

ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD

BYLAWS OF ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD

ARTICLE I

The name of this board shall be the Erie County Corrections Specialist (ECCS) Advisory Board.

ARTICLE II

PURPOSE

Section 1. The purpose of the ECCS Advisory Board is to provide advice to, and oversight over the Erie County Sheriff Office's Jail Management Division which administers the Erie County Holding Center and the Erie County Correctional Facility. The Advisory Board may undertake functions and activities intended to provide advice to:

- Improve the conditions, systems and practices at the Erie County Holding Center and the Correctional Facility.
- Identify and recommend programs that utilize restorative justice practices and other programs that help reduce recidivism in Erie County.
- Encourage public comment on the issues related to the Erie County Holding Center and Erie County Correctional Facility.
- Make formal recommendations to the Erie County Legislature, Erie County Executive and the Erie County Sheriff's Office on the programs, funding and services for the Correctional Facilities in Erie County.
- Receive complaints regarding the Erie County Holding Center and the Erie County Correctional Facility from the public, including those complaints that were sent directly to the Erie County Sheriff's Office; and refer such complaints to the Public Safety Committee of the Legislature. The Erie County Corrections Specialist Advisory Board shall make a monthly request to the Sheriff's Office for copies of any and all complaints received by them during that month.

ARTICLE III

MEMBERSHIP

Section 1. The Advisory Board shall have **eleven (11)** voting members appointed by the Legislature as follows:

- One Member to be recommended by the Chair of the Erie County Legislature
- One Member to be recommended by the Majority Leader of the Erie County Legislature
- One Member to be recommended by the Minority Leader of the Erie County Legislature
- One Member to be recommended by the Erie County Executive
- One Member to be recommended by the Erie County Sheriff
- One Member to be recommended by the Erie County Commissioner of Probation
- One Member to be recommended by the Erie County Commissioner of Mental Health
- One Member to be recommended by the Bar Association of Erie County

- One member with the demonstrated experience in advocacy for prisoners to be recommended by an organization working on behalf of prisoners' rights
- One member with the demonstrated experience with restorative justice to be recommended by an organization that is dedicated to restorative justice
- One member with the demonstrated experience in assisting former offenders transition who is former prisoner of a county or state holding/correctional facility to be recommended by an organization that is dedicated to ex-offender transition from jail/prison to life in the general public

Section 2. Board members shall serve three-year terms. No member may serve more than two (2) consecutive terms, including the completion of a term of another voting member. Those who have served two (2) consecutive terms may be eligible again after a two (2) year absence to serve on the Board.

Section 3. All vacancies on the ECCS Advisory Board shall be filled for unexpired term in the manner that the position was originally filled.

Section 4. Members of the Advisory Board shall be approved by a majority vote of the Erie County Legislature and shall serve without compensation.

Section 5. All members must meet the minimum requirements set forth in Section 2205 of the Erie County Charter including:

- a. Each Advisory Board member shall be a resident of Erie County at the time of each appointment and shall remain a resident of Erie County while holding a position as a member of the Advisory Board.
- b. Members of the Advisory Board may not hold elective office.

Section 6. Members of the Advisory Board shall be required to complete and file financial disclosures as required by Local Law 10 of 1989, as amended, on an annual basis in accordance with that Law.

ARTICLE IV

OFFICERS

Section 1. The officers of the Erie County Corrections Specialist (ECCS) Advisory Board shall be elected from the members of the Board and shall be the Chairperson, Vice-Chairperson, Secretary and such other officers as the Board may determine to elect.

Section 2. Nominations and elections. When an officer's term expires, members at the October meeting will elect a nomination committee of three to select a candidate for each vacant office and report at the November meeting. Nominations from the floor will be permitted at the November meeting.

Section 3. The election of officers shall take place on or before the Board meeting of January each year. All officers shall hold office for two years or until their successors have been elected and assumed office. No Chair may serve more than two consecutive terms.

Section 4. Vacancies. If there is a vacancy in the office of Chairperson, the Vice-Chairperson will act as Chairperson. At the next scheduled meeting, there will be an election for Chairperson and if the Vice-Chairperson is elected Chairperson, there will be an election for Vice-Chairperson at the same meeting.

Section 5. Duties of Officers of the ECCS Advisory Board. The Chair-person shall preside at all meetings of the Advisory Board, preserve order and decide all questions of order according to Robert's Rules of Order. The Chair shall enforce the provisions of these by-laws and with approval of the Board shall appoint any and all committees not otherwise provided for and be ex-officio member of all committees. The Vice-Chairperson, in absence of the Chairperson shall carry out the responsibilities of the Chairperson and assist the Chairperson as needed. The Secretary will be responsible for taking roll, recording votes of the members at meetings and communication with groups that the members of the Board request to come before the Board for comment. The Secretary will also be responsible for disseminating the minutes of the meetings to Board members and with the Chair of the Board to produce an annual report. The Secretary shall monitor the compliance to the state open meetings requirements. The Secretary shall, in the absence of the Chairperson and the Vice-Chairperson, carry out the responsibilities of the Chairperson.

