

New York Correction History Society

PROPOSED CONSTITUTION

PREAMBLE

WHEREAS, correctional services throughout the City and State of New York have been inextricably intertwined from the very beginning of their history; and

WHEREAS, that history deserves to be pursued, preserved and promoted, and

WHEREAS, a search of the records indicates no New York State Board of Regents-chartered correction history society exists throughout the City and State of New York,

NOW THEREFORE, IT IS RESOLVED

THAT a not-for-profit society be established for the pursuit, preservation and promotion of correctional history throughout the City and State of New York; thereby fostering a sense of professional tradition, heritage and kinship among men and women currently and formerly in New York correction service; enriching the store of knowledge about their contribution to the commonweal, both past and present, and increasing public appreciation of it; and

THAT the society shall seek to achieve these goals by widely disseminating this history, by serving as a repository and resource for those studying and researching it, by facilitating exchange of information among them, and by creating opportunities for their shared activity;

THAT, the society -- initiated through the good offices of the New York City Department of Correction -- shall seek to maintain close working relationships with all correctional services throughout the City and State of New York, celebrating with them their diversity and uniqueness while reflecting their interaction, shared profession and common mission; and

THAT, in furtherance of these ends, we adopt as its name the *New York Correction History Society*, enact this Constitution and these Bylaws as its governing guidelines, and apply to the New York State Board of Regents for its incorporating charter as a historical society.

ARTICLE I -- Name

The name of this society shall be the *New York Correction History Society*.

ARTICLE II -- Purposes, Focus and Activities

Section 1. The society shall pursue, preserve and promote the history of correctional services throughout the City and State of New York; thereby fostering a sense of professional tradition, heritage and kinship among men and women currently and formerly in New York correction service; enriching the store of knowledge about their contribution to the commonweal, both past and present, and increasing public appreciation of it;

Section 2. For the purposes of the Constitution and Bylaws, "Correction" shall be understood as referring to detention of accused persons, youth and adult, before and during proceedings to resolve charges, incarceration resulting from determinations in such proceedings, alternatives to detention and incarceration (including probation and parole), and rehabilitation efforts during and after detention, incarceration, probation and parole.

Section 3. The society shall seek to maintain close working relationships with all correctional services throughout the City and State of New York. The society shall celebrate with these agencies their rich diversity and individual uniqueness while also reflecting their interaction, shared profession and common mission.

Section 4. To fulfill these purposes with that focus, the society's activities shall include (but not be limited to):

- a. Encouraging research into New York correction history.
- b. Maintaining a World Wide Web site devoted to New York Correction History and the work of the society. Publishing, in Internet and printed form, a periodic learned journal with correction history scholars included in the editorial review process. Publishing newsletters, books, booklets, brochures and other materials resulting from or related to the society's activities.
- c. Gathering, preserving, and making available to researchers artifacts, relics, books, manuscripts, papers, photographs, records, and other materials related to New York correction history.
- d. Exhibiting selections from the society's collections in public presentations, including displays that travel and that permit featuring, within the larger context, the particular correction history of the locality being visited.
- e. Undertaking programs -- such as (but not limited to) art, photography, essay and research papers competitions -- to promote a greater awareness, appreciation and knowledge of New York correction history among employees of correctional services and the general public.
- f. Arranging for placement of markers at sites of New York correction history significance.
- g. Seeking the preservation and maintenance of New York correction history sites and structures.
- h. Serving as a resource for exchange and dissemination of correction history information, and creating opportunities for such.
- i. To the extent its Regents charter permits, aiding efforts to establish a museum devoted to New York correction history.

The society shall undertake no activity that would pose a legal conflict for the governmental officials among its officers.

ARTICLE III -- Membership

Individual membership in the society shall be open to --

1. At all correctional agencies throughout the City and State:

- current and former employees,
- their families' interested members,
- the officers and employees of their agencies' recognized unions,
- current and former officials and employees of their agencies' oversight boards or commissions,
- current and former employees of their agencies' contract service providers,
- their agencies' recognized volunteers, and
- members of their agencies' community and youth outreach programs (for example: Explorer Scout Posts).

2. At accredited colleges, universities and technical institutes throughout the City and State:

- professors and instructors in correctional subjects, and
- students pursuing correctional studies.

3. Specialists --

- judges who monitor or have monitored correctional agencies, those judges' staffs and others assisting in those monitorings;
- members and staffs of legislative committees whose mandate specifically includes correctional issues;
- journalists who regularly cover correction-related news.
- officials and full-time employees of community-based organizations engaged in post-release rehabilitative and support programs for former inmates of correctional agencies that enter into working relationships with the society.

