



COUNTY ADMINISTRATOR

220 NORTH MAIN STREET, P.O. BOX 8645

ANN ARBOR, MICHIGAN 48107-8645

(734)996-3055

FAX (734)994-2592

TO: Barbara Levin Bergman, Chair
Ways & Means Committee

THROUGH: Robert E. Guenzel
County Administrator

FROM: Nancy Riley, Manager
Community Corrections

DATE: June 17, 1998

SUBJECT: Community Corrections By-Laws Amendment

BOARD ACTION REQUESTED:

The Community Corrections Advisory Board, is requesting the Board of Commissioners' approval of the amended Community Corrections By-Laws which were originally developed and approved with the establishment of this Board on April 4, 1990.

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BACKGROUND:

In November, 1991, Washtenaw County/City of Ann Arbor developed a Comprehensive Corrections Plan pursuant to Public Act 511 (PA511) for the purpose of offering diversion and alternative sentencing options to the Washtenaw County Criminal Court. The original Comprehensive Corrections Plan was approved by the Washtenaw County Board of

Commissioners on November 9, 1991 by resolution number 91-0280.

DISCUSSION:

Over the course of the last four (4) years, Community Corrections efforts have become increasingly successful in meeting the needs of the criminal justice system. Over the same course of time, the Community Corrections Advisory Board has determined that the mission and objectives as established with the original Comprehensive Corrections plan have in many cases been met, but additionally, the objectives are expanding to meet the changing aspect of criminal justice in Washtenaw County.

In our expansion of services, the Community Corrections Advisory Board determined some priorities which are included in the amended By-Laws such as:

- _ A Mission Statement**
- _ Expanded Objectives**
- _ More clearly defined board membership**
- _ Definition of the funding cycle and application process**
- _ Working Committees, Subcommittees and status**
- _ Establishment Adhoc Committees**
- _ Organizational structure**

IMPACT ON HUMAN RESOURCES:

There is no impact on human resources.

IMPACT ON BUDGET:

There is no fiscal impact.

INDIRECT COSTS

There are no indirect costs associated with this request.

IMPACT ON OTHER COUNTY DEPARTMENTS:

The intent of Community Corrections is to provide diverse sentencing options as opposed to prison and/or long-term incarceration. If effective, an impact will be experienced by every service within the continuum as offenders access appropriate services necessary to promote the anticipated outcome - a reduction of the likelihood of recidivism.

No adverse impact is anticipated.

CONFORMITY OF COUNTY POLICIES:

This request conforms with Washtenaw County policies.

A RESOLUTION APPROVING THE AMENDED BY-LAWS FOR WASHTENAW COUNTY/CITY OF ANN ARBOR COMMUNITY CORRECTIONS ADVISORY BOARD

WASHTENAW COUNTY BOARD OF COMMISSIONERS

June 15, 1997

WHEREAS, on August 6, 1989, by Resolution # 89-0219, the Washtenaw County Board of Commissioners established, in conjunction with the Ann Arbor City Council, a city/county Community Corrections Advisory Board pursuant to PA511 of 1988; and

WHEREAS, the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board meets monthly on the second Tuesday of every month, pursuant to the original By-Laws established for that Board; and

WHEREAS, the goals and objectives of the original comprehensive corrections plan are being met and new goals and objectives have been added based on the changing needs of the criminal justice system; and

WHEREAS, at a regularly scheduled meeting held in January, 1998, the amended By-Laws were reviewed and approved by the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board, and that said By-Laws were recommended for forwarding to the Washtenaw County Board of Commissioners and Ann Arbor City Council for review and approval with the FY98/99 Application; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Office, County Administrator's Office, and the Ways and Means Committee

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the amended By-Laws for the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board, as attached hereto and made a part hereof

WASHTENAW COUNTY/CITY OF ANN ARBOR

COMMUNITY CORRECTIONS ADVISORY BOARD

BY-LAWS

ARTICLE I

NAME AND LOCATION

Section 1. Name

The name of this board shall be the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board hereinafter referred to as *WCCCAB*.

Section 2. Location

Location of all documents prepared by or on behalf of the WCCCAB and requiring formal action by the Washtenaw County Board of Commissioners and Ann Arbor City Council will be on file with the Washtenaw County Clerk's Office.

