

Willamette
Criminal
Justice
Council

Council Bylaws

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BYLAWS OF WILLAMETTE CRIMINAL JUSTICE COUNCIL

The Willamette Criminal Justice Council is the
Local Public Safety Coordinating Council for Benton County as required by ORS 423.560.

Article 1. NAME

Section 1. This advisory council shall be known as the Willamette Criminal Justice Council (WCJC) serving as the Local Public Safety Coordinating Council of Benton County, (LPSCC).

Article 2. PURPOSE AND POWERS

The Willamette Criminal Justice Council (WCJC) shall:

Section 1. Promote and facilitate fair, efficient, and coordinated criminal justice services in Benton County.

Section 2. Provide long-range planning for the delivery of criminal justice services in Benton County.

Section 3. Provide timely information to governmental agencies and to the public on criminal justice matters of local concern.

Section 4. Perform the duties of a local public safety coordinating council as required by law.

Section 5. Promote and facilitate the coordination of policy and long-range planning for criminal justice services and agencies in Benton County.

Article 3. RESPONSIBILITIES OF WCJC

Section 1. The WCJC shall perform such duties and tasks as necessary to accomplish the purposes described below:

1.1 Perform the duties of a local public safety coordinating council as may be required by law now and in the future.

1.2 Identify opportunities and priority investments to more efficiently and cost-effectively manage and operate the community safety and justice system.

Article 4. PRINCIPLES OF COLLABORATION

Section 1. WCJC shall not assume any legislative or administrative powers, nor shall it circumvent or usurp the authority and responsibilities of any governmental body.

Section 2. WCJC Practitioner members remain accountable and subject to the control of the public officials and governmental bodies responsible for their appointment.

Section 3. All WCJC actions, plans, and recommendations must be consistent with law and the charters of the participating governmental bodies.

Section 4. WCJC, as an entity, shall not appear before a city council or the Board of Commissioners except by invitation or required by law.

Article 5. ORGANIZATION

- Section 1. Inter-Governmental Agreement
- 1.1 The WCJC was first formed in 1993 by an Intergovernmental Agreement under ORS 190.110.
 - 1.2 Governmental bodies, upon 60 day written notice, may join or withdraw from the Inter-governmental Agreement effective July 1 each year.
- Section 2. Local Public Safety Coordinating Council
- 2.1 The Benton County Board of Commissioners has designated the WCJC to serve as Benton County's local public safety coordinating council as required by ORS 423.560.

Article 6. MEMBERSHIP

- Section 1. Representation and Selection
- 1.1 The governing body of the WCJC purposely includes criminal justice system practitioners as well as lay members who are not closely involved in the day-to-day operations of a criminal justice agency. Through this mix, it is believed that the purposes of the WCJC will be achieved on both internal issues (fair, efficient and coordinated criminal justice services in Benton County) and external issues (long-range planning for the delivery of criminal justice services in Benton County).
- Section 2. Statutory Membership Requirements
- 2.1 In accordance with ORS 423.560, the Benton County Board of Commissioners shall convene a local public safety coordinating council, known as the Willamette Criminal Justice Council (WCJC).
 - 2.2 The WCJC's membership will include, at a minimum, all positions required by statute.
 - 2.3 Positions, in addition to those described in Article 6, Section 5, may be required due to changes in state law affecting local public safety coordinating councils. Representatives for these positions will be added at the next full meeting of the WCJC following the effective date of the legislation.
- Section 3. Diversity of Membership
- 3.1 Appointing bodies or officials shall consider cultural, geographic, and ethnic diversity when making appointments.
- Section 4. Member Voting Rights
- 4.1 To encourage the full participation of all WCJC members, all members shall be voting members.
 - 4.2 Members may designate a proxy voting agent from within their agency. Non-agency members may designate a sitting member of the WCJC as their proxy voting agent.
 - 4.3 Members must provide written notification, an email is acceptable, to the WCJC Coordinator or the WCJC Chair, of their intent to designate a proxy voting agent (which includes the proxy agent's name and any voting limitations) prior to the meeting.
 - 4.4 The proxy voting agent must be in attendance to vote.
 - 4.5 Members may designate a proxy voting agent twice per year.
- Section 5. WCJC Member Positions
- 5.1 The WCJC membership shall include, but need not be limited to the following positions (see table, page 3):

