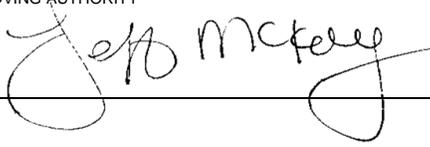


 Corrections and Community Supervision DIRECTIVE	TITLE Inmate Organizations		NO. 4760
			DATE 02/03/2017
SUPERSEDES DIR# 4760 Dtd. 01/22/2014	DISTRIBUTION A B	PAGES PAGE 1 OF 15	DATE LAST REVISED
REFERENCES (Include but are not limited to) Dir. #2771, 2783, 4002, 4022, 4040, 4202, 4521, 4750, 4761, 4770, 4911; Correction Law §197, 198; NYS Health Code	APPROVING AUTHORITY 		

- I. **PURPOSE:** To describe the goals, policies, procedures, and fiscal management of Inmate Organizations.
- II. **POLICY:** The Department of Corrections and Community Supervision (DOCCS) encourages constructive interaction between inmates and the community. It is desirable to involve as many employees, outside agencies, and community resources as practical to promote such constructive interaction, subject to the policies and procedures set forth in this directive.
 - A. Definitions
 1. **Inmate Organization:** An Inmate Organization is a collective inmate group that has been approved to function by the Deputy Commissioner for Program Services through a formal application and review process. An Inmate Organization shall be established as either a General Membership Organization or a Special Purpose Organization. The procedures for application and review are set forth in Section VI.
 2. **General Membership Organization:** This is standard when referring to Inmate Organizations. Their structure and activities parallel those of outside community organizations. Organizational activities may consist of lectures, constructive leisure time, informative programs, community participation events, and fundraising projects.
 3. **Special Purpose Organization:** The sole purpose of a special purpose organization is fundraising for the benefit of the inmate population. Special purpose organizations are limited to a minimum of three, but no more than six members.
 4. **Inmate Committees:** Inmate committees, approved at the facility level by the Superintendent or designee, are not Inmate Organizations. Forms that apply to Inmate Organizations as set forth in this directive cannot be used by inmate committees. Inmate committees include, but are not limited to:
 - a. Inmate Liaison Committee (refer to Directive #4002, "Inmate Liaison Committee (ILC)")
 - b. Inmate Grievance Resolution Committee (refer to Directive #4040, "Inmate Grievance Program")
 - c. Inmate Special Event Committee (refer to Directive #4022, "Special Events Program")
 - B. Goals: The goals of all Inmate Organization activities should be as follows:
 1. To improve the attitude and provide opportunities for personal growth of each participant and stimulate growth in understanding and responsibility;
 2. To promote constructive utilization of leisure time; and
 3. To provide additional educational and social experiences for inmates.

III. GENERAL MEMBERSHIP ORGANIZATIONS

A. Membership

1. **Organization Size:** The size of any organization membership will be limited according to the total population of the facility. (In multi-complex facilities, maximum membership is based on the population of each separate complex.)

<u>Facility Population</u>	<u>Maximum Membership</u>
Under 500 -	Set on individual facility basis, but not to exceed 75
500 - 1000 -	100
Over 1000 -	125

2. **Membership Qualifications:** Qualifications for membership in any Inmate Organization shall be set forth in the proposal for the formation of the organization and the Constitution and Bylaws.
3. **Membership cannot be denied to any inmate on the basis of race, religion, creed, offense, disability, nationality, or sexual orientation.** Membership in any Inmate Organization is a privilege, and as such, requires that an inmate must participate in regular facility programs and activities. To maintain membership, inmates must participate in the organization's membership meetings and other approved activities. For meetings to be held, a quorum must be met. Each organization must determine what constitutes regular participation and incorporate those guidelines in their Bylaws.
4. **Membership Quotas:** The total number of approved Inmate Organizations in which an individual inmate retains a membership shall not exceed three. No inmate shall be permitted to hold an office in more than one Inmate Organization, nor may inmates hold an office in any Inmate Organization while serving as an officer on the Inmate Liaison Committee, Inmate Grievance Resolution Committee, a member of a Special Purpose Organization, or an Inmate Organization clerk.
An Inmate Organization must maintain a dues-paying membership of at least 20% of its approved membership size to avoid suspension.
5. **Inmate Transfer:** An inmate's membership in a facility organization terminates when he or she ceases to be an inmate at that facility. If an inmate is transferred to another facility which has the same Inmate Organization linked to a State or National organization, then the inmate can transfer membership to the new organization. The inmate is responsible for making the arrangements to transfer membership with the outside State or National organization. There will be no reimbursement of dues.
6. **Membership in an Inmate Organization is not open to Department employees or to the community at large.**