4. Individuals whose current or past correction-related activities and/or whose services to the society warrant membership, in the judgment of the society's Membership Committee.

ARTICLE IV -- Annual Meeting

The annual meeting of the society shall be held in April.

ARTICLE V -- Officers, Board of Trustees, Executive Committee, Agency Advisory Committees

Section 1. The society's officers shall be a president, vice president, general secretary, treasurer, curator, counsel, Board of Trustees chairperson, and an even number of other board members (trustees) -- no fewer than eight (8) and no more than eighteen (18). The president, vice president, general secretary, treasurer, curator, counsel, and Board chairperson shall constitute the society's Executive Committee. Board members who are not members of the Executive Committee shall be known as Trustees. The Executive Committee may increase the even number of trustee seats up to 18 to extend representation to organizations, agencies and institutions entering into working relationships with the society. The seven officers and the other board members (trustees) shall constitute the Board of Trustees (Board).

Section 2. The term of office shall be two years, except for the first year of operation when the term for the treasurer, curator, counsel, and half the trustees, as determined by the Executive Committee, shall be one year.

Section 3. The membership associated with a particular correctional agency that has entered into a working relationship with the society may establish an Agency Coordinating Council, subject to Executive Committee direction, to encourage, support and coordinate the society's activities related to that agency's history.

Section 4. An Agency Coordinating Council's composition shall reflect diversity within that agency-associated membership and include representation from agency-related recognized unions and associations as well as agency management. The society's president, vice president, general secretary and Board chairperson shall be *ex officio* members of all Agency Coordinating Councils. Other society officers and trustees currently or formerly associated with an agency whose membership establishes an Agency Coordinating Council shall be *ex officio* members of the respective committee.

ARTICLE VI -- Election of Officers and Board of Trustees

Section 1. Each annual meeting shall elect or reelect officers for those seats whose term of office expires or are otherwise to be filled. Election shall be decided by a plurality of votes counted at the annual meeting. The society's ranking officer who is not a nominee shall preside for the election portion of the annual meeting. The votes counted shall be those cast by members in attendance and/or those received if mail balloting has been authorized by the Board for that particular annual meeting.

Section 2. At least two months before the annual meeting, a committee on nominations appointed by the Board chairperson shall select candidates from a list of potential nominees presented by the general secretary after he or she confers with Board members and Agency Coordinating Councils. The general secretary shall cause notice to be posted on the society's web site and otherwise make known to the membership the slate of nominees selected by the Nominating Committee.

Section 3. Nominations may also be made on petition(s) signed by at least 15 percent of the membership and presented to the general secretary at least 30 days before the annual meeting. Petition candidates must make known on their petitions the specific office or trustee seat they seek. To be considered for petition candidacy, a member must have been active in the society for at least one year. The general secretary shall cause notice to be posted on the society's web site and in other ways make known the candidacies of petition nominees placed on the forthcoming ballot.

Section 4. Officers and trustees shall be installed at the annual meeting immediately upon election and shall serve until their successors have been duly elected and installed. In the event of death, resignation or extended incapacity of an officer to serve, the vacancy may be filled by a vote of the Board for the unexpired term of office.

Section 5. To extend representation to additional agencies, organizations and institutions entering into working relationships with the society, the Executive Committee may make appointments to trustee seats established by it under *Article V Section 1*. Thereafter, election to those seats, when the appointees' terms expire or the seats become otherwise

vacant, shall be take place in accord with the provisions of this Article (*VI*).

ARTICLE VII -- Distribution of Assets Upon Dissolution

Section 1. In the event of dissolution, all of the remaining assets and property of the institution shall, after necessary expenses thereof, be distributed to such organizations as shall qualify under Section 501 (e) (3) of the Internal Revenue Code of 1954, as amended, or, to another organization to be used in such manner as in judgment of a Justice of the Supreme Court of the State of New York will best accomplish the general purposes for which the society was formed.

Section 2. Organizations to which such assets and property are distributed, if such assets of property are in the nature of scientific or cultural material, shall have collections management policies similar to the Society.

ARTICLE VIII -- Amendment

Section 1. During the first two years of the society's operation, the Constitution and Bylaws may be amended by two-thirds vote of the Board of Trustees upon proposals submitted by the Executive Committee. Upon completion of two years of operation dating from the society's organizational meeting, the Constitution and Bylaws, as thus amended, will be considered finalized and thereafter any amendment will require annual meeting action by the general membership as set forth in *Section 2* and *Section 3*.