Table 1: Membership of the Willamette Criminal Justice Council

Positions		Appointing Authority		
Police Chiefs from the cities of:	1. Albany, 2. Corvallis, 3. Philomath, and any other participating municipalities.	Self-appointing, or a police chief will be selected by the police chiefs in the county.		
	4. The sheriff of the county.	Self-appointing, or, if two or more counties have joined together to provide community corrections services, a sheriff selected by the sheriffs in the counties.		
	5. The district attorney of the county.	Self-appointing, or, if two or more counties have joined together to provide community corrections services, a district attorney selected by the district attorneys of the counties.		
	6. A state court judge.	Appointed by the presiding judge of the judicial district in which the county is located.		
	7. A public defender or defense attorney.	Appointed by the presiding judge of the judicial district in which the county is located.		
	8. A Benton County Director of Community Corrections.	Appointed by the county commissioners.		
	9. A Benton County Commissioner.	Appointed by the county commissioners.		
	10. A Benton County Juvenile Department Director.	Appointed by the county commissioners.		
	11. A Benton County Health Department Administrator.	Appointed by the county commissioners.		
	Citizens who live or do business in Benton County and are not employed in the criminal justice system, representing the following:	12. Benton County, 13. Adair Village, 14. Albany, 15. Corvallis, 16. Philomath, 17. OSU, 18. Governor of Oregon.	<ul style="list-style-type: none"> ▪ Each of the following entities, after consulting with the WCJC Executive Committee, may appoint a citizen member: the city councils of participating municipalities, the Board of Commissioners, and the President of Oregon State University. ▪ The Governor of Oregon may appoint a citizen member. ▪ If an appointing authority does not make an appointment, the WCJC shall make an appointment from a pool of applicants recommended by the other appointing authorities. 	
		A city manager or mayor from the cities of:	19. Adair Village, 20. Albany, 21. Corvallis, 22. Philomath, any other participating municipality.	Selected by the respective cities or selected by the cities in the county.
A city councilor from the cities of:			23. Adair Village, 24. Albany, 25. Corvallis, 26. Philomath, any other participating municipality.	Appointed by their respective city council or selected by the cities in the county.
			27. A representative of the Oregon State Police.	Appointed by the Superintendent of State Police.
			28. A representative of Oregon Youth Authority (OYA).	Appointed by the Director of OYA.
	29. The 9-1-1 Emergency Communications Director.	Self-appointing.		
30. The manager of the local branch of the Oregon State Office for Services to Children and Families (SCF).	Self-appointing.			
31. An Oregon State University (OSU) representative with campus public safety responsibilities.	Selected by the President of the University.			
32. An Oregon State University senior administrator.	Appointed by the President of the University.			
33. An Associated Students of OSU (ASOSU) representative.	Appointed by the ASOSU president.			
34. The state Trial Court Administrator for Benton County.	Self-appointing.			
35. A school district superintendent or school board member.	Nominated by the Superintendent of the Corvallis School District and approved by a majority of the other superintendents.			
36. A crime victim representative.	Nominated by the District Attorney and approved by a majority of the chiefs and Sheriff.			
37. A representative from Oregon State University (OSU) Oregon State Police.	Self-appointing.			
38. A minority community representative.	Appointed by the WCJC Executive Committee.			

A shaded cell indicates a UNIQUE WCJC position, not required for LPSCC's by Oregon Revised Statutes.

Section 6. Member Categories

6.1 Criminal Justice Practitioners

The following WCJC members are professionals in the field of criminal justice and shall be considered Practitioners:

- 6.1.1 The state trial court judge;
- 6.1.2 The Benton County Sheriff;
- 6.1.3 The chiefs of police of the participating municipalities;
- 6.1.4 The representative of the Oregon State Police;
- 6.1.5 The 9-1-1 Emergency Communications Director;
- 6.1.6 The manager of the local branch of the Oregon State Office for Services to Children and Families;
- 6.1.7 The Benton County Juvenile Department Director;
- 6.1.8 The Benton County Community Corrections Division Director;
- 6.1.9 The defense attorney;
- 6.1.10 The Benton County District Attorney;
- 6.1.11 An Oregon State University representative with campus public safety responsibilities;
- 6.1.12 The state Trial Court Administrator for Benton County; and
- 6.1.13 The representative of the Oregon Youth Authority.

