

NEW
JERSEY
CHAPTER **NJ** AMERICAN
CORRECTIONAL
ASSOCIATION

BY-LAWS

Revised 2016

NJACA Code of Ethics:

Adopted from the ACA Code of Ethics

Preamble - The New Jersey Chapter of the American Correctional Association expects of its members: unfailing honesty, respect for the dignity and individuality of others and a commitment to professional and compassionate service.

To this end, we subscribe to the following principles.

Members shall respect and protect the civil and legal rights of all individuals.

Members shall treat every professional situation with concern for the welfare of the individuals involved and with no intent to personal gain.

Members shall maintain relationships with colleagues to promote mutual respect within the profession and improve the quality of service.

Members shall make public criticism of their colleagues or their agencies only when warranted, verifiable, and constructive.

Members shall respect the importance of all disciplines within the criminal justice system and work to improve cooperation with each segment.

Members shall honor the public's right to information and share information with the public to the extent permitted by law subjected to individuals' right to privacy.

Members shall respect and protect the right of the public to be safeguarded from criminal activity.

Members shall refrain from using their positions to secure personal privileges or advantages.

Members shall refrain from allowing personal interest to impair objectivity in the performance of duty while acting in an official capacity.

Members shall refrain from entering into any formal or informal activity or agreement, which presents a conflict of interest or is inconsistent with the conscientious performance of duties.

Members shall refrain from accepting any gifts, services, or favors that is or appears to be improper or implies an obligation inconsistent with the free and objective exercise of professional duties.

Members shall clearly differentiate between personal views/statements and views/statements/positions made on behalf of the agency or Association.

Members shall report to appropriate authorities any corrupt or unethical behaviors in which there is sufficient evidence to justify review.

Members shall refrain from discriminating against any individual because of race, gender, creed, national origin, religious affiliation, age, disability, or any other type of prohibited discrimination.

Members shall preserve the integrity of private information; they shall refrain from seeking information on individuals beyond that which is necessary to implement responsibilities and perform their duties; members shall refrain from revealing nonpublic information unless expressly authorized to do so.

Members shall make all appointments, promotions, and dismissals in accordance with established civil service rules, applicable contract agreements, and individual merit, rather than furtherance of personal interests.

Members shall respect, promote, and contribute to a work place that is safe, healthy, and free of harassment in any form.

Adopted by the Board of Governors and Delegate Assembly in August 1994.



**BY-LAWS NEW JERSEY CHAPTER
AMERICAN CORRECTIONAL ASSOCIATION**

ARTICLE I. DEFINITION

Section 1. The name of this Association shall be the New Jersey Chapter, American Correctional Association (NJACA)

Section 2. The Association shall be non-sectarian and non-partisan.

ARTICLE II. MISSION, PURPOSE, GOAL

AND OBJECTIVES

Section 1. Mission

The mission of the New Jersey Chapter of the American Correctional Association is to provide, to criminal justice system personnel throughout New Jersey, information, training, and a forum for professional networking that supports the sharing of exemplary practices and promotes individual growth, organizational effectiveness and inter-agency cooperation.

Section 2. Purpose

A. To offer a professional organization in which membership is comprised of public and private associations, agencies, and individuals engaged in or retired from the criminal justice system or related fields.

B. To encourage and implement the enrollment of members to the Chapter who are affiliates of the Association, or affiliated with correctional and criminal justice organizations, and represent individuals and groups that have special skills, knowledge and interests that are consistent with the principles and objectives of this Association.

C. To promote cooperation among criminal justice organizations, agencies, and programs, or those affiliated with these entities, throughout the state, in order to reduce inefficiency and promote more cost-efficient systems of service delivery.

D. Liaison and network with national, regional, state, and local associations and agencies within the criminal justice system, and other related fields to promote assistance and the sharing of ideas and information.

E. To provide support to agencies and programs, both privately owned or state funded, that offer activities directed toward preventing juvenile delinquency and adult criminal behavior.

F. To promote unbiased laws governing criminal justice and correctional processes for all offenders.

G. To promote legislative provisions and administrative procedures that uphold the constitutional rights of personnel and offenders in the criminal justice process.

H. To foster a Code of Ethics (as approved by ACA) applicable statewide to individuals employed in both the public and private agencies, institutions, programs and services within or supporting the criminal justice system.

I. To support accreditation for all levels of programs and service provision within the criminal justice system.

J. To promote standards for quality assurance and control relating to service delivery and management practices within the criminal justice system.

K. To interpret current criminal justice issues in the Chapter's newsletter and other publications in order to ensure understanding, support and participation.