Section 6. Removal from Office. An officer can be removed with cause from office with an affirmative vote by **seven** members of the Board at a regular meeting where previous notice has been given.

ARTICLE V

MEETINGS

Section 1. The Advisory Board shall meet at least monthly. Where weather or other circumstances make monthly, in-person participation in board meetings burdensome, monthly meetings may be conducted by telephone or other means of electronic communication, where all parties can both listen and speak to all other parties.

Section 2. A notice of each scheduled meeting of the Board shall be given orally or in writing by the Secretary, or designee, to each member of the Board not less than four days prior to the date set for the meeting.

Section 3. In accordance with Public Officers Law, Article 7. Open Meetings Law:

- I. Public Notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
- II. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
- III. The public notice provided for by this section shall not be construed to require publication as a legal notice.
- IV. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

- V. Notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the internet website at <https://www2.erie.gov/legislature/index.php?q=erie-county-community-corrections-advisory-board>

Section 4. Six members of the Board shall constitute a quorum for the transaction of business. A majority vote of the constituted committee, seven members, shall be required for the adoption of any motion. Board members must be present to vote or participate via conference call as there shall be no proxy.

Section 5. At each meeting, each board member shall sign an attendance sheet and indicate whether the member has a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.

Section 6. Each board member is required to identify, disclose and manage conflicts of interest in accordance with the Conflict of Interest Policy and Procedure Statement (see Appendix "A"). Members of the Board shall declare any actual or perceived conflicts of interest either before the start of the Board meeting or before any discussion or decisions about any matters on which they or anyone with whom they have a close personal relationship could directly benefit or be harmed or where such benefit or harm could be perceived.

Section 7. To hold a special meeting, advance notice of such meeting shall be given.

Section 8. Actions of the Board in meetings shall be governed by the Robert's Rules of Order.

Section 9. Time shall be set aside at the beginning of each monthly meeting for public comment on issues relevant to the stated intent in these adopted By-laws of the Advisory Board. If no such individuals or organizations have contacted the Clerk of the Legislature to request time to comment, the Board will forego the time for public comment at that meeting of the Board. Requests to comment can be made by filing such request with the Clerk of the Erie County Legislature at least five (5) business days prior to the Meeting of the Board. The Chair will maintain order and decorum during the public comment period of the Meeting. All comments made during the meeting shall be directed to the Chair of the ECCS Advisory Board.

Section 10. During the "Public Comment" period, each member of the public may speak for a maximum of five minutes, with a maximum of thirty (30) minutes for the entire Public Comment period. If more members of the public wish to speak than can be accommodated within the thirty-minute period, an additional public comment period, not to exceed fifteen (15) minutes, may be scheduled after all other Board business has been completed.

ARTICLE VI

BYLAWS

Section 1. Proposed amendments to the bylaws shall be mailed/emailed by the Secretary to all members of the Board at least 10 days prior to the date at which action is to be taken on the amendment.

Section 2. Amendments must be passed in quorum with an affirmative vote by *seven* members of the Board shall be necessary to amend these bylaws.

APPENDIX A:

Conflict of Interest Policy and Procedure Statement

Conflict of Interest. Conflict of Interest is defined as an actual or perceived interest by the Advisory Board member in an action which results or has the appearance of resulting in personal, organizational, or professional gain.

POLICY:

Members of the Board shall declare any actual or perceived conflicts of interest either before the start of the Board meeting or before any discussion or decisions about any matters on which they or anyone with whom they have a close personal relationship could directly benefit or be harmed or where such benefit or harm could be perceived.

PROCEDURE:

1. At the start of each Board meeting, following approval of the agenda, the Chair shall ask for declaration of any conflict of interest relating to any of the agenda items.
2. If a Board member declares a real, potential or perceived conflict of interest the declaration shall be recorded in the minutes. Perceived conflicts of interest are situations in which internal or external stakeholders could interpret actions of the board member as being in conflict.
3. Any Board member with a conflict of interest shall recuse (remove) him/herself from the room for discussion of the agenda item. The Board member shall not discuss nor vote on the issue. The Board member shall not discuss the issue with any other Board member at the time of the meeting or subsequently.
4. If a Board member is not certain he/she is in a conflict of interest position the matter may be brought before the Board for advice and guidance.
5. If there is any question or doubt about the existence of a real or perceived conflict, the Board will determine, by vote, if a conflict exists. The person potentially in conflict shall be absent from the discussion and vote.
6. It is the responsibility of other Board members who are aware of a real, potential or perceived conflict of interest on the part of a fellow Board member to raise the issue of concern with the Board at the time the issue is identified.

As an Advisory Board member, my signature below acknowledges that I have received, read, and understand fully the Conflict of Interest Statement and will comply with the statement by bringing any potential conflict of interest situations to the board for consideration.

Date

Signature