6.2 Lay Members

The following WCJC members shall be considered Lay Members. Lay Members are individuals not directly employed in the field of criminal justice. These positions shall compose the WCJC Lay Committee.

- 6.2.1 The Benton County Health Department director;
- 6.2.2 An ASOSU representative;
- 6.2.3 An Oregon State University senior administrator;
- 6.2.4 The Benton County Commissioner;
- 6.2.5 The mayor or city managers of Adair Village, Albany, Corvallis, Philomath and any other participating municipality;
- 6.2.6 The city councilors from the municipalities of Adair Village, Albany, Corvallis, Philomath, and any other participating municipality;
- 6.2.7 The school district superintendent or school board member;
- 6.2.8 The representative of crime victims;
- 6.2.9 The representative of minorities within the community; and
- 6.2.10 The citizens representing Adair Village, Albany, Corvallis, Philomath, Benton County, Oregon State University, the Governor and any other participating municipality.

Article 7. VACANCIES

Section 1. Appointment of a Replacement

- 1.1 Vacancies may occur because of illness, resignation, or other reasons. When such a situation occurs, the WCJC shall provide written notice to the appointing authority indicating the need for an appointment.

Section 2. Request for New Appointment

- 2.1 The WCJC may request a new appointment, as necessary, according to Article 8.

Article 8. TERMS OF OFFICE

Section 1. Length of Service

- 1.1 Members shall serve at the pleasure of their appointing authorities or until they no longer hold the qualifying position or office described, whichever occurs first.
- 1.2 The power to appoint some positions is limited by state law affecting local public safety coordinating councils.

Section 2. Removal from Service

- 2.1 Members may be recommended for removal by majority vote of the WCJC for cause, including non-attendance at scheduled meetings.
- 2.2 The WCJC shall request that the appointing authority appoint a replacement within 60 days.
- 2.3 The power to remove members from some positions is limited by state law affecting local public safety coordinating councils.

Article 9. MEETINGS

Section 1. WCJC Meetings – Full Membership

- 1.1 The WCJC shall hold a meeting at least quarterly.
- 1.2 Special meetings may be called by the Chair, or by a majority of the Executive Committee.
- 1.3 Meetings may be called by a majority of the WCJC membership by written request to the Chair.

Section 2. Lay Committee – Lay Member Meeting

- 2.1 A meeting of the Lay Members shall occur at least once per fiscal year. (See Committees Article 14 , Section 6)

Section 3. Oregon Public Meetings Law

- 3.1 The WCJC is subject to and shall comply with the requirements of Oregon's Public Meetings Law, ORS 192.

Section 4. Public Participation

- 4.1 The public shall have a right to comment at every regular or special meeting.

Section 5. Inability to Attend Meetings

- 5.1 Members have the responsibility of contacting the WCJC Chair or staff, prior to the meeting, if they are unable to attend a meeting.

Article 10. CONFLICT OF INTEREST

Section 1. Private Pecuniary Interest

- 1.1 Members shall be required to vote on all matters which require a decision except, in accordance with ORS Chapter 244, no WCJC member shall participate in a decision in which that member has a private pecuniary interest.

Section 2. Disclosure of Conflicts

- 2.1 When such apparent or potential conflict of interest arises, the affected member shall disclose such conflict of interest and disqualify herself/himself from voting on the matter. Such members shall not be considered as being present for the purpose of determining whether a majority vote has been cast.
- 2.2 Declared conflicts shall be formally represented in the minutes of the meeting where such declaration is made. Furthermore, the affected members shall notify the Board of County Commissioners as required under ORS 244.120.

Article 11. QUORUM

Section 1. Decisions shall be made at meetings where there is a quorum.

Section 2. Definition of Quorum

- 2.1 A quorum shall consist of a majority of the appointed membership (current filled positions) of the WCJC.
- 2.2 The quorum shall be adjusted during the year if a position is vacated in accordance with Article 8 (Terms of Office) or if a vacant position is filled.

