

A RESOLUTION REINSTATING THE CRIMINAL JUSTICE COLLABORATIVE COUNCIL (CJCC)
EFFECTIVE 1.1.2021 AND ADOPTING REVISED CJCC BYLAWS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

November 18, 2020

Prepared by Diane M. Heidt, Deputy County Administrator

WHEREAS, in 2003, Circuit Court Chief Judge Archie Brown convened the Jail Overcrowding Task Force (JOTF) to address persistent issues of jail overcrowding; and

WHEREAS, the National Institute of Corrections (NIC) Jails Division visited Washtenaw County to assist officials in examining the criminal justice system; and

WHEREAS, NIC evaluators recommended that Washtenaw County create a permanent Criminal Justice Collaborative Council (CJCC) in order to improve interagency communication, cooperation and coordination of services; establish clear goals, objectives and priorities for the criminal justice system; and more effectively allocate resources; and

WHEREAS, the JOTF concurred with the recommendations put forth by the NIC and urged the Washtenaw County Board of Commissioners to create a CJCC and adopt bylaws; and

WHEREAS, in 2004 the CJCC was comprised of 17 members appointed by the Washtenaw County Board of Commissioners representing the following categories: Circuit Court Chief Judge, District Court Presiding Judge, County Prosecutor, Public Defender/Defense Attorney, Chair of the Community Corrections Board, County Sheriff, Trial Court Administrator, Department of Corrections Probation, City or Township Chief of Police, County Administrator, Chair of the Board of Commissioners, City Mayor or Township Supervisor, Clerk of the Court, Bar Association, Community Mental Health Representative, and two general public at large positions; and

WHEREAS, in 2011 the CJCC recommended modification of the CJCC Bylaws in alignment with the operational practices of the CJCC and allowing for alternates to increase CJCC efficiency pro providing a greater likelihood of the presence of a quorum at Full Council and Steering Committee meetings, as well as a modification to overall membership representation; and

WHEREAS, Elected Officials shall serve as long as he/she holds the office which qualifies him/her for membership on the Council; and

WHEREAS, members appointed to represent the City of Township Chief of Police, City Mayor or Township Supervisor, Bar Association, Community Health Representative and General Public-At large shall serve for two-year terms expiring December 31, 2022; and

WHEREAS, a steering committee comprised of the Trial Court Chief Judge, the Prosecuting Attorney, the Sheriff and the County Administrator for the purpose of setting the agenda for the full CJCC meetings and other duties has been outlined in the bylaws; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners reinstates the Criminal Justice Collaborative Council (CJCC) effective 1.1.2022 and charges it with leading the evolution of the public safety & criminal justice system in Washtenaw County

BE IT FURTHER RESOLVED that the CJCC initial primary issues for focus shall include, but not be limited to, diversion, public safety responses, justice within the system, post-COVID-19 reform

BE IT FURTHER RESOLVED that the Washtenaw Board of Commissioners hereby adopts revised bylaws of the CJCC as attached hereto and made a part hereof

BE IT FURTHER RESOLVED, that the CJCC shall be comprised of 24 members, appointed by the Washtenaw County Board of Commissioners representing the following categories: Trial Court Chief Judge, 14A District Court Chief Judge, 14B District Court Chief Judge, 15th District Court Chief Judge, County Prosecutor, Public Defender, Chair of the Community Corrections Board, County Sheriff, Trial

Court Administrator, Department of Corrections Probation Supervisor, City or Township Chief of Police, County Administrator, Chair of the Board of Commissioners, Board of Commissioner, City Mayor or Township Supervisor, Washtenaw County Bar Association, Community Mental Health Representative, Equity Office Representative, Business Community Representative, Juvenile Justice System Representative, and four general public at large positions with one having lived experience

BE IT FURTHER RESOLVED that Sheriff Jerry Clayton shall be appointed as Chair of the CJCC, and Public Defender Delphia Simpson shall be appointed as Vice-Chair of the CJCC for the first year of reinstatement (1.1.2021 – 12.31.2021)

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following members for two-year terms expiring December 31, 2022