L. To communicate to the legislative, judicial and executive branches of government the paramount importance of:

1. Having qualified and experienced personnel throughout the criminal justice system
2. Providing professional training and staff development relevant to achieving and maintaining performance levels detailed in organization's standards

M. To encourage the development or revision of undergraduate and graduate courses that prepare individuals seeking careers within the criminal justice field;

to include promoting and strengthening the practitioner's knowledge, understanding, and skills-development.

N. To encourage and support research within specific areas of the criminal justice system and distribute these findings/outcomes to Chapter's members, affiliates, and to the public.

O. To conduct relevant studies, surveys, and evaluations within the criminal justice system, including: institutions, agencies, programs, and affiliates, as requested.

P. To conduct or sponsor correctional conferences, congresses, institutes, forums, seminars, meetings or other related training in cooperation with state and local organizations and agencies.

Q. To increase recognition of careers within the field and to contribute to strengthening the criminal justice profession.

Section 3. Goal

The goal of the New Jersey Chapter of the American Correctional Association is to advance the purposes of the National Association and the Chapter, on the state, county and local levels.

Section 4. Objectives

A. To provide a yearly conference or training that includes a forum where criminal justice system employees, affiliates or interested groups and individuals can be heard and their ideas fairly presented.

B. To utilize the expertise and experience its members to develop and offer training opportunities so that this knowledge and experience can be shared with: new correctional professionals, civic organizations, community groups and schools.

C. To offer Internet access to brochures, newsletters, journals, or other materials and information on or related to innovative and emerging local, state, and national corrections and criminal justice programs and practices.

D. To review matters before the state legislature relating to the field of criminal justice and provide the public with information regarding these matters.

E. To recognize and reward individuals who have made significant contributions to our profession, to public safety, or to improving the lives of juvenile and/or adult offenders throughout New Jersey.

ARTICLE III. MEMBERSHIP

Section 1. Definition

Membership shall be open to all persons interested in and supportive of the Association, who subscribe to the Association's Constitution and By-Laws, and who pay annual dues. New Jersey is a dual membership chapter of the American Correctional Association. Membership is obtained directly through the American Correctional Association.

Website: <http://www.aca.org>

Professional I:

Professional I Members must be currently employed, or serving in Governor appointed positions in the criminal justice system. Professional I members shall have the right to vote on all matters arising before the Association and to hold office in the Association. Membership includes a one year subscription to *Corrections Today and On the Line*; \$6000 Accidental Death and Dismemberment Insurance; 20% discount on selected ACA publications and correspondence courses; Voting privileges in ACA elections; Member rates to the Winter Conference and Congress of Corrections; Personalized membership card and certificate; An ACA lapel pin.

Professional II:

Professional II Members, in addition to the benefits listed for Professional I membership, includes: \$10,000 (AD&D-US only); a copy of ACA's award winning directories, *Directory of Juvenile and Adult Correctional Departments, Institutions, Agencies and Probation and Parole Authorities*.

Association Membership:

Association Members are retired professionals, volunteers, and students (subject to verification). They receive a one year subscription to *Corrections Today and On*

the Line; 20% discount on selected ACA publications and correspondence courses; Member rates to the Winter Conference and Congress of Corrections; Personalized membership card and certificate; and an ACA lapel pin. Such members shall not have the right to vote or to hold office.

Executive Gold Membership:

Executive Gold members have the same benefits as the Professional I, and \$15,000 (AD&D), A Copy of ACA's award winning directories, *Directory of Juvenile and Adult Correctional Departments, Institutions, Agencies and Probation and Parole Authorities*, and an Additional 10% off ACA Conference Registration.

Facility/Institutional/Company Memberships

Organization Membership:

Any ***non-profit entity*** interested in and subscribing to the purposes and mission of the association shall be eligible for organization membership in the association so long as the services provided and purpose of existence of the non-profit entity are not in conflict with any of the purposes for which the Association was formed as determined by the Board of Directors. Organization members shall have the right to vote on all matters arising before the Association and to hold office as a member of the Board of Directors. No Organization member may serve in any officer capacity.

Organization Membership includes: One year subscription to Corrections Today and On the Line (four copies per issue); 20% discount on selected ACA publications and correspondence courses; Member rates to the ACA Winter Conference and Congress of Correction; Copies of four ACA award winning directories and State of Corrections; conference proceedings; personalized membership card and certificate; and an ACA lapel pin.