Section 3. Mission

The Washtenaw County/City of Ann Arbor Community Corrections Advisory Board (WCCCAB), has a mission to design, implement, monitor, assess and evaluate community corrections programs in Washtenaw County with the following objectives:

a) to provide appropriate alternative sanctioning options for the non-violent offender,

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b) to address the unique needs of the local offender population,

c) to reduce the likelihood of recidivism

d) to provide the means to improve the utilization of the county jail, and

e) to target at-risk population groups such as youthful offenders, special population groups (gender specific, drug addicted, mental health, etc), domestic violence and pre-trial offenders for programming designed to address their specific criminogenic needs.

The WCCCAB will seek to accomplish its objectives in a manner consistent with public safety concerns.

ARTICLE II

PURPOSE

Section 1. General

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The purpose of the WCCCAB shall be to formulate a comprehensive plan for development, implementation, and operation of community correctional services in Washtenaw County/City of

Ann Arbor and to develop a plan for the administration, monitoring, and control of the community correctional services under the comprehensive plan. The WCCCAB, or designated sub-committee, is authorized to formulate and revise the plan through annual applications for renewal of funds as required by the Office of Community Corrections and Michigan Department of Corrections. The original plan and subsequent applications are subject to the review and approval of Washtenaw County Board of Commissioners and Ann Arbor City Council.

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Section 2. Specific Duties

a) Develop a comprehensive community corrections plan, including monitoring activities, recommending improvements, performing annual evaluations, and preparing an annual report for submission to the Washtenaw County Board of Commissioners and Ann Arbor City Council.

b) Provide management of the *implementation* of the Community Corrections Plan

I) Develop a process for receiving and selecting program proposals.

ii) Develop a system for data analysis for evaluation and reporting purposes.

iii) Develop program policies and procedures for the WCCCAB operation and locally funded programs.

iv) Develop on-going public education programs and information activities.

v) Enter into contracts for services as identified in the Comprehensive Corrections Plan.

vi) Develop safeguards to prevent unnecessary duplication of public and private services.

vii) Encourage local planning activities and support greater interagency coordination.

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c) Monitor programs and operations for compliance with OCC operating standards.

d) *Facilitate the coordinated implementation and functioning of all aspects of the County's Criminal Justice Alternative Sanctioning programs.*

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e) *Serve as the forum for the discussion of and the development of solutions to issues*

MEETINGS

Section 1. Regular Meetings

a) Regular Meetings of the WCCCAB shall be held on a pre-announced schedule, at least *quarterly*, at such time and place as the WCCCAB shall determine and designate.

b) All proceedings of the WCCCAB and any committee or subcommittee of the WCCCAB shall be announced publicly to the media and open to the public in accordance with and subject to the provisions of the "Open Meetings Act, inclusive and acts amendatory thereto.

c) The Annual Meeting of the WCCCAB shall be held in compliance with Washtenaw County policy number 95-0003 and shall occur between September 14 and October 16. The business of the Annual Meeting shall be adoption of the implementation plan for the fiscal year beginning October 1 and approval of the final report closing the preceding fiscal year.

d) The Organizational Meeting shall be the first regular meeting of the WCCCAB held in January of each year. The purpose of this meeting will be to accept nominations from the nominating committee to the officer positions as defined in these By-Laws.

Section 2. Special Meetings

If special meetings are called, the WCCCAB and public must be advised at least three (3) days prior to the special meeting. Special meetings shall be called by the chairperson or vice-chairperson or by a majority of the members of the WCCCAB and notice of these meetings must appear publicly.

Section 3. Voting

Each member of the WCCCAB shall have one (1) vote. The action of a majority of the WCCCAB

present at any meeting at which there is a quorum, shall be the action of the whole WCCCAB, except as otherwise provided by these Bylaws. All votes of members of the WCCCAB shall be recorded and shall become matters of public record.

Section 4. Quorum

No official business shall be conducted without a quorum. The quorum shall constitute no less than one half of the WCCCAB membership plus one (1).