Section 2. Two-thirds approval by the membership signed in attendance and voting at the annual meeting, or two-thirds of those ballots counted if mail balloting has been authorized by the Board for that particular annual meeting, shall be required for amending the Constitution and Bylaws once finalized as set forth in *Section 1*.

Not later than two months prior to the annual meeting, the Board may, by two-thirds vote of its total number of members, submit for general membership action proposed amendments that had been submitted to the Board by the Executive Committee.

Section 3. An amendment also may be proposed by petition signed by one-third of the membership and submitted to the general secretary no later than 30 days prior to the annual meeting.

Section 4. The general secretary shall cause notice to be posted on the society's web site and in other ways make known the Board-proposed and/or petition-proposed amendments.

PROPOSED BYLAWS

ARTICLE I -- Dues, Affiliation Funding, Association Support

Section 1. Individual membership dues or dues changes shall be decided by majority vote of those members attending the annual meeting and/or the ballots counted if mail balloting has been authorized by the Board for that particular annual meeting. No dues or dues changes shall be proposed to the membership by the Board without a treasurer's report accompanying the dues proposal. The report shall detail the society's projected expenses, revenues and funding. Submission to the membership of any dues proposal shall require approval of two-thirds of the total number of Board members.

Section 2. Regional associations that may evolve from Agency Coordinating Councils outside of New York City and continue their relationship with the society through affiliation shall arrange with the society's Board, by mutual agreement, such dues or equivalent support that will enable the society to continue to provide society services -- such as notices, newsletters, journals, and web site options -- to their members.

Section 3. Support organizations, such as an agency's recognized societies and unions, may arrange with the society's Board, by mutual agreement, annual support contributions. All support organizations shall be listed as such on the society's web site; in the society's brochures, newsletters, and journals, and in printed programs for the society's events, presentations and displays.

ARTICLE II -- Meetings: General Membership, Executive Committee, Board of Trustees.

Section 1. Other than the annual meeting, the society shall not establish regularly scheduled or periodically required general membership meet

ings. The society shall make vigorous use of the web, E-mail, posted notices, newsletters and faxes to maintain a high level of communication with and among the members. The society shall seek -- through the activities of its Shared Interest Groups and Agency Coordinating Councils -- opportunities to hold events, programs, and presentations in which the general membership can participate.

Section 2. The society's Executive Committee shall meet at least once in every four-month period. The president may call special meetings of the Executive Committee as deemed needed. The president shall call a special meeting of the Executive Committee if requested by three other officers. The general secretary shall prepare the agenda for the Executive Committee meetings after conferring with the officers and shall make timely advance distribution of agenda copies among the officers. The participation of at least four (4) of the seven (7) officers shall constitute a quorum.

Section 3. The society's Board shall meet at least once in every six-month period. The participation of eleven (11) Board members shall constitute a quorum. The Board chairperson may call special meetings of the Board as deemed needed. The Board chairperson shall call a special meeting of the Board if requested by 10 other Board members. The general secretary shall prepare the agenda for the Board meetings after conferring with the other officers and trustees. The general secretary shall make timely advance distribution of agenda copies among the officers and trustees.

Section 4. "Meeting," as applied to the Executive Committee and Board of Trustee sessions, shall mean scheduled discussion and recorded decision-making either in a single place or in two or more places linked by phone, TV, computer or other electronic hookup.

ARTICLE III -- Duties: Officers, Executive Committee, Board

Section 1. The *president* shall serve

- as the chief spokesperson for the society;
- as its lead officer in external affairs, including but not limited to relations with governmental agencies, academic institutions, and professional associations;

-- as presiding officer at executive committee meetings, general membership events and meetings, and annual meetings except those at which he/she is a candidate.

The president shall appoint a committee, or committees, to assist in conducting the external affairs of the society. The president may appoint such other committees as he/she deems appropriate, provided authority to appoint committees in those spheres of society operations is not placed elsewhere by the Constitution and Bylaws.

In advance of the annual meeting, the president shall report to the membership on the state of the society, reviewing its activities and plans. The general secretary shall cause the report to be posted on the society's web site and in other ways make known the report to the membership. The president -- by this report and other means -- shall endeavor to provide focus and direction for the society.

Section 2. The vice-president shall assume the duties of the president in his/her absence and shall succeed to the office of president if it becomes vacant by resignation or otherwise. The vice-president shall assist the president in his/her duties and take on such special projects within the scope of those duties as may be assigned by the president. The vice-president shall be the president's liaison with the recognized retiree organizations, unions and employee associations of correctional agencies that enter into working relationships with the society.

