



# **Marion County**

## **PUBLIC SAFETY COORDINATING COUNCIL BYLAWS**

REVISED: JUNE 14, 2016

1. **Name**

This committee is established pursuant to ORS 423.560 and shall be known as the Marion County Public Safety Coordinating Council.

2. **Mission**

Increase community safety by reducing violence to and by children, youth and adults; reduce alcohol and drug abuse; reduce fear of crime.

3. **Purpose**

The purpose of the Marion County Public Safety Coordinating Council (“Council”) is to increase public safety by enhancing law enforcement efficiencies and reducing crime. The Council shall at a minimum:

- a. Develop and recommend to the Marion County Board of Commissioners (“Board”) a plan for use of:
  - 1) State resources to serve the local offender population; and
  - 2) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies.
- b. Coordinate local criminal justice policy among affected criminal justice entities.
- c. Develop and recommend to the Board the plan for use of state resources to serve the local youth offender population.
- d. Coordinate local juvenile justice policy among affected juvenile justice entities.
- e. Consider proposed establishment of halfway houses, work release centers, treatment homes and other facilities by public agencies pursuant to ORS 169.690.
- f. Provide annual summary to the Oregon Criminal Justice Commission outlining county program, service or budget changes made in response to recommendations of the Council.

4. **Membership**

a. **Representation.**

1) **Membership based on county position.** The Board shall appoint the following Council members. These members shall have the authority to vote and shall remain members of the Council as long as they hold the identified position:

- i. The Marion County Sheriff (who also acts as director of community corrections in Marion County) or the Community Corrections Commander acting as the Sheriff’s designee;
- ii. The Marion County District Attorney;
- iii. The Marion County Juvenile Department Director;
- iv. The Marion County Health Department Administrator (who also acts as mental

- health director in Marion County); and
- v. The Marion County Community Services Department Director.

- 2) **Membership based on appointment for term.** The Board shall appoint the following Council members. These members shall have the authority to vote:
  - i. At least one police chief selected by the police chiefs in Marion County;
  - ii. A Marion County commissioner;
  - iii. At least two lay citizens;
  - iv. At least one city councilor or mayor who shall be selected by the cities in Marion County;
  - v. At least one city manager or other city representative who shall be selected by the cities in Marion County;
  - vi. At least one school district representative;
  - vii. At least two business representatives; and
  - viii. Additional members who may be recommended by the Council.
- 3) **Membership based on appointment by presiding judge.** The presiding judge of Marion County shall appoint two state court judges, and shall appoint two public defenders or defense attorneys as voting members of the Marion County Public Safety Coordinating Council. The presiding judge of Marion County may also appoint a representative from the Trial Court Administrator's Office to the Council as a voting member.
- 4) **Non-voting members.** The Board shall appoint the following Council members as non-voting members:
  - 1. A representative of the Oregon State Police who is selected by the Superintendent of the State Police;
  - 2. A representative of the Oregon Youth Authority who is selected by the Director of the Oregon Youth Authority.

**b. Appointment.** The Marion County Public Safety Coordinating Council shall be comprised of no more than twenty-nine (29) members (voting and non-voting), who shall be appointed as noted above. Members identified in Sections 4(a)(2) and 4(a)(4) shall be appointed for terms of three years.

**c. Duties.** Council members undertake the responsibility of assisting the Council in achieving its mission. Fulfillment of this responsibility includes the following:

- (1) Provide support to the Council in the community;
- (2) Work on Council projects to advance its goals;
- (3) Communicate with members in order to facilitate the work of the Council;
- (4) Regularly attend meetings. More than five (5) unexcused absences in any 12- month period may result in removal of the member from the Council. A member's absence is unexcused if the member fails to notify county staff in advance of a meeting that the member will not attend the meeting.
- (5) Attend meetings prepared to participate.

## 5. **Termination**

**a.** Removal by Board of Commissioners. Council members identified in subsections 4(a)(1)(v), 4(a)(2)(ii), (iii), (vi), (vii), and (viii) shall serve at the pleasure of the Board, and the Board may remove any of said members when it determines it is in the interest of the Council or county to do so. The Board may remove a Council member on its own motion or upon the recommendation of the Council.

- b. **Removal by Presiding Judge.** Council members identified in Section 4(a)(3) shall serve at the pleasure of the presiding judge. The presiding judge may remove these Council members when he or she determines it is in the interest of the Council or the county to do so. The presiding judge may remove the member on his or her own motion or upon the recommendation of the Council.
- c. **Resignation.** Resignations by members shall be submitted in writing to the Council chair and announced at the next regularly scheduled meeting. The chair shall forward a copy of the resignation to the Board and the presiding judge.