Supporting Patron membership:

Any Corporate, for profit, entity interested in and subscribing to the purposes and mission of the Association shall be eligible for Supporting Patron membership in the organization so long as the services provided and purpose of existence of the supporting patron are not in conflict with any of the purposes for which the Association was formed as determined by the Board of Directors. Supporting

Patron members shall have the right to vote on matters arising before the Association and to hold office as a member of the Board of Directors. No Supporting Patron member may serve in any officer capacity. Supporting Patron membership includes: One year subscription to Corrections Today and On the Line (four copies per issue); 20% discount on selected ACA publications and correspondence courses; Member rates to the ACA Winter Conference and Congress of Correction; Copies of four ACA award winning directories and State of Corrections; conference proceedings; A company listing in the Directory of Juvenile and Adult Correctional Departments; Personalized membership card; a certificate; and an ACA lapel pin.

Honorary Membership:

Honorary Members in the Association may be elected by the membership at a properly constituted annual meeting on recommendation by the Board of Directors. Honorary members shall not have the right to vote or hold office.

Voting Rights:

Voting shall be on the basis of one person-one vote, except for Associate members who shall not have voting privileges; and Organizational Level and Supporting Patron members voting privileges shall be on the basis of one vote per entity.

Section 2. Application for Membership

Applications for membership must be submitted in writing, using a form accepted, prescribed, and furnished by the Chapter.

Section 3. Termination of Membership

The Board of Directors may terminate or suspend the membership of a member for any of the following reasons:

- A. Violation of the Association's Code of Ethics
- B. Conduct which is in conflict with the Association's Constitution and By-Laws
- C. If an individual currently has pending criminal charges or is under criminal justice supervision. Termination shall be effected pursuant to due process

procedures, including notice, and an opportunity to be heard before the Board of Directors.

Section 4. Membership Dues

Membership dues are affixed by the American Correctional Association.

ARTICLE IV. GOVERNMENT

Section 1. Governing Body

The Association shall be governed by the membership of the Association, the Officers, and the Board of Directors.

Section 2. Board of Directors

A. The total elected membership of the Board of Directors shall not exceed 20 members, a minimum of half of whom must be non-officers. (removed language about past president for inclusion below, and changed number of non-officers to minimum of half).

B. Only Professional Members as defined in Article II, Professional Members I and Professional Members II, who are currently in good standing, shall be eligible to serve on the Board of Directors;

C. Board of Directors shall be elected by ballot as prescribed in Article V, Section 2 of these By-Laws;

D. The term of office of each elected Board Member shall be for two years following installation (or until the end of the respective term of the predecessor if that person shall not have completed such term) and until the election of a successor. The term of Board Members shall be staggered so that at any one time, no more than half shall be under consideration for reelection or replacement.

E. In the event of death, disability, incapacity, resignation or removal these vacancies shall be filled by the President with consent of the Board.

Section 3. Powers and Duties of the Board of Directors

A. **Powers:** The Board of Directors shall exercise all powers of the Association as specified in these By-Laws;

B. Duties: The Board of Directors shall:

1. Supervise the affairs of the Association and shall transact any business of the Association;
2. Make recommendations to the Association regarding proposed amendments to the By-Laws;
3. Consider all recommendations proposed by committee Chairpersons, or by the Association, before such recommendation are presented at the Annual Meeting or any such special meeting called by the Board;
4. Establish and/or dissolve committees and task forces as are deemed needed, based on the program and administrative needs of the Association;
5. Develop, recognize, withdraw recognition from and determine level of support of all regional activities of the Association within the guidelines so specified in these By-Laws;
6. Have responsibility for the financial policy of the Association, shall adopt the budget, and prepare an annual financial report to be reviewed and approved by the Board of Directors;
7. Supervise and support programs for the recruitment of new members; and
8. Be responsible for all other business that fulfills Association purposes.

Section 4. Officers

A. The Officers of the Association shall be a President, 1st Vice-President, 2nd Vice-President, Recording Secretary, Corresponding Secretary, Treasurer and Immediate Past President.

B. The Officers shall be elected by the Board of Directors, as established in Article V, Section 2, Election of Officers;

C. Officers of the Association shall be elected bi-annually as a group. The officers also serve as members of the Board during their tenure as Officers. The term expires at the end of two years or at the end of term as a Board Member, whichever comes first.

D. The duties of the Officers shall be such as are implied by their respective titles and such as are specified in these By-Laws. Each Officer shall keep accurate records of his/her work and turn them over to his/her successor.

President

The President shall:

- A. Preside at all conferences, workshops, and meetings of the Board of Directors;
- B. Appoint a Chairperson of each Association Committee and have final approval of all committee members;
- C. Be an ex-officio member of all committees except the Nominating Committee; and
- D. Represent the Board of Directors between its meetings and shall report to the Board of Directors all-important interim actions.