- B. **Dues Payment:** Payment of dues is a requirement for membership in any General Membership Organization and the original proposal for formation must clearly define the amount of dues to be paid.

1. Each inmate must have adequate funds for payment of dues before becoming a member of an Inmate Organization.

2. For Inmate Organizations that do not send dues to outside State or National organizations, dues should be paid on a monthly basis.
 3. Inmate Organizations will not be allowed to charge initiation fees.
 4. Only dues-paying members may attend Executive Board or regular general membership meetings.
 5. Under no circumstances are Inmate Organization dues to be subsidized in whole or in part from the Inmate Organization fundraising or operating monies.
 6. No Inmate Organization will be permitted to purchase blocks of memberships from State or National organizations.
- C. Constitution: General Membership Organizations are required to maintain a Constitution and Bylaws.
- The Constitution and Bylaws of the organization should be completed, reviewed by the Deputy Superintendent for Program Services, and a copy sent to the Director of Education. The Constitution and Bylaws shall be updated by the organization, as necessary.
- D. Charters: A General Membership Organization may establish itself as a charter of an outside State or National organization, or the organization may have its own in-house origins.
- E. Religious Groups: Religious groups that meet regularly for prayer or worship services may not apply for General Membership Organization status.

IV. SPECIAL PURPOSE ORGANIZATIONS

- A. Membership: Membership is limited to a minimum of three and a maximum of six members.
- B. Dues: Dues for membership are not allowed.
- C. Constitution: Special Purpose organizations do not require a Constitution and Bylaws.
- D. Charters: Special Purpose organizations may NOT establish itself as a charter of an outside State or National organization.
- E. Special Events: Proposals for Special Events and administrative provisions such as office space and equipment, paper, supplies, newsletters, etc., will not be considered.
- F. Religious Groups: Religious groups that wish to hold a fundraiser are required to select a committee to represent the group, that will apply as a Special Purpose Organization for the purpose of engaging in fundraising for donating to approved community non-profit charities, transportation costs for guest speakers at religious activities, and/or support for religious family events and activities in compliance with Directive #4202, "Religious Programs and Practices," and the Religious Holy Day Calendar as published annually through the Division of Ministerial, Family, and Volunteer Services.

V. ADMINISTRATIVE CONTROLS: The responsibility for assessing the need for a particular Inmate Organization and its incorporation in the overall program of the facility rests with the Superintendent.

- The operations of all Inmate Organizations will be under the administrative control and responsibility of the facility.