6. **Meetings**

- a. **Public meeting laws.** The Marion County Public Safety Coordinating Council is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.
- b. **Regular meetings.** The Council meets on the second Tuesday of each month at 4:00 p.m. Regular meetings may be canceled or changed to another specific place, date and time provided that actual notice is given.
- c. **Notice.** The Council will provide for and give public notice, reasonably calculated to give actual notice, to Council members, interested persons, news media that have requested notice, and general public notice. Notice shall include the time and place for holding regular meetings. The notice will also include a list of the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner that maximizes the potential of the public awareness of the proceedings of the Council and to participate in its deliberations. Whenever possible, matters resulting in a recommendation to the Board will be deliberated during a minimum of two meetings to assure maximum participation.
- d. **Special Meetings.** Special meetings may be called by the Council chair by notifying all members and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. When possible, notice should be provided as soon as possible to encourage public participation.
- e. **Quorum.** The majority of the appointed, voting Council membership will constitute a quorum for the transaction of all business at meetings. Non-voting members are not counted towards achieving a quorum. Members may attend either in person or by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Members attending by telephone conferencing may be counted towards achieving a quorum.
- f. **Decision making procedure.** Each Council member identified in Sections 4(a)(1), 4(a)(2) and 4(a)(3) will be entitled to one vote on all issues presented at meetings at which the member is present. The primary decision-making method shall be the consensus process. Consensus is achieved when all members approve an action. However, if consensus cannot be achieved with regard to any issue, decision-making shall be accomplished by majority vote. Majority is defined as a majority of the appointed, voting Council membership.
- g. **Minutes.** The staff member assigned to the Council will cause meeting minutes to be prepared. Minutes will include a list of the members present, motions, proposals, resolutions, and orders proposed and their disposition, the results of all votes and a vote by each member by name, the substance of any discussions on any matter, and reference to any document discussed at that meeting. Minutes will be distributed to the membership one week prior to the monthly meeting. Minutes will also be distributed to the Board and posted on the Marion County website.

- h. Agendas.** Items may be placed on a meeting agenda by any Council member or by county staff. The agenda will be distributed to members at least one week prior to a regular meeting.

**7. Steering Committee**

- a. Members.** The Steering Committee shall be comprised of Council members, with a chair, vice-chair, at least one citizen representative and at least one representative from each of the following city and county agencies:

- (1) A city police department;
- (2) The Marion County Sheriff's Office;
- (3) The Marion County District Attorney's Office;
- (4) The Community Services Department;
- (5) The Marion County Juvenile Department.

- b. Steering Committee meetings.** The Steering Committee shall meet prior to the regular Council meeting. The Council chair shall appoint the Steering Committee members. Any Council member may attend and participate in Steering Committee meetings. The Steering Committee shall be responsible for the following:

- (1) Developing the Council meeting agendas and ensuring matters are ready for Council meetings;
- (2) Ensuring assignments are completed and prepared for Council meetings;
- (3) Making recommendations to the Council for the formation of Task Teams;
- (4) Recommending to the Council individuals to serve on Task Teams;
- (5) Ongoing coordination of teams created by the Council.
- (6) Acting on matters when authority has been delegated by the full Council to do so.
- (7) Taking action on time sensitive, administrative matters that require a decision between Council meetings, with notice to be provided to all Council members prior to taking action and with the action or actions to be ratified at the next full Council meeting. Action will not be taken under this subsection if any Council member notifies the Steering Committee of the Council member's objection prior to the Steering Committee's action on a time sensitive matter. Time sensitive, administrative matters include but are not limited to: mandatory municipal, state or federal reporting and letters of support associated with grant applications.

**8. Task Teams**

The Council may authorize the formation of special committees, called Task Teams, as necessary to deal with specific problems or issues as the Council believes appropriate. All Task Teams are required to report their information and/or recommendations to the Council. Task Team members need not be members of the Council. The Council will select the members of the Task Teams.

**9. Officers**

A county commissioner will be the chair and will facilitate Council meetings. The chair will select the vice-chair with the consent of the Council.

- a. Chair responsibilities.** The chair will act as leader of the convened meeting and as the parliamentarian. The chair will enforce Council directives, guidelines and membership rules and will guide the conduct of public meetings. The chairperson is the official representative of the Council and shall be the spokesperson to the media.
- b. Vice chair responsibilities.** In the absence of the chair, the vice chair will assume the chair's responsibilities. If neither the chair nor vice chair is available for a publicly-convened meeting, then the assembled quorum of the meeting will select a temporary chairperson to conduct the meeting.

10. **Conflicts of Interest**

- a. **Declaration.** The Council is subject to ORS 244.020, 244.040(1), and 244.120 to 244.130, defining conflict of interest and establishing protocols for members of public bodies in Oregon. Council members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.
- b. **Potential conflict defined.** A potential conflict of interest exists when a Council member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member's relative is associated. The Council member may participate in an action after declaring the potential conflict and announcing its nature.
- c. **Actual conflict defined.** An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the Council member, a relative, or a business with which the member or member's relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

11. **Amendment to Bylaws**

- a. **Initiated by Council.** The Council may propose amendments to the bylaws. Any recommendations agreed upon by a majority of the Council shall be forwarded to the Board for its approval. In accordance with county administrative policies and procedures, bylaws will be reviewed by the Council every three years and any changes will be approved by the Board.
- b. **Initiated by Board of Commissioners.** The Board may initiate changes to the bylaws. These changes will be submitted to the Council for review and consultation prior to Board adoption.
- c. **Distribution.** Upon the Board approving bylaw amendments, the Board will distribute the bylaws to all Council members.

12. **Community Relations/Public Input.**

Any member of the public will be welcome to attend Council meetings. Public comments are encouraged and will be accepted verbally or in writing. Anyone who wishes to voice an opinion or present information or concerns to the Council may contact the chair, the vice-chair, or Board staff. Arrangements will be made and time will be allotted at meetings as appropriate to assure broad public participation.

Approved by the Marion County Public Safety Coordinating Council:

June 14, 2016

Approved by the Marion County Board of Commissioners:

July 7, 2016