposed political issues that affect the Association and assisting the president in determining courses of action for said issue.

ARTICLE IX

CITY-WIDE TRUSTEES

1. Members of the department assigned to non-patrol units will nominate and elect two members in good standing to serve as City-Wide Trustees.

2. City-Wide Trustees will be nominated and elected in the same manner and at the same time as the other officers of the Association.
3. There will be two (2) City-Wide Trustees—one representing Bronx/Manhattan and one representing Brooklyn/Queens/Staten Island.
4. Duties of City-Wide Trustees:
 - a. Members of the Membership Committee.
 - b. Supervise, and coordinate activities of Delegates assigned to non-patrol units within their respective borough groupings as designated by the Membership Committee.
 - c. Responsible for immediately reporting to the President, First Vice-President, or Board of Directors all problems affecting members assigned to non-patrol units within their respective borough groupings.
 - d. Take all steps necessary to maintain an active level of interest in the Association's activities by members of their respective non-patrol units.
 - e. Perform such other duties as may be prescribed by the Association.

ARTICLE X

BOROUGH TRUSTEES

1. Members of the department assigned to each Patrol Borough, Housing Borough, Transit Borough, School Safety Agents, and Traffic Enforcement Agents, will nominate and elect members in good standing to serve as borough trustees.
2. Borough Trustees will be nominated and elected in the same manner and at the same time as the other officers of the Association except that such Borough Trustees will be nominated and elected only by members assigned to the borough they will represent.
3. Each Patrol Borough will elect two (2) trustees; each Housing and Transit Borough will elect one (1) trustee, respectively. School Safety Agents and Traffic Enforcement Agents see Article XI, Affiliated Members.
4. Duties of Borough Trustees
 - a. Members of the Membership Committee
 - b. Supervise and coordinate activities of Precinct Delegates in areas of their respective boroughs as designated by Membership Committee.
 - c. Responsible for immediately reporting to the President, First Vice-President, or Board of Directors all problems affecting members of his/her respective borough
 - d. Take all steps necessary to maintain an active participation and a level of interest in the Association's activities by members of his/her respective borough.
 - e. Perform such other duties as may be prescribed by the Association.

ARTICLE XI

BOARD OF DIRECTORS

1. There will be a Board of Directors to consist of the President, First and Second Vice-President, Financial Secretary, Corresponding Secretary, Recording Secretary, Treasurer, Sergeant-at-Arms, Borough Trustees and an outgoing President who, if she/he so desires, will become a Trustee at Large for two (2) years immediately following his/her term of Presidency. Membership on the Board of Directors is herein conferred upon the individual designated a President Emeritus for the duration of his/her life.
2. It will be the duty of the Board of Directors to formulate and present policies that best carry out the objectives of the Association. The Board will recommend candidates for Honorary Membership in the Association. Such membership will be prescribed in the By-Laws.
3. Each committee shall submit their proposed expenses to the Financial Secretary and Treasurer for review. The Financial Secretary will in his/her monthly report to the Board of Directors present committee's expenditure requests and the Board of Directors will decide whether the Association will allocate funds for the expenditure.
4. Recommendations for disciplinary action of expulsion, fine or reprimand may be made by the Board of Directors to the Association concerning the conduct of any member when such conduct is prejudicial to the welfare and best interest of the Association. Such disciplinary action will be in conformity with Article XII of this Constitution.
5. When questions arise concerning the interpretation of this Constitution and By-Laws, the President will consult with the Parliamentarian, who will interpret the Constitution and By-Laws, taking into consideration best practices, custom, and good order of the Association; and where the Constitution and By-Laws are silent, reference Roberts Rules of Order (latest edition) for interpretation. The members of the Board of Directors present will then vote to support or challenge the interpretation. If approved by the Board, and the General Membership opposes the interpretation, the membership present, by majority vote, can table the interpretation for further review. If the General Membership votes to table the interpretation, the President will allot additional time for discussion and call a new vote at the same meeting or subsequent meeting.