- Each Inmate Organization will be under the direct supervision of a facility staff person other than the Facility Inmate Organization Coordinator. This person shall be known as the Inmate Organization “Staff Advisor” (see Section VII-A).
 - All Inmate Organizations must be approved by the Deputy Commissioner for Program Services.
 - All Inmate Organization activities will be the direct responsibility of the facility Deputy Superintendent for Program Services, in accordance with this directive.
 - No relationship is to exist between similar organizations in separate facilities.
 - An Inmate Organization will not be allowed to hold an inmate membership in, or have a formal affiliation with, any organization other than the outside organization which was approved by Central Office as its sponsor.
- A. Facility Staff Advisor’s Monthly Report: [Form #4760A1](#) and/or [Form #4760A2](#) is to be submitted to the Deputy Superintendent for Program Services with a copy sent to the facility Inmate Organization Coordinator no later than the 25th day of the month of the reporting period. [Form #4760A1](#) is to be completed for General Membership Organizations. [Form #4760A2](#) is to be completed for Special Purpose Organizations.
- B. Facility Inmate Organization Coordinator’s Monthly Report: [Form #4760B](#) is to be submitted to the Division of Education, Special Subjects Coordinator no later than the last business day of the reporting period. This monthly report is not to include any groups at the facility or special events that are not affiliated with or sponsored by any General Membership or Special Purpose Organizations.
- C. Annual Report: The Facility Inmate Organization Coordinator’s Annual Report, [Form #4760C](#) is to be submitted to the Division of Education, Special Subjects Coordinator no later than April 1 for the previous year.
- D. Special Privileges Denied: Membership in any inmate organization does not entitle the inmate to any special privileges. Likewise, it does not require that any inmate be given a special work assignment in the institution.
- Meetings and other organization activities must be conducted at times that do not conflict with regular institution programming. Note: See XI-E, “Removal of Disruptive Inmates.”
- E. Letterhead, Correspondence, Certificates, and Outside Communication: Letters, letterheads approved by the Superintendent, certificates, and correspondence issued by an Inmate Organization must clearly bear the name of the Inmate Organization, the correctional facility, and its address.
- All types of correspondence (including requisitions, call-outs, etc.) must receive written approval from the Staff Advisor.
 - Before invitations are extended by Inmate Organizations to individuals, vendors, volunteers, outside organizations, Federal, State, and local legislators or their staff, they must first be approved in writing, and accompanied by a cover letter from the Superintendent. All such requests must be referred to the Deputy Commissioner for Program Services for review and submission to the Commissioner for final approval.
 - All costs must be assumed by the Inmate Organization.

- Inmates, on behalf of an Inmate Organization, shall not be permitted to directly transact any purchase of goods or services from an individual or company from the outside community. Such an action shall result in disciplinary proceedings and removal from the organization. (See Section XI-E of this directive. Refer to Directive #4750, "Volunteer Services Program," regarding restriction in accepting collect phone calls from inmates.)
- All movement of materials into or out of the facility, including supplies or tapes, must be approved in writing by the Deputy Superintendent for Program Services.

VI. REQUEST TO FORM AN INMATE ORGANIZATION: The following procedures outline the process to be used for facility and Central Office review of requests to form an Inmate Organization:

- Inmates: Inmates must submit completed [Form #3087](#), "Request for Approval to Form an Inmate Organization," to the facility Inmate Organization Coordinator. This form must have three inmate signatures.
- IOC: Inmate Organization Coordinator (IOC) verifies the date of [Form #3087](#) and initiates the review process by preparing [Form #3088](#), "Review of Request to Form an Inmate Organization," and forwards with recommendations to the Deputy Superintendent for Program Services. Recommendations on [Form #3088](#) are to be reviewed only by facility and Central Office staff.
- DSP: Deputy Superintendent for Program Services reviews the request to determine if the program goals conflict with duplicate existing facility programs, and in consultation with the Deputy Superintendents for Administration and Security, forwards the request with recommendations to the Superintendent.
- SUPT: Superintendent reviews request and forwards with recommendations to the Director of Education. (Note: Facility review must be completed within 15 days of receipt of [Form #3087](#)). All such requests forwarded to Central Office must be original documents bearing the signatures of appropriate facility staff. Copies of forms bearing signature facsimiles will not be accepted.
- Director of Education: Director of Education reviews requests and forwards with recommendations to the Deputy Commissioner for Program Services.
- DCP: Deputy Commissioner for Program Services reviews the request and determines if the request is approved, disapproved, or returned. [Form #3087](#) will be returned to the Director of Education for processing prior to forwarding to the Superintendent at the facility for implementation. Within 30 working days of the application date, the decision of the Deputy Commissioner for Program Services must be forwarded to inmates requesting formation of the Inmate Organization.

A "Returned" response indicates that information provided was insufficient or incorrect. If inmates wish to pursue formation of the Inmate Organization, a new [Form #3087](#) with current date must be submitted and must address the questions and information requested.

If the membership of an established Inmate Organization wishes to change its goals and objectives at a later date, a written statement of revised goals and objectives must be submitted on a new [Form #3087](#) to the facility administration and forwarded to Central Office for approval in accordance with original program proposal procedures.

NOTE: Inmates should not create or possess, in connection with a request to form an Inmate Organization or for any other purpose, a membership roster, organizational chart, Constitution, Bylaws, or any other material that could facilitate organizational activity within the institution unless and until the organization has been approved by the Deputy Commissioner for Program Services.