Article 12. DECISION-MAKING PROCESS and VOTING

Section 1. Consensus

- 1.1 The Council recognizes that the effectiveness of WCJC actions depends upon the support of its members. The Council shall strive to gain the support of all members for its proposed actions through consensus prior to final decision-making
- 1.2 Consensus decision-making requires flexibility on the part of members, recognizing that a member does not have to enthusiastically support a decision, but must be able to abide by the group decision.
- 1.3 Consensus also requires the active participation of all members, including sharing information, interests, ideas, and opinions.

Section 2. Robert's Rules of Order

- 2.1 If the Council is unable to reach consensus on a particular issue, Roberts Rules of Order (revised) shall govern any point of parliamentary procedure not addressed in the Bylaws or Inter-governmental Agreement.

Section 3. Decisions requiring a vote

- 3.1 WCJC determinations, actions, resolution and recommendations defined as "decision" by ORS 192.610 (1) shall be determined by a majority vote, following an effort to reach consensus on the question being considered.

Section 4. Member Votes

- 4.1 Every member of the WCJC shall have one vote.
- 4.2 WCJC decisions must be authorized by a majority of the quorum present at the meeting.
- 4.3 Any member may request a vote on a WCJC decision.
- 4.4 Any member may request that their vote be recorded.

Article 13. OFFICERS - DUTIES and SELECTION PROCESS

Section 1. WCJC Officers

- 1.1 The officers of the WCJC shall be a Chair, Chair-Elect, and Secretary-Treasurer; all officers must be members of the WCJC.

Section 2. Chair

- 2.1 The WCJC Chair shall preside at all meetings, appoint members to committees and task forces, and perform all other duties necessary or incidental to the office
- 2.2 The WCJC Chair shall execute all contracts and agreements authorized by the Executive Committee and WCJC, except for contracts and agreements related exclusively to duties assigned by law to local public safety coordinating councils. In such matters, the Chair will act as authorized by the Board of Commissioners.
- 2.3 The WCJC Chair shall ensure that the records of the full WCJC meetings are accurate.
- 2.4 The WCJC Chair will also serve as the Chair of the WCJC Executive Committee.

- Section 3. Chair-Elect
- 3.1 The Chair-Elect shall perform the duties of the Chair, if the Chair is absent or otherwise unable to act.
 - 3.2 The Chair-Elect shall assist with the development and implementation of the WCJC's Strategic Tasks.
- Section 4. Treasurer
- 4.1 The Treasurer shall serve as chair of the WCJC Budget Committee (see Article 14, Section 7).
 - 4.2 The Treasurer shall ensure that accurate budget reports are maintained and timely.
- Section 5. Vacancy of Chair
- 5.1 In the absence of the Chair and Chair-Elect, the Secretary-Treasurer shall act as Chair.
 - 5.2 If an office becomes vacant in midterm, the remaining members may elect a successor to complete the un-expired term.
- Section 6. Terms of Office for Officers
- 6.1 The officers shall be elected annually for terms of one fiscal year (July 1 – June 30).
 - 6.2 The Chair-Elect shall serve for one term as "Chair-Elect" and the following term as Chair.
- Section 7. Selection of Officers
- 7.1 Nomination
 - 7.1.1 The Chair will appoint a Nominating Committee charged to develop a recommended slate of officers (Chair-Elect, Treasurer) and at least two to serve the Executive Committee members.
 - 7.1.2 The Nominating Committee will present the recommended slate to the WCJC, by June of each year.
 - 7.1.3 Members can nominate themselves if they have a desire to serve as an officer or Executive Committee member, or they can nominate another member.
 - 7.2 Selection
 - 7.2.1 Election of officers and Executive Committee members will occur at a scheduled WCJC meeting prior to the close of the previous fiscal year (July 1 – June 30).
 - 7.2.2 Voting will NOT be conducted by mail-in ballot.
 - 7.2.3 A slate of officers and Executive Committee members to be elected at the last meeting of the previous fiscal year will be presented one month prior to the election.
 - 7.2.4 Each member will be given an opportunity to vote on the slate of officers and Executive Committee members.
 - 7.2.5 New officers and Executive Committee members will be in place by the first meeting of each fiscal year (July 1 – June 30).