ARTICLE III

WCCCAB COMPOSITION

Section 1. WCCCAB Members

The WCCCAB shall consist of no less than fourteen (14) *statutorily mandated members pursuant to Section 7 (1), Page 3, of Enrolled House Bill 4164, Public Act 511 (PA511)* who shall be representative of *the following areas*:

- 1. One member shall be a county sheriff, or his/her designee.*
- 2. One member shall be a chief of a city police department, or his/her designee.*
- 3. One member shall be a judge of the circuit court, or his/her designee.*
- 4. One member shall be a judge of the district court, or his/her designee.*
- 5. One member shall be a judge of the probate court, or his/her designee.*
- 6. One member shall be a county commissioner or city councilperson. In the case of a regional advisory board or a city-county advisory board, 1 county commissioner or councilperson from each participating city and county shall serve as a member.*
- 7. One member shall be selected from 1 of the following service areas: mental health, public health, substance abuse, employment, and training, or community alternative programs.*
- 8. One member shall be a county prosecuting attorney or his/her designee.*
- 9. One member shall be a criminal defense attorney.*

10. One member shall be from the business community.

11. One member shall be from the communications media.

12. One member shall be a representative of circuit court or district court probation.

13. One member shall be a representative of the general public.

The board reserves the right to recommend the addition of not more than 7 , temporary/ex-officio (non-voting) members to expand and enhance the aspect of service provision pursuant to Washtenaw County Board of Commissioner's appointment policies and procedures. The terms of temporary/ex-officio members shall be consistent with Washtenaw County Board of Commissioners' policies for the appointment and tenure of ex-officio board members.

(1) (a) Standing Committees

The board requires the establishment of three (3) standing committees to enhance the delivery of services and provide oversight to community corrections planned activities. These committees are as follows:

I. Executive/Finance Committee:

Comprised of the Chair, Vice Chair, Secretary and Treasurer of the full board.

Mission:

To review issues of personnel, finance and matters relative to litigation (if necessary). To make recommendations to the full board at regularly scheduled meetings of special meetings per the By-Laws.

Meeting Schedule:

In conjunction with regularly scheduled full board meetings, as required.

II. Program and Policy Committee

Comprised of four (4) members of the regular board - also may include ex-officio and/or ad-hoc committee members to enhance the mission of

community based corrections.

Mission:

To review existing programs and policies as they compare to progress in each area based on reports submitted to the board by the Community Corrections Manager. To determine the effectiveness of existing programs and make recommendations for changes or modifications based on this review.

Meeting Schedule:

Every other month - date to be determined based on diversity of schedules of those assigned to this committee.

III. Public Education Committee

Comprised of the Media Representative to the full board and any other appointments the chair may feel would be beneficial to this cause.

Mission:

To assist in the development and delivery of the Public Education Plan as it is designed in the FY 94/95 Application and updated with subsequent applications.

Meeting Schedule:

Every other month - date to be determined based on diversity of schedules of those assigned to this committee.

(1)(b) Ad-Hoc Committees

The Chair of the WCCCAB, may at any time, appoint members to serve on ad-hoc committees to address special needs and/or concerns. Ad-Hoc Committees will be effective for a term to be determined by the Chair or the Program and Policy Committee and will work with this committee.

The Community Corrections Manager serves as staff to all committees established by the

Section 2. Written Appointment

Only those statutory appointments named in the act with allowance for a designee, may assign a designee to serve in cases of his/her absence. No designee shall participate as a voting member unless the designee has been duly appointed in writing in accordance with the Community Corrections Act. Designees are allowed, per Act 511 for the Sheriff, Chief of Police, Prosecutor, and Circuit, District and Probate Court Judges, only.

Section 3. WCCCAB Terms

Members of the Community Corrections Advisory Board shall serve for terms of two (2) years from and after the date of their appointment at the first regular meeting in January, except in initial constitution of the Board wherein terms are staggered, and shall remain in office until their successors are duly appointed. WCCCAB members can be re-appointed to no more than two consecutive terms with the exception of the *statutorily mandated elected official appointments which are County Commissioner, City Council Member, Sheriff, Prosecutor, Judiciary and Chief of Police.* An appointment to fill an unexpired term shall be considered one term for the purpose of re-appointment limitations. The WCCCAB shall elect its own officers.