The only exception to the above is if the Deputy Superintendent for Program Services, First Deputy Superintendent, or Superintendent requests that the specific material is submitted as part of the application process.

VII. IMPLEMENTATION OF AN APPROVED INMATE ORGANIZATION: After an Inmate Organization has been approved by the Deputy Commissioner for Program Services, the following must take place:

- A. **Staff Advisor:** A Staff Advisor will be appointed by the Superintendent, or his or her designee, within 15 working days and the name forwarded to the Director of Education in Central Office. Orientation shall be provided by the Facility Inmate Organization Coordinator within 30 working days from the date of appointment. The Superintendent or his or her designee must arrange for appropriate time for the Staff Advisor's training and to complete responsibilities of the position.
- B. **Community Assistance:** If the request to form a General Membership Inmate Organization at the facility is to be a chapter of an already established and recognized organization in the outside community, an individual or representative of that organization must be selected and approved by the Superintendent within 30 days to provide ongoing assistance (see Directive #4750, "Volunteer Services Program" for volunteer registration) to the Inmate Organization. The individual or representative must indicate a willingness to interact with the Inmate Organization a minimum of once every three months.
- C. **Constitution and Bylaws/Election of Officers:** An interim Board of Directors should be established by the General Membership Inmate Organization to develop a Constitution and Bylaws. After approval by the members, the document must be approved by facility administration. An approved Constitution and Bylaws must be sent to Central Office Director of Education for filing. Election of officers will be held in accordance with the approved Constitution and Bylaws. The Inmate Organization must complete this process within 90 working days from date of approval.
- D. **Organization Clerks:** At the discretion of the facility administration, each Inmate Organization may elect an inmate clerk. The officers of an Inmate Organization shall request members interested in a clerk position to submit their names and Department Identification Numbers (DIN) to them. All names will be submitted to the Deputy Superintendents for Security and Program Services for screening purposes. Those inmates approved for consideration may then have their names placed in nomination and an election held.

Clerk's Job Description: Tasks and duties shall be determined by the officers of the Inmate Organization and be approved by the Staff Advisor, the Facility Inmate Organization Coordinator, and the Deputy Superintendent for Program Services.
- E. **Space:** When feasible, space may be provided as a regular meeting area and depository for an Inmate Organization's papers or supplies. No organization, however, will be given the exclusive right to any space.

VIII. SPECIAL PROJECT/EVENT DESCRIPTIONS: These activities are categorized as either special projects or special events.

- A. **Special Projects:** Special projects are activities which are service or fundraising in nature sponsored by an Inmate Organization. Examples of special projects include, but are not limited to, donations to charitable organizations and special event programs, ethnic awareness classes, greeting card sales, and photo programs.
1. Fundraisers: Fundraisers are approved to provide a service to the population, while making funds available for the Inmate Organization, to provide enrichment programs for members and the general population. Products must meet the requirements of Directive #4911, "Packages & Articles Sent or Brought to Facilities." Organizations will not be approved to sell products that are available in the facility commissary.
 - a. All Inmate Organizations that fall under the guidelines of this directive, must contribute to the Inmate Benefit Fund ledger of the Inmate Occupational Therapy Fund, a minimum of 50% of the profit from fundraisers within each fiscal year.
 - (1) This amount must be collected immediately after each fundraiser has been completed.
 - (2) The balance of the funds that are raised can be used for service-oriented projects and to meet the organizational needs of their respective membership.
 - (3) Fundraiser Income – Fundraiser Expenses = Profit
 - b. When an Inmate Organization has been approved by the facility Superintendent or designee to raise funds for a one-time special project, the rule of giving back to the facility 50% of the profit received from that fundraiser shall be waived. All entities receiving funds raised by inmates must first be officially recognized as a bona fide non-profit organization, charity, or group. (See Directive #4761, "Inmate Charitable Contributions and Gifts.")
 - c. The sale of products by Inmate Organizations shall be governed by Correction Law, Sections 197 and 198, Amended by Chapter 240, Laws of 1974, and Directive #2771, "Inmate Occupational Therapy Fund."
 - d. No inmate, whether or not a member of an Inmate Organization, is allowed to directly transact a sale of goods.
 - e. The sale of products by Inmate Organizations to Department employees and to members of the public are prohibited.
 - f. Product Pricing: In order for the organizations to serve the population with products not available through the Commissary, within a reasonable price or profit structure, the following guidelines will be strictly adhered to:
 - (1) For fundraisers which do not require an equipment purchase, such as a camera, or those that have no waste factor, the organization may request a 50% addition to the base cost of the product (greeting cards, photo albums, soap, etc.).