<u>Member</u>	<u>Representing</u>
Carol Kuhnke	Chair of Board of Commissioners
Carol Kuhnke	Trial Court Chief Judge
	14A District Court Chief Judge
	14B District Court Chief Judge
	15 th District Court Chief Judge
Eli Savit	County Prosecutor
Delphia Simpson	Public Defender
	Community Corrections Advisory Board Chair
Jerry Clayton	County Sheriff
Megan Ivey	Trial Court Administrator
	Department of Corrections Probation
Gregory Dill	County Administrator
Jason Morgan	Board of Commissioners Representative
Trish Cortes	Community Mental Health Representative
Alize Asberry Payne	Equity Office Representative
Sean Duval	Business Community Representative
Kathryn O'Grady	Juvenile Justice System Representative
Michael Cox	City or Township Chief of Police
Brian Marl	City Mayor or Township Supervisor
Sam Bernstein	Bar Association
Rev. George Waddles	General Public – At Large
Corzine Welch	General Public – At Large with lived experience

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby directs the Office of the County Clerk to post an application for General Public At Large positions to the CJCC to be shared with the Chair of the Board of Commissioners and approved by the Board of Commissioners for the following positions for two-year terms expiring December 31, 2022:

1. General Public At Large
2. General Public At Large

I. Name

The name of this Council shall be the Washtenaw County Criminal Justice Collaborative Council, hereinafter referred to as CJCC.

II. Authority

On April 21, 2004, through resolution #04-0072, the Washtenaw County Board of Commissioners established the CJCC.

III. Purpose and Function

A. Mission

The purpose of the CJCC is to maximize efficiency, effectiveness, fairness, and cooperative efforts of criminal justice agencies by developing plans, programs, and positions on concerns which have a multi-disciplinary Criminal Justice System application, have a positive impact on crime, are innovative or are intergovernmental in scope.

B. Function

Members meet regularly with a structured agenda that includes reports from committees, policy discussions, planning updates, and public information efforts.

IV. Membership

A. Appointment to the CJCC., by the Washtenaw County Board of Commissioners

The CJCC shall be composed of the following members:

1. Trial Court Chief Judge
2. 14A District Court Chief Judge
3. 14B District Court Chief Judge
4. 15th District Court Chief Judge
5. County Prosecutor
6. Public Defender
7. Chair of the Community Corrections Board
8. County Sheriff
9. Circuit Court Administrator
10. Department of Corrections Probation Supervisor
11. City or Township Chief of Police
12. County Administrator
13. Board of Commissioner Representative
14. County Board Chair
15. City Mayor or Township Supervisor
16. Washtenaw County Bar Association
17. Washtenaw County Community Mental Health Representative
18. Equity Office Representative
19. Business Community Representative
20. Juvenile Justice System Representative
21. A General Public At Large Representative – With Lived Experience
22. A General Public At Large Representative
23. A General Public At Large Representative
24. A General Public At Large Representative

B. Alternates

1. Except as set forth in subparagraph 3, below, each member of the Council may have one alternate to participate in Council business, including the exercise of his or her vote, in

the event that the primary member is unable to attend a meeting.

a. The following Council members may designate a subordinate to act as his or her alternate:

- i. Chair of the Board of Commissioners
- ii. Trial Court Chief Judge
- iii. 14A District Court Chief Judge
- iv. 14B District Court Chief Judge
- v. 15th District Court Chief Judge
- vi. County Prosecutor
- vii. Public Defender
- viii. County Sheriff
- ix. Trial Court Administrator
- x. Chair – Community Corrections Advisory Board
- xi. Department of Corrections Probation Supervisor
- xii. County Administrator

b. The Board of Commissioners may designate an alternate for the County Board Chair and the Chair of the Community Corrections Board.

c. The body that nominates for each of the following council positions may nominate an alternate for that position, subject to approval by the Board of Commissioners:

- i. Board of Commissioner Representative
- ii. City Mayor or Township Supervisor
- iii. City or Township Chief of Police
- iv. Washtenaw County Bar Association
- v. Equity Office Representative
- vi. Business Community Representative
- vii. Community Mental Health Representative
- viii. Juvenile Justice System Representative

2. The term of a designated alternate member shall expire upon with the term of the primary member, or if a different alternate is named. Designated alternate members shall count when determining the existence of a quorum. A designated alternate may not vote or be counted toward the existence of a quorum if the primary member attends the meeting. A person may not serve as an alternate for more than one council position simultaneously.

3. The General Public At Large Representatives shall have no alternates.

C. Term of Member

Each Council member shall continue to serve as long as he/she holds the office which qualifies him/her for membership on the Council. Members appointed to represent the Board of Commissioner, City or Township Chief of Police, City Mayor or Township Supervisor, Washtenaw County Bar Association, Community Mental Health, Equity Office, Business Community, and General Public-At large shall serve for two-year terms.