Article 14. COMMITTEES – Standing and Ad Hoc Committees

- Section 1. Creation of Committees
- 1.1 The WCJC Chair shall have Standing and Ad Hoc Committees organized and appointed by the WCJC Chair.
 - 1.2 All committees will have a clearly defined written charge, that outlines responsibilities of the committee.
- Section 2. Membership of Committees
- 2.1 Membership of the both Standing and Ad Hoc Committees shall consist of interested and appointed WCJC members.
 - 2.2 Other persons, with expertise or interest may participate as resources to a standing or Ad Hoc committee.
 - 2.3 All appointments to committees will be made by the WCJC Chair.
 - 2.4 All committees will be chaired by a member of the WCJC.

Section 3. Standing Committees

3.1 Function

- 3.1.1 Standing Committees are the permanent committees of the WCJC.
- 3.1.2 There shall be at least three standing committees of the WCJC: Executive Committee, Lay Committee, Budget Committee, and other committees as approved by the WCJC.

3.2 Membership

- 3.2.1 See Article 14, Sections 5, 6, 7, for membership of Standing Committees.

3.3 Responsibilities

- 3.3.1 Standing Committees are required to draft a work plan for the next fiscal year, that must be approved by the WCJC by June.
- 3.3.2 Standing Committees activities are limited to the execution of the approved work plan.
- 3.3.3 Standing Committee Chairs shall insure that records of meetings are kept.
- 3.3.4 Standing Committees are required to submit quarterly reports of committee activities to the Executive Committee/WCJC (July, September, January, April).

Section 4. Ad Hoc Committees

4.1 Function

- 4.1.1 Ad Hoc Committees are committees formed for a specific purpose and a limited duration.

4.2 Membership

- 4.2.1 The WCJC or the Chair may create Ad Hoc Committees comprised of WCJC members to perform such tasks as the WCJC or Chair may designate.

Section 5. Executive Committee – WCJC Standing Committee

5.1 Function

- 5.1.1 The functions of the Executive Committee are to provide oversight to WCJC staff operations, and set the agenda for WCJC meetings.

5.2 Membership

- 5.2.1 The Executive Committee is comprised of the WCJC's officers (*Chair, Chair-Elect, and Treasurer*) and at least two other members elected annually by the WCJC.

5.3 Authority

- 5.2.2 The Executive Committee shall have the authority to make decisions on the WCJC's behalf on matters requiring action before the next scheduled WCJC meeting.
- 5.2.3 The Executive Committee shall report all such decisions to the WCJC at its next meeting.

5.4 Meeting

- 5.4.1 Special meetings of the Executive Committee may be called by the Chair, as s/he may deem necessary.
- 5.4.2 In the event of the Chair's failure or inability to act, special meetings shall be called by the Chair-Elect.

5.5 Responsibilities

- 5.5.1 Article 14, Section 3.

Section 6. Lay Committee – WCJC Standing Committee

6.1 Purpose

6.1.1 The WCJC Lay Committee, composed of individuals of diverse perspectives, provides a “unique ability to look impartially at how criminal justice services are delivered in the region of Benton County”, (3/19/97 Lay Committee minutes).

6.2 Membership

6.2.1 The Lay Committee shall consist of all members described in Article 6, Section 6.1.

6.3 Function

6.3.1 The function of the Lay Committee is to consider long-range planning and the delivery of services in the Benton County criminal justice system.

6.4 Meetings

6.4.1 The Lay Committee is required to meet at least once each fiscal year.

6.5 Responsibilities

6.5.1 See Article 14, Section 3.

Section 7. Budget Committee – WCJC Standing Committee

7.1 Purpose

7.1.1 Develop the annual WCJC budget, Article 17 (WCJC Budget).

7.2 Membership

7.2.1 Members shall be WCJC members as specified in Article 15, Section 2 as designated by the WCJC Chair.

7.2.2 The Treasurer shall serve as the chair for the Budget Committee.

7.3 Responsibilities

7.3.1 Develop the annual WCJC budget and present it to the WCJC for approval.

Article 15. TASK FORCES

Section 1. Creation

1.1 To facilitate the development of sound public safety policies, strategies and programs, the WCJC or the Chair with the WCJC's consent, may convene Task Forces to undertake the study, analysis and development of proposals and recommendations regarding criminal justice issues of interest to the WCJC.