3. For limitations on the amount of expenditures for Inmate Organization special events, (see Directive #4761, "Inmate Charitable Contributions and Gifts").
4. The Inmate Organization Staff Advisor becomes a member of the staff Special Events Committee for the Inmate Organization's event.

IX. REQUEST FOR APPROVAL OF SPECIAL PROJECT/EVENT: The following procedures outline the process to be used for Inmate Organizations requesting special projects or events:

Inmates: The Inmate Organization must submit to the Staff Advisor a dated, completed [Form #3089](#), "Request for Approval of Special Projects and/or Special Events," signed by both President and Treasurer of the Inmate Organization, which indicates the date of approval by the general membership or the Inmate Organization Executive Board.

- For all activities other than donations to special events, this form must be submitted 45 working days prior to target date.
- Since costs per person may be affected by Inmate Organization donations to special events, [Form #3089](#) must be submitted 60 working days prior to an event.

Staff Advisor: Staff Advisor verifies date of submission, notifies the Facility Inmate Organization Coordinator of the request, and obtains [Form #3090](#), "Review of Request - Special Projects and/or Special Events."

Staff Person: Area Program staff person (Recreation, Education Supervisor, Special Event Chairperson)

IOC: Inmate Organization Coordinator

DSA: Deputy Superintendent for Administration

DSS: Deputy Superintendent for Security

DSP: Deputy Superintendent for Programs

FDS: First Deputy Superintendent

SUPT: Facility Superintendent

- Each person reviews [Form #3089](#), enters recommendations on [Form #3090](#), and the Deputy Superintendent for Program Services forwards the form to the Superintendent for the final facility review.
- All requests approved at the facility level do not require Central Office review; notice of approval is sent to all reviewers.
- All requests disapproved by the Superintendent must be forwarded to the Central Office Director of Education and must be original documents bearing the signatures of appropriate facility staff. (Copies of forms bearing signature facsimiles will not be accepted.)

Director of Education: The Director of Education will begin the Central Office review process of all requests disapproved at the facility level. Following review, the recommendations shall be forwarded to the Deputy Commissioner for Program Services no later than 20 working days from the date submitted.

Deputy Commissioner for Program Services: A final response to the request, shall be forwarded by the Deputy Commissioner for Program Services to the Facility. The facility shall notify the Inmate Organization.

If [Form #3089](#) is marked "Returned" by the Deputy Commissioner for Program Services, it is not approved or disapproved; however, either clarification or more information is needed. A new [Form #3089](#) must be submitted with a current date of application.

Recommendations on [Form #3090](#) are to be reviewed only by facility and Central Office staff. Central Office will review only requests which have been disapproved at the facility level.

Re-approval Process: Special projects/events that have received approval in the previous fiscal year must be re-approved by April 1 in order to continue into the new fiscal year. The application/review process as outlined above will be the same as for new projects.

Facility Reporting to Central Office: All special projects/events, whether approved at the facility or Central Office level, must be recorded on the facility Inmate Organization Coordinator's Monthly Report, [Form #4760B](#) which is then forwarded to the Coordinator of Special Subjects in Central Office. The information on this report is obtained from the Facility Staff Advisor's Monthly Report. These forms can be acquired from the Coordinator of Special Subjects.