Section 3. The general secretary

-- shall serve as the administrative coordinator for the society's internal operations not explicitly assigned elsewhere by the Constitution and Bylaws, including but not limited to matters involving dues collection, agendas and arrangements for Executive Committee and Board meetings; communications (web, newsletter, journal, notices, correspondence), membership records, meeting minutes and calendars, and event schedules;

-- shall use data from membership enrollments, membership surveys, and other communications with the membership to help in the formation of the society's Shared Interest Groups in consultation and cooperation with Agency Coordinating Councils;

-- shall monitor non-archival historical projects undertaken by Shared Interest Groups, Agency Coordinating Councils and other society committees;

-- shall report to the Executive Committee on those monitored projects whose stages of development warrant their being considered for presentation to the general membership in special programs or other events;

-- shall assist Agency Coordinating Councils in operational and administrative spheres;

-- shall appoint a committee, or committees, to assist him/her in the administration and coordination of the society's internal operations not explicitly assigned elsewhere by the Constitution and Bylaws.

Section 4. The *treasurer* shall be responsible for the safekeeping of society funds, maintaining financial records, and depositing all monies with a reliable bank in the society's name. Monies shall be paid out by numbered checks signed by the treasurer and either the president or general secretary. The treasurer shall work with the general secretary in collection of dues, shall render periodic reports on the financial condition of the society, shall seek grants and other funding for the society, and shall appoint a committee or committees to assist him/her in these matters.

Section 5. The *curator* shall serve as the society's chief archival officer responsible for the collection, safekeeping, cataloguing, and exhibiting of historical artifacts in the care, custody and control of the society including but not limited to equipment, books, documents, photographs, illustrations, blueprints, and recorded interviews. Within the limitations of the society's Regents charter, the curator shall serve the society's lead officer in developing plans and organizing activities for the eventual establishment of a museum devoted to New York correction history. He/she shall appoint a committee or committees to assist in these matters.

Section 6. The *counsel* shall be the society's chief legal advisor and may appoint a committee(s) to assist in these duties.

Section 7. The *Board chairperson* shall schedule the Board's meetings

after conferring with the president, general secretary and other Board members as to their availability and as to any need for conferencing arrangements. The chairperson shall serve as the Board's presiding officer at its meetings. Between Board meetings, the chairperson shall serve as liaison between the Board's trustee members and the Executive Committee officers and, as such, shall resolve any questions of interpretation of the Constitution and Bylaws and of the Board's guidelines, policies, protocols and priorities. In addition to the committee on nominations required under *Article VI Section 2* of the Bylaws, the Board chairperson may appoint other committees to assist him/her in his/her duties.

Section 8. The above named officers, in their individual capacities and as members of the *Executive Committee*, shall conduct the day-to-day operations of the society subject to its charter, Constitution, Bylaws and the Board of Trustees' guidelines, policies, protocols and priorities. The president, general secretary and Board chairperson shall be *ex officio* members of all committees appointed by the individual officers.

a -- The Executive Committee meetings shall be so arranged and structured as to provide the officers ample opportunity for communication and coordination, each reporting on the status of matters within his/her sphere(s) of responsibility.

b -- Any proposed undertaking that would involve a significant commitment of society funds and/or activity by society officers and/or committees shall be presented for consideration and decision to the Executive Committee applying the guidelines, policies, protocols and priorities in place from the Board of Trustees.

Section 9. In addition to its responsibilities described elsewhere in Constitution and Bylaws provisions concerning nominations, elections, amendments and dues, the *Board of Trustees* shall

-- determine the society's budgets, allocations, and spending ceilings within which the individual officers and Executive Committee are to operate.

-- establish general guidelines, policies, protocols and priorities covering the society's projects, programs, activities, operations, and its

relationships with correctional and other government agencies, educational institutions, professional organizations, recognized employee associations, Shared Interest Groups, Agency Coordinating Councils, and any subsequently-evolved regional societies.

Section 10. While the Executive Committee retains reserve rights of review and action on all society operations, the individual officers shall ordinarily have wide latitude and autonomy on matters within their respective spheres of responsibility. They shall keep the other officers and the trustees informed of their activities on these matters through their reports at the Executive Committee and Board meetings and by other means. Matters involving, or likely to involve, the spheres of responsibility of more than one officer shall be brought by the respective officers before the Executive Committee for review and action. These matters shall include, but not be limited to, the society entering into working relationships with correctional agencies, educational institutions, professional associations, agency-recognized unions and other current or former employee organizations the establishment of Agency Coordinating Councils and evolved regional associations; and the undertaking of projects, programs and expenditures likely to have significant impact on the society.