1.2 Task Forces will have a clearly defined written charge, which outlines Task Force responsibilities.

Section 2. Membership

2.1 Task Forces may include persons who are not members of the WCJC.

2.2 Task Forces will be chaired by a member of the WCJC, as designated by the WCJC Chair.

Section 3. Responsibilities

3.1 Activities of a Task Force are limited to the execution of the approved work plan.

3.2 Task Forces shall be required to make regular reports to the WCJC Executive Committee and/or WCJC as specified in the Task Force's Charge.

Article 16. STAFF

Section 1. Scope of Contract for Services

The WCJC may contract for the services it deems necessary to carry out its duties, including but not limited to:

- 1.1 Technical criminal justice planning,
- 1.2 Coordination, administration and management of WCJC activities,
- 1.3 Financial administration,
- 1.4 Development and administration of the Strategic Plan, and
- 1.5 Such other duties as the WCJC may direct.

Section 2. Staff for WCJC

- 2.1 Personnel hired with WCJC-administered funds shall, for the purposes of personnel administration, become employees of the governmental body designated as the WCJC's Financial Administrator.
- 2.2 The Financial Administrator is a subject employer under ORS Chapter 656 and will maintain currently valid worker's compensation coverage for employees hired by the WCJC.
- 2.3 The Financial Administrator is responsible for insuring any liabilities incurred by the employees.

Article 17. WCJC BUDGET

Section 1. Annual Budget Preparation

- 1.1 The WCJC Budget Committee, chaired by the WCJC Treasurer, shall prepare an annual budget recommendation for presentation to the participating governmental bodies for their approval and adoption.

Section 2. Funding of WCJC Activities

- 2.1 Funding of strategic priorities undertaken by the WCJC will be shared by member jurisdictions, according to their cost share. The cost share of each member jurisdiction is determined by a population-based formula.
- 2.2 Funding of state mandates to local public safety coordinating councils shall be fully funded by Benton County.

Section 3. Financial Participation of Member Jurisdictions

- 3.1 A governmental body's membership on and authority to make appointments to the WCJC is contingent upon payment of its agreed share of the WCJC budget.

Article 18. FINANCIAL ADMINISTRATION

Section 1. Designation of Financial Administrator

- 1.1 The WCJC shall select one of the participating governmental bodies or any other agency so determined by the WCJC to be the WCJC's Financial Administrator.
- 1.2 The WCJC may authorize the payment of a reasonable fee for the Financial Administrator's services.

Section 2. Accounts

- 2.1 The Financial Administrator shall establish a special revenue or trust account to administer the WCJC's budget in accordance with Local Budget Law and generally accepted accounting practices.
- 2.2 The WCJC shall comply with the Financial Administrator's contracting and purchasing regulations.

Section 3. Financial Reports

- 3.1 The Financial Administrator shall provide such financial reports as may be requested by the WCJC, WCJC staff, the participating governmental bodies, or the public.

Section 4. WCJC Assets

- 4.1 Any assets purchased through the WCJC's budget shall become the joint property of the participating governmental bodies.
- 4.2 If the WCJC is dis-established, the assets will be distributed as equitably as possible by the WCJC to the participating governmental bodies.
- 4.3 A governmental body or public agency that voluntarily withdraws from the WCJC will be deemed to have transferred its interest in any jointly owned assets to the remaining participants.

Article 19. BYLAWS - ADOPTION AND AMENDMENT

Section 1. Procedure

1.1 Adoption

- 1.1.1 The WCJC bylaws shall be adopted by the WCJC membership.

1.2 Amendment

- 1.2.1 The WCJC may amend the Bylaws consistent with the Intergovernmental Agreement and applicable ORS, subject to the concurrence of a quorum.
- 1.2.2 Amendment of the WCJC Bylaws shall only occur at a regular or special WCJC meeting of the full membership.
- 1.2.3 Written notice shall be given at least 5 days prior to amending the Bylaws. Notice shall include a complete copy of the proposed amendments.