X. FISCAL MANAGEMENT

A. Establishment of Accounts

1. All receipts and disbursements of the funds for all Inmate Organizations will be controlled by the Superintendent or designee in a single checking account entitled "Inmate Occupational Therapy Fund Account" (see Directive #2771, "Inmate Occupational Therapy Fund").
2. Each approved Inmate Organization will have a separate ledger account wherein all receipts and disbursements will be recorded daily, totaled weekly, and reconciled at least monthly (see Directive #2771, "Inmate Occupational Therapy Fund").
3. Each approved Inmate Organization that has been approved to hold a fundraiser, will have an additional separate ledger account wherein all receipts and disbursements from the fundraiser will be recorded daily, totaled weekly, and reconciled at least monthly (see Directive #2771, "Inmate Occupational Therapy Fund").
 - a. All Inmate Organizations that fall under the guidelines of this directive, must contribute to the Inmate Benefit Fund ledger of the Inmate Occupational Therapy Fund, a minimum of 50% of the profit from fundraisers within each fiscal year.
 - b. For Inmate Organization fundraisers that continue throughout the year, the contribution to the Inmate Benefit Fund ledger shall be collected quarterly during the fiscal year.

B. Receipts of Cash and/or Checks

1. Donations for approved Inmate Organizations shall be approved by the Superintendent in accordance with Directive #2783, "Funds Received as Grants and Bequests," or Directive #4761, "Inmate Charitable Contributions and Gifts," prior to deposit into the Inmate Organization account and will be recorded by issuance of a numbered receipt.

C. Disbursements

1. All disbursements from the Occupational Therapy Fund Account require the approval of the Superintendent or designee. Inmate Organization disbursements also require the signature of the Staff Advisor and the organization President or Chairperson.
2. All disbursements will be recorded daily in the Daily Receipts and Disbursements Journal, charging each Inmate Organization affected.
3. Under the direction of the Deputy Superintendent for Program Services, or designee, the Inmate Organizations shall be responsible for obtaining facility approvals, and preparing and submitting Purchase Order Request, [Form #4760D](#) to the Business Office with sufficient lead time to allow for routine processing.
4. Purchases received for an Inmate Organization will be verified by the Inmate Organization by submitting the Inmate Organization Receiving Report, [Form #4760E](#) to the facility Steward.

D. Reports Distribution: The Deputy Superintendent for Program Services may request copies of individual organization statements to be routinely provided from the Business Office on a monthly basis after the bank reconciliation has been completed. The Deputy Superintendent for Program Services shall determine the appropriate distribution of these statements and will distribute them to the appropriate Staff Advisors and Inmate Organization officers.

E. Organization Budget and Inventory: Under the direction of the Deputy Superintendent for Program Services, and appropriate facility staff, the Staff Advisor is responsible for monitoring the Inmate Organization's account, product inventory, and budget proposal. The Staff Advisor, no later than January 15, must notify the Inmate Organization that [Form #3073B](#), "Inmate Organization Budget," must be completed for the coming fiscal year (April 1 to March 31) and submitted to the Deputy Superintendent for Program Services by February 15. Additionally, [Form #3073A](#), "Statement of Operations," for the completed fiscal year, which includes an equipment and product inventory, must be submitted for facility review no later than May 1, as follows:

1. The "Inmate Organization Budget," [Form #3073B](#) must be reviewed and approved by the Inmate Organization Executive Board and by vote of the membership.
2. The "Inmate Organization Budget," [Form #3073B](#) must be reviewed and approved by the facility Inmate Organization Coordinator, Staff Advisor, the Deputy Superintendent for Administration, and the Deputy Superintendent for Program Services.
3. Final approval rests with the Superintendent.
4. The "Statement of Operations," [Form #3073A](#) for the completed fiscal year must be reviewed by the Staff Advisor, Deputy Superintendent for Program Services, Deputy Superintendent for Administration, and the Steward. The Business Office shall verify that Inmate Organization cash balances and fundraising donations as reported on [Form #3073A](#) are accurate (see Section VIII-A-1-a. and Directive #2771, "Inmate Occupational Therapy Fund").

5. The approved "Statement of Operations," [Form #3073A](#), and the "Inmate Organization Budget," [Form #3073B](#), must be available for review by Central Office staff during on-site visits.
 - Inmate Organizations not submitting [Form #3073A](#) and/or [Form #3073B](#) within the above mentioned timeframes may be permanently suspended (see Section VIII-A). Re-approval requests for previously approved special projects/events must be submitted as per Section VI.