1st Vice-President

The 1st Vice-President shall:

- A. Conduct general administrative and other duties as assigned by the Board of Directors or the President; and
- B. In the event of a vacancy in the office of President, full fill the duties and responsibilities of President for the unexpired portion of that term

2nd Vice-President

The 2nd Vice-President shall:

- A. Conduct general administrative duties under the direction of the President; and
- B. Conduct other duties assigned by the Board of Directors.

Recording Secretary

The Recording Secretary shall:

Keep an accurate and permanent written record of the minutes of the meetings of the Association and of the Board of Directors.

Corresponding Secretary

The Corresponding Secretary shall:

- A. Be responsible for answering all correspondence on behalf of the President and the Board of Directors;
- B. Maintain a current mailing list of all Association members;
- C. Maintain a current mailing list of all Association committee Chairpersons and their respective committee members; and
- D. Preserve, in a permanent file, all records and letters of value to the Association and its Officers

Treasurer:

The Treasurer shall:

- A. Be the Financial Officer of the Association;
- B. Be responsible for the custody and the disbursement of Association funds and other assets;
- C. Be custodian of the financial records of the Association;
- D. Have charge of the investment of the Association's funds subject to the approval of the Board of Directors;
- E. Be given such bond for the faithful discharge of the duties the Board of Directors may require, at the expense of the Association;
- F. Perform such duties assigned by the Board of Directors;
- G. Keep an itemized record, in a permanent file, of all receipts and expenditures;
- H. Prepare and present a financial report quarterly to the Board of Directors;
- I. Prepare and submit all required and pertinent financial reports and returns to the proper agencies in a timely manner consistent with our non-profit status; and
- J. Relinquish all books, records, and papers to the successor, within (30) thirty days of vacating the office.

Immediate Past President and Past Presidents:

The Immediate Past President shall:

- A. Serve an additional two year term following the commencement of the term of serving as President;
- B. Remain as a voting active member on the Executive Committee;
- C. In the event the Immediate Past President cannot serve a two year role on the Executive Committee, then the next available Past President can be called upon by the current sitting President to serve in this capacity;
- D. In the event that the outgoing President cannot take the office of Immediate Past President, the currently serving Immediate Past President shall serve a successive term;
- E. Past Presidents of the association are lifetime Emeriti Board Members and are allowed to vote on Board issues but only when in attendance; and
- F. Past Presidents that are in attendance, with the exception of the Immediate Past President, do not affect a quorum.

Section 5. Executive Committee

There shall be an Executive Committee that shall:

- A. Conduct the affairs of the Association during the recesses of the Board of Directors;
- B. Meet no less than three times per annum;
- C. Consist of elected Officers and the immediate past President;
- D. Constitute a quorum for the transaction of business when no less than one-half (1/2) of the members of the Committee are present;
- E. Be represented by a vote of two-thirds (2/3) of the members (in person) for all actions taken by the Committee. Such actions may be subject to ratification by the Board of Directors at its next regular meeting; and
- F. Record and prepare minutes of the Executive Committee meetings to be submitted and approved by the Board of Directors at its next regular meeting.

ARTICLE V. COMPOSITION, ELECTION AND INSTALLATION

Section 1. Composition

A. Officers and Members of the Board of Directors shall be elected from, but not limited to, the following major disciplines from the criminal justice continuum on a rotating basis whenever possible:

B. Correctional or criminal justice management prevention and community based services; 1) Adult county facilities;

2) Probation;

3) Parole;

4) State juvenile institutions;

5) Administrative and support services;

6) Academia;

7) Research;

8) County juvenile institutions;

9) Volunteers;

10) Private agencies; and

11) Private corporations.

Section 2. Elections

Board of Directors

Biannual election of Board of Directors shall be held by mail and/or electronic ballot. The nominating committee shall present a slate of candidates to the Board for consideration by September 15th. Candidates must be members of the organization in good standing. Upon acceptance by the Board, a ballot form containing the candidates' names and background information shall be sent to each eligible voting member by October 15th. Provisions for write-in votes shall be included. All marked ballots must be returned to the place designated by the

Board of Directors no later than November 15th. There will be no voting by proxy permitted. In the event of a tie vote for the last available position, a runoff election conducted by mail and/or electronic ballot shall be held.

Officers

At the first meeting of the Board of Directors following the annual election, the Board shall elect, from among their number, a President, 1st Vice-President, 2nd Vice-President, Treasurer, Recording and Corresponding Secretaries.