Operational responsibilities not delegated to individual officers by the Constitution and Bylaws are reserved to the Executive Committee. While the Board of Trustees retains reserve rights of review and action on all society matters, the Executive Committee shall ordinarily have wide latitude and autonomy on operational matters within its respective spheres of responsibility.

ARTICLE IV -- Shared Interest Groups

Section 1. The society membership shall be organized into Shared Interest Groups (SIGs) so that every member shall be listed with at least one. The enrollment form shall provide each new member with opportunity for indicating preferences among SIGs and for suggesting other SIGs. Members may belong to more than one SIG. The general secretary shall use data from membership enrollments, membership surveys, and other communications with the membership to organize the SIGs in consultation and cooperation with Agency Coordinating Councils.

Section 2. Some SIGs may be specific to a particular agency while others may relate to a general subject matter or activity. Questions involving agency-specific, region or locality-specific and general subject or activity SIGs shall be worked out between the Executive Committee and the Agency Coordinating Councils applying guidelines from the Board.

Second 3. The society shall have the following standing Shared Interest Groups:

a. Restorations -- Focused on rescuing and restoring structures and large artifacts significant in correction history, such as but not limited to prisons, jails, chapels, vehicles and boats.

b. Library Collections -- Focused on collecting, cataloging, caring for, and arranging correction history records, books, manuscripts, newspapers, other historical source material, oral histories, artifacts and memorabilia, and on giving recognition to donors.

c. Historic Sites -- Focused on researching sites of former facilities significant in correction history, selecting those suitable for placement of historical markers and arranging tours of the sites.

d. Oral Histories -- Focused on developing oral history programs in which veteran current and former correction employees are interviewed and record on audio or video tape their recollections of correction-related events, practices, changes, places and personages during their careers.

e. Exhibitions -- Focused on arranging fixed and traveling exhibitions displaying items from its library collections in presentations promoting public appreciation of the role of correction professionals in the history of New York.

f. Research -- Focused on studying and researching specific

aspects of correction history, including but not limited to ethnicity, gender, economic, labor, and industrial factors.

g. Publications -- Focused on

- * publishing the results of the above-mentioned research studies in a periodic journal with correction history scholars included in the editorial review process;
- * publishing a newsletter to members,
- * publishing books, booklets, and brochures on correction history topics;
- * preparing World Wide Web pages including Internet versions of the hardcopy publications listed above.

h. Museum Development -- Within the limits imposed by the Regents charter for the society, focused on developing plans for the eventual establishment of a museum devoted to New York correction history.

i. Support -- Focused on enlisting various volunteers to assist in general membership events and presentations, drawing from among those society members who do not enroll in any other Shared Interest Groups. The members of the Support Group include those who indicate on their enrollment form they support the correction history effort and would help out whenever and however they could. The Support Group shall be the default SIG into which those members who did not designate any other SIG preference shall be placed.

ARTICLE V -- Parliamentary Authority

Section 1. *Robert's Rules of Order* shall be the parliamentary authority used to decide issues of meeting procedure not specifically covered by the Constitution or the Bylaws.

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1999 / 2000 NYCHS officer nominees*

President

Michael P. Jacobson

Board of Trustees Chairperson

Bernard B. Kerik

Vice President

Gerard O'Gara

Trustees

General Secretary

Thomas McCarthy

Thomas Antenen

Peter Meringolo

Louis Cash

Frederick Patrick

Alan J. Croce

Alfred Reno

Treasurer

Leasa McLeish

William Fraser

Raul Russi

Glenn S. Goord

David A. Schulte

Curator

Deborah Kurtz

Gary Lanigan

Norman Seabrook

Katherine N. Lapp

Alan Vengersky

Counsel

Joseph Guarino

Barbara Margolis

Thomas Ward

PROPOSED ENABLING RESOLUTIONS

The following proposed resolutions will be submitted for formal adoption at the organizational meeting of the New York Correction History Society to enable the association to emerge as an official entity:

1. That the "Now therefore, it is resolved" portion of the Preamble of the Proposed Constitution and Bylaws" be adopted.
2. That the above-named nominees be elected as NYCHS officers.
3. That the Executive Committee be authorized to move on the following society projects:
 - * Setting up Shared Interest Groups for members.
 - * Establishing a web site, newsletter and journal.
 - * Arranging tours for members to sites of interest.
 - * Soliciting and collecting historical materials.
 - * Placing historical markers.