XI. SUSPENSION TERMINATION

A. Inmate Organizations

1. Staff Advisors are required to monitor their respective Inmate Organizations for adherence to this directive and the recommendations of approval by the Deputy Commissioner for Program Services.
 - If the Staff Advisor observes areas of non-compliance, he or she should so notify the Inmate Organization in writing, with a copy to the Deputy Superintendent for Program Services identifying areas of concern and how the Inmate Organization may improve, indicating an allowance of 60 days for such improvements to occur.
 - If the Inmate Organization fails to respond (no improvement is noted) the Staff Advisor shall notify the Deputy Superintendent for Program Services.
 - The Deputy Superintendent for Program Services may, in writing, suspend the activities of the Inmate Organization. Such suspension is temporary, pending review and final decision by the Deputy Commissioner for Program Services.

Temporary suspension by the Deputy Superintendent for Program Services may also result if the Deputy Superintendent or Staff Advisor observes and documents (Facility Staff Advisor's Monthly Report form) a lack of interest in the Inmate Organization including, but not limited to:

- a. Poor attendance at monthly meetings;
 - b. Lack of programs;
 - c. Paid membership less than 20% of approved membership size.
2. No later than one week after the date of a temporary suspension, the Superintendent will forward a report, utilizing [Form #3092](#), "Report of Suspension of Inmate Organization," to the Director of Education, who will review the report and make recommendations to the Deputy Commissioner for Program Services, who will make the final determination.
 3. The Deputy Commissioner for Program Services shall review [Form #3092](#) and make a determination whether the Inmate Organization shall be permanently suspended or suspended for a certain period of time, and the conditions under which the organization will be permitted to resume activities. This decision shall be entered on [Form #3092](#) and returned to the Director of Education for processing prior to forwarding to the Superintendent at the facility for implementation.

4. If the Deputy Commissioner for Program Services sustains the permanent suspension of an Inmate Organization's activities, and there are inmates interested in resuming the suspended activity, the inmates must submit a new [Form #3087](#), "Request for Approval to Form an Inmate Organization," which shall be processed in accordance with Section III of this directive.
 5. If the members of an Inmate Organization wish to dissolve the Inmate Organization, they may initiate the program suspension procedure by informing the Staff Advisor of their intention and the reasons thereof, such as lack of interest. The Staff Advisor shall verify that there is an insufficient number of members interested in continuing the activities of the Inmate Organization, and shall then recommend suspension to the Deputy Superintendent for Program Services; if the Deputy Superintendent concurs with the recommendations, the group's activities will be suspended and the Deputy Superintendent will submit [Form #3092](#) as indicated above.
 6. When an Inmate Organization's activities are permanently suspended and the Inmate Organization is dissolved, any funds remaining in the Inmate Organization's account shall remain in the Inmate Occupational Therapy Fund Account and be used for purposes authorized by Directive #2771 and Section 198 of the Correction Law.
 - These funds will be placed in a ledger marked "Miscellaneous" and will be used at the discretion of the Superintendent, or designee, for the benefit of the facility inmate population.
 - Any property items such as typewriters, cameras, tape recorders, videotape recorders, etc. purchased by an Inmate Organization that is permanently suspended remain the property of the Department and will be used at the discretion of the Superintendent for the benefit of the inmate population.
- B. Disassociation from a State or National Organization: Inmate Organizations electing to sever ties with an outside chartering organization must submit [Form #3087](#) if the organization is to be maintained, and the same basic principles, philosophy, programs, and projects still apply. [Form #3087](#) should indicate the following:
1. The name change requested;
 2. The name of the new sponsor (group/individual);
 3. That the basic philosophy, programs, etc., will not substantially change;
 4. Submit for approval as outlined in Section III.
- C. Population Status Changes: In the case where the status of an inmate population changes, such as a male facility converting to a female facility, etc., all Inmate Organizational activities will be terminated by memo from the Deputy Commissioner for Program Services, and at such time that interest is generated by the new population, proposals to form new Inmate Organizations utilizing [Form #3087](#), "Request for Approval to Form an Inmate Organization," must be submitted.
- D. Special Projects/Events: The termination of special projects is determined at the facility level, and may occur throughout the year, but must be reported on the facility Inmate Organization Coordinator's Monthly Report, [Form #4760B](#) which is then forwarded to the Director of Education in Central Office.