A. Officers shall hold offices for two years or until their successors are elected.

B. The current President shall appoint a nominating Chairperson. At the November meeting, at the close of the two year term, the President shall notify the Board that anyone interested in being nominated for office shall so state. Nomination shall also be taken from the floor. (changed committee to chairperson)

C. Responses will be returned to the nominating Committee Chairperson by December 1st. At the December meeting, the Nominating Committee shall present a slate of all candidates. (changed 5th to 1st)

D. Each nominee shall be given the opportunity to present a three minute presentation about his/her qualifications. Each nominee may be questioned by members for a maximum of three (3) minutes. Election by secret ballot shall take place immediately.

E. Ballots will be gathered and counted by the nominating Chairperson. There will be no voting by proxy permitted. In the event of tie vote for any position, a runoff election shall be held.

F. Members of the Board that are excused from the December meeting must notify the Executive Board in writing prior to the meeting, and shall be faxed or emailed a ballot containing all nominations. These absent members shall mail or fax their votes to the Chair of the Nominating Committee prior to the election. (new language to allow resolution of election of officers at the close of the meeting)

G. Results shall be announced immediately after the count is certified by the Nominating Chairperson.

Section 3. Installation

Board of Directors

The newly elected members of the Board of Directors shall be installed at the December meeting, and shall assume their respective duties on that date.
(changed December 1st to December meeting)

Officers

Newly elected Officers of the Association shall be installed at the January meeting of the upcoming year and shall assume their duties at that time. (changed January 1st to January meeting)

ARTICLE VI. MEETINGS

Section 1. Meetings of the Board of Directors

A. The Board of Directors shall hold a minimum of four meetings per year, one of which shall be the Annual Conference. Board Members must attend a minimum of 50% plus one of all regularly scheduled meetings. Failure to do so, or in the alternative, three consecutive unexcused absences may be cause for removal;

B. A meeting of the general membership will occur annually at a date, time and place determined by the President;

C. Special meetings shall be held at the call of the President or by petition of the majority of the Board. Notice of all such meeting, stating time, place and purpose, shall be given personally or by mail, e-mail or fax to each member no less than seven (7) days before the date of the meeting, using the address provided by the member;

D. Conference telephone calls may be used by the Board of Directors in lieu of in-person meetings. The President shall notify the Board of the date and time of the conference call at least 48 hours prior to the call. (added language to allow for telephonic meetings)

E. A majority of the members of the Board of Directors shall constitute a quorum for the transaction of all business;

F. The meetings conducted by the Board of Directors shall be governed by Robert's Rules of Order Newly Revised.

Section 2. Conference and Workshops

There shall be periodic conferences and workshops at locations approved by the Board of Directors. The details of such conferences and workshops shall be prepared and disseminated to the Board via email and posted on the Chapter's website. Conference or workshop dates and locations shall be disseminated to the membership as soon as reasonably practicable.

Section 3. Delegates to the Annual Congress of Corrections

The State Association may send its President and/or an appropriate member as Delegates to the Annual Congress of Corrections and/or the Mid-Winter meeting of the American Correctional Association each year. The President's and selected delegate's expenses shall be defrayed by the Association, finances permitting.

ARTICLE VII. INCORPORATION

This Association shall be incorporated as a non-profit organization under the laws of the State of New Jersey.

ARTICLE VII. AMENDMENTS

Section 1. These By-Laws may be amended by action of the general membership.

Section 2. Amendments shall be recommended by the Board of Directors.

Section 3. Proposed amendments shall be presented to the general membership by mail ballot and upon a majority of those voting, the amendment shall be approved or, they may be amended by two-thirds (2/3) vote of majority of the Board of Directors at any regular or special meeting of the Board, if notice of the proposed adoption is contained in the notice of the meeting. (added language to allow by-law revision without approval of membership in certain instances).

The effective date of the amendment shall be contained within the amendment. Ballots shall be mailed to voting members at least forty-five (45) days prior to the required return date.

ARTICLE IX. MISCELLANEOUS

Section 1. No Association member shall speak on behalf of the Association without the prior knowledge of the officers and written approval of the President.

Section 2. The Fiscal Year of the Association shall be January 1 - December 31.

Section 3. The Association shall not be conducted or operated for profit, and no part of the earnings of the Association shall be used to benefit any member or any other individual.

Section 4. Should this Association at any time be disbanded, the assets and funds of the Association shall be transferred and turned over to one or more non-profit associations or organizations with similar missions as approved by the Board of Directors.

Section 5. The Association shall engage in legislative lobbying activities only to the extent consistent with its tax exempt status.

Section 6. No member of the Board of Directors shall vote or otherwise authorize any transaction in which he or she has a financial or personal interest. He or she shall disclose such interest to the remaining members of the Board and only disinterested members of the Board of Directors shall be counted for quorum and voting purposes.