Section 4. Absence

Absences should be reported to the secretary of the WCCCAB in advance of the regularly scheduled meeting. More than three (3) consecutive absences may constitute removal from the WCCCAB. Consideration for removal shall be recommended to the Appointing Bodies by a majority of the WCCCAB voting members at the next available meeting.

Section 5. Compensation

There shall be no compensation to any Community Corrections Advisory Board members except for WCCCAB approved, under Washtenaw County Financial Policies and Procedures, expenses.

Section 6. Resignation

Resignation from the WCCCAB shall be by written letter to be submitted to the Advisory Board Chairperson and to the Washtenaw County Board of Commissioners and the City of Ann Arbor.

Section 7. Vacancies

Vacancies of the WCCCAB shall be filled by appointment by the Washtenaw County Board of Commissioners and the City of Ann Arbor. Such appointments shall be made so that the WCCCAB will be in compliance with Washtenaw County and City of Ann Arbor appointment policies.

ARTICLE IV

OFFICERS

Section 1. Elected Officers

The elected officers of the Community Corrections Advisory Board shall consist of: the Chairperson, Vice-Chairperson, Secretary and *Treasurer*.

Section 2. Qualification

Elected officers shall be members of the Community Corrections Advisory Board.

Section 3. Term of Office

The term of office for officers shall be one (1) year from the first regular meeting or until successors are duly elected.

Section 4. Resignation

Resignation from office shall be by written letter to be submitted to the Advisory Board. A copy of such notices shall be forwarded to Washtenaw County Board of Commissioners and City of Ann Arbor.

Section 5. Vacancies

Vacancies of offices will be filled by a special election conducted by the Community Corrections Advisory Board for remaining term of office. Notification of newly appointed officers shall be provided to the Washtenaw County Board of Commissioners and the Ann Arbor City Council.

ARTICLE V

AUTHORITY AND DUTIES OF OFFICERS

Section 1. Chairperson

The Chairperson will preside at all *WCCCAB* meetings and will create such committees as deemed necessary and make appointments to those committees.

Section 2. Vice-Chairperson

The Vice-Chairperson will assume the duties of the Chairperson in his/her absence.

Section 3. Secretary

The Secretary will be responsible for taking and recording the minutes of the *WCCCAB* meetings and for sending out notices of the meetings to the area news media.

Section 4. Treasurer

The Treasurer shall meet with the Community Corrections Manager every other month to review finances and expenditures versus services delivered to ensure the integrity of the financial management plan.

ARTICLE VI

FISCAL AGENT

Section 1. Fiscal Agent

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Washtenaw County will be the fiscal agent for the WCCCAB. All grants, contracts and financial proceedings will conform with Washtenaw County, City of Ann Arbor and State of Michigan PA511 policies and requirements.

CONFLICT OF INTEREST

Section 1. General

WCCCAB members or agencies represented by that member shall not benefit financially from Board membership. If such a situation arises that member must declare a "Conflict of Interest" and not participate in the discussion nor vote concerning a contract or funding decision about which the conflict of interest is related. However, that member may be available to the WCCCAB to answer questions which are raised by other WCCCAB members.

Whenever possible, efforts will be made to reduce the situations where contractors of services are current WCCCAB members.

ARTICLE VII

PARLIAMENTARY AUTHORITY

Section 1. Parliamentary Authority

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Parliamentary authority shall be regulated by Robert's Rules of Order. *The Board, at its Organizational Meeting shall appoint a Parliamentarian to be selected from the Ex-Officio Membership.*

ARTICLE VIII

AMENDMENTS

Section 1. General

These Bylaws may be recommended to be adopted, amended, repealed, or added to by a two-thirds (2/3) vote of the Community Corrections Advisory Board at any regular or special meeting of the members, if notice of the proposed adoption, amendment, repeal or addition is contained in the notice of the meeting. Recommendations shall be submitted to the Washtenaw County Board of Commissioners and Ann Arbor City Council for approval.

Adopted:

Washtenaw County Board of Commissioners April 4, 1990

Ann Arbor City Council June, 1990

Amended:

Washtenaw County/City of Ann Arbor Community Corrections

Washtenaw County Board of Commissioners

Ann Arbor City Council

Attach Resolutions reflecting amendment

Washtenaw County Board of Commissioners Resolution Number: _____

Ann Arbor City Council : Resolution Number: _____

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