- Special projects/events can also be terminated or discontinued when considering yearly re-approvals, utilizing [Form #3089](#) (see Section IX).
- E. **Removal of Disruptive Inmates:** Membership in an Inmate Organization is a privilege, not a right. An inmate may be removed from membership status, elected office, or special committee assignments based on violations of Departmental directives, facility policy and procedures, the Inmate Organization's Constitution and Bylaws, or conviction of a Tier II or Tier III charge. Documentation must be submitted to the Superintendent, whose decision must be in writing.
- The removal of an undesirable inmate from membership status can also be accomplished through the vote of the membership.
 - Provisions for removal of an inmate from organization membership must be contained in the Constitution and Bylaws of the Inmate Organization.

XII. ANNUAL EVALUATION OF INMATE ORGANIZATIONS

- A. The Staff Advisor will complete the Annual Evaluation Form, [Form #4760F1](#) and/or [Form #4760F2](#), of their respective Inmate Organization by April 1 of each year and submit to the Deputy Superintendent for Program Services, with a copy submitted to the Facility Inmate Organization Coordinator.
- B. If the Staff Advisor observes areas of non-compliance, the Inmate Organization shall be notified in writing, with a copy to the Deputy Superintendent for Program Services, identifying areas of concern and how the Inmate Organization may improve, and indicating an allowance of 60 days for compliance.
- C. If the Inmate Organization fails to comply, the Staff Advisor shall notify the Deputy Superintendent for Program Services. The Deputy Superintendent may, in writing, suspend the Inmate Organization. The suspension is temporary, pending review and final decision of the Deputy Commissioner for Program Services.

XIII. INMATE ORGANIZATIONS FACILITY OPERATIONS MANUAL: The Inmate Organization Facility Operations Manual serves as a reference for the development of facility policy and procedure for the Inmate Organization Program. It is available to facility staff to assist with compliance of this directive.

INSTRUCTIONS FOR COMPLETING [Form #3087](#), “Request for Approval to Form an Inmate Organization,” and [Form #3088](#) “Review of Request to Form an Inmate Organization”:

Print or type your answers. Submit one copy only. If you need extra space to answer the questions you may attach a single sheet to this form. Do not create or possess, in connection with this application process or for any other purpose, a membership roster, organizational chart, Constitution, Bylaws, or any other material that could facilitate organizational activity within the institution unless and until the organization has been approved by the Deputy Commissioner for Program Services.

The only exception to the above is if the Deputy Superintendent for Program Services, First Deputy Superintendent, or Superintendent requests that the specific material be submitted as part of the application.

EXPLANATION OF SELECTED ITEMS

Proposed Program: State the type of activity which your group intends to engage in and the goals of the organization. Indicate whether this request is a new program, an existing program, or a change in an approved program.

Outside Organization: Give the name of the Sponsoring Group from outside the facility which will be working with this inmate organization. If there is no outside organization, insert the word NONE.

Outside Contact Person: Name, address, and telephone number of the individual on the outside who will serve as the contact person for the facility Administration and the inmate group.

Membership Requirements: Qualifications required by an inmate who wishes to join this organization.

Dues: Show the amount of dues to be paid. Check whether it will be collected annually, monthly, or weekly.

Waiver of Dues: Indicate whether in hardship cases the group will eliminate the requirement for payment of dues. If dues are reduced or eliminated, what means or criteria will be used?

Financial Resources: Anticipate any financial assistance, other than dues, which will be available to the group. If none are available, write in NONE.

Physical Requirements: List equipment, space, furnishings, electrical connections, and other requirements needed for the program and indicate whether they are currently available or need to be supplied.

Anticipated Special Events: Indicate proposed special events which your group intends to hold in an average one year period and whether you expect other inmates or outside visitors to attend. Dates and other specific details are not necessary at this time since official approval of each special event must be obtained 30 days in advance of the proposed date. Approval of an organized inmate group activity program does not necessarily indicate approval of each proposed special event.

A Supervisor MUST be assigned to an approved group activity prior to operations as a program. Any Constitution or Bylaws prepared by an approved group will be considered invalid if provisions are contrary to the existing approved program.