ARTICLE XII

DISCIPLINARY PROCEDURES

1. Members may be reprimanded, removed from office, or expelled from the Association for incompetence, inattention to the duties of their office or conduct detrimental to the welfare and best interest of the Association.
2. The Board of Directors may institute disciplinary procedures against members, or any 25 members in good standing may institute such action by addressing a signed petition to the Board of Directors stating the reasons for such action.
 - a. The Board of Directors will convene a confidential investigative body consisting of five (5) members in good standing, one (1) from each borough – Patrol, Housing, Transit, School Safety and Traffic Enforcement, as recommended by the respective Borough Trustees who will confidentially investigate the disciplinary. The committee will draft a confidential report addressed to the Board of Directors.
 - b. The committee’s confidential report will be sent to the Board of Directors within 48 hours of its completion. The report will detail the committee’s findings and disciplinary recommendations, if any.
 - c. The Corresponding Secretary will cause notices to be made to all members in good standing of the date, time and location of said hearing and the charges to be considered no less than 30 days prior to the hearing date. In addition, the Corresponding Secretary will cause notice of the charge to the accused member by Certified Mail and regular 1st class mail.
 - d. The Board of Directors will either adopt or decline the recommendations of the investigative committee. A vote of 2/3 of the Board of Directors present at a meeting is needed to adopt or reject the findings of the investigative body. If the Board accepts the findings of the investigative body, a hearing date will be set.
3. Upon the institution of such proceedings, the Board of Directors will set a date for a hearing, no less than 30 days, or more than 45 days from the time the charges were filed.
4. A four-fifth (4/5) vote of the Members in Good Standing present at a removal meeting will be necessary for disciplinary action. If the accused member fails to appear for hearing after proper notice by registered mail and fails to give proper and sufficient reason for his/her non-appearance, if he/she holds an office, his/her office will immediately be declared vacant by the Board of Directors.
5. There will be no absentee ballots issued for voting on disciplinary proceedings; voting will be by secret ballot.

6. If the accused member is found guilty, that member's future standing in the Association will be determined at the same meeting in which disciplinary action was voted upon.
7. The Board of Directors by majority vote will have the power to suspend any officer or Borough Trustee against whom disciplinary charges have been filed.

ARTICLE XIII

AMENDMENTS

1. This Constitution and By-Laws may be amended by two-thirds (2/3) vote of the Members in good standing voting at any Membership or Special Meetings of the association or absent ballot provided that written or personal notification of the proposed amendment(s) has been sent to all Members in good standing at least 30 days before said meeting. The Constitution and By-Laws Committee will submit proposed changes to the Members at said meetings for vote.

GUARDIANS ASSOCIATION BY-LAWS

1. The regular Board Meeting of the Guardians Association will be held on the second Tuesday of each Month.
2. The Membership Meeting of the Association will be held on the third Tuesday of each month.
3. Seven (7) members in good standing, excluding the President, will constitute a quorum at any meeting.
4. It will be the policy of the Association to strictly adhere to the rules and regulations of the Department in connection with the promotion of any cause, whether such promotion is carried on by this Association exclusively or in conjunction with some other organization.
5. The current edition of Robert's Rules of Order Newly Revised will be the guide in all debates when it does not conflict with any rule, provision, or law of this Association.
6. Dues for active members of the Association will be determined by the Board of Directors, which will be paid in one installment. One dollar (\$1.00) of each members' dues will be for the Legal Defense Fund.
7. A financial member is one who has paid his/her dues for the current calendar year. This provision in no way obviates subdivision three (3) and eight (8) of Article IV of this Constitution.
8. A member in good standing will be a member who is financial and has no outstanding obligation to the Association in connection with any social or other affair for a period longer than thirty (30) days. A member who is not in good standing will be placed on "inactive" status and will not be able to vote in Association meetings until they are restored to active status.
9. The First Vice-President will appoint delegates in every command where, at the discretion of the First Vice-President and Membership Committee, the need for one exists and the delegate will be charged with duties and provided with immunities as follows:
 - a. Collecting dues from members of their command, issue receipts therefore and promptly forward such dues payments to the Financial Secretary on meeting nights or at other times when he/she is available or mail such payments to the Association at other times.
 - b. Keep a permanent record of dues payments and the financial standing of every member in their command.
 - c. Recruit new members and make every effort to keep the members in their command financial.

- d. Continually promote the Guardians Association and themselves as delegates, to the members of their command and attempt to stimulate interest in the Association and encourage attendance at meetings.
 - e. Notify the First Vice-President of the transfer, promotion, change of address, suspension, dismissal, sickness or injury or death of any member in their command.
 - f. Notify the First Vice-President IMMEDIATELY of any conditions evincing discrimination against or persecution of any member or potential member of the Association.
 - g. Attend all delegate or membership Committee Meetings and if unable to attend notify the First Vice-President and send a representative to such meetings.
 - h. Perform all other duties as may be prescribed by the Membership committee.
 - i. Dues for delegates will be ½ the regular dues payable in one installment.
10. Members of the Board of Directors will be exempt from dues.
11. The President will be absolved of all fees, admission charges, taxes, etc.
12. The President, First Vice-President, Financial Secretary and Treasurer will be Bonded in an amount to be set by the Board of Directors; the cost of the bond to be paid for by the Association.
13. The books of the Treasurer and Financial Secretary will be audited once a year by a Public Accountant. In addition, the books of the Treasurer and Financial Secretary will be inspected with the respective officers by two (2) members of the Board of Directors selected by the President in June and December of each year.
14. The depositories for funds of the Association will be in any NYS FDIC Bank for time deposits (savings), for demand deposits (checking).
15. There will be the office of Chaplain which will be an honorary position. The Chaplain will officiate over religious activities as directed by the Association.
16. Every Board member will be responsible for preparing and delivering a monthly report to the membership at the regularly scheduled monthly Association meeting.