D. Vacancies in Office

When a vacancy occurs on this Council, the vacancy shall be filled by the County Board for the unexpired term in the same manner as the original appointment.

E. Duties and Responsibilities of the Council

The Council shall have the following duties and responsibilities:

- (1) Encourage local planning activities in order to promote greater interagency cooperation, efficiency, effectiveness and innovation.
- (2) Provide overall direction and determine priorities for the Council's Staff.
- (3) Recommend initiation or approval of any study, policy discussion, program, or other matter within the general purpose of the Council.
- (4) Provide review and comment on criminal justice plans, programs, priorities, and projects.
- (5) Annually review and recommend to the appropriate revenue resources all Council budgets relative to the functions of the Council.
- (6) Recommend to the County Board that contracts be entered into for services.
- (7) Apply for grants that have interagency and/or cooperative partnerships with council member agencies or other organizations interested in criminal justice issues.
- (8) Recommend adoption and/or amendment of these Bylaws.

V. Officers and Staff

A. Chairperson

The Chairperson shall be elected by and from the membership, excluding alternate members, of the Council. The Chairperson's duties and powers shall include the following:

- (1) He/she shall preside at all meetings of the Council
- (2) He/she shall appoint all standing and special committees of the Council, with such appointments being confirmed by the Council.
- (3) He/she shall be the ceremonial representative of the Council and shall perform such other duties as specified by law, custom, or the Council.

B. Vice-Chairperson

The Vice-Chairperson shall be elected by and from the membership, excluding alternate members of the Council. He/she shall assume the duties and responsibilities of the Chairperson in his/her absence and shall perform such other duties as may from time to time be assigned. Should the Chairperson position become vacant by death or resignation or should the Chairperson become otherwise unable to discharge his/her duties (to be determined by the Council), the Vice Chairperson shall become Chairperson for the unexpired term and assume all duties and responsibilities of that office. A vacancy in the office of the Vice Chairperson shall be filled by a majority vote of the members present at the next Council meeting.

C. Term of Office

At the first meeting of the calendar year, the Council shall elect one of its regular members as Chairperson and one of its regular members as Vice Chairperson and any other officers it deems appropriate. Each officer shall serve a one-year term and each officer may be

reappointed to more than one term.

C. Staff

The County will provide sufficient staff to coordinate the activities of the Council.

VI. Committees

The Chairperson of the CJCC may appoint such committees, both standing and special, as he/she deems necessary to meet the purposes and responsibilities of the CJCC Committee membership may include non-CJCC members, as approved by the Chairperson or the Council. The Chairperson appoints Committee chairpersons, under the advisement of the Council.

VII. Steering Committee

A. Duties

The Steering Committee is to provide leadership in the planning and implementation of the Council goals by:

- Reviewing implementation plans, timetables and costs and reporting with recommendations on such matters to the Council.
- Reviewing requests made for resources, developing alternatives when appropriate, and making recommendations to the Council for responding to such requests.
- Reviewing and making recommendations regarding other matters delegated to it by the Council.
- Planning the agenda of the Council meetings

B. Membership

- Trial Court Chief Judge
- County Administrator
- County Prosecutor
- County Sheriff
- County Public Defender
- Chair of the CJCC (if not otherwise on the Steering Committee)

VIII. Meetings

A. Regular Meetings

Except as otherwise required by law, the regular meeting of the Council shall be as follows:

- (1) The Council shall meet at quarterly, at a date, time and place to be set by the Council, and published as set forth in section (3), below.
- (2) The Council may meet more or less frequently, provided that the changes to the meeting schedule are approved by majority vote of the Council. For purposes of setting or cancelling meetings, or changing the meeting schedule only, the Council may vote using electronic mail.
- (3) The Council shall conform to the Michigan Open Meeting Act MCLA 267 of 1976.

B. Order of Business

Council meeting shall be conducted by way of and established agenda. There shall be a place on the agenda for citizen participation.

C. Adjourned Meetings

Any meeting of the Council may be adjourned from time to time as the Council deems necessary. Council meetings may be adjourned by a majority vote of the Steering Committee. For purposes of this section the Steering Committee may vote using electronic mail.

D. Quorum

A majority of the members, including designated alternates as specified in section IV.B, shall constitute a quorum for the transaction of the business of this Council.

E. Voting

Each appointed member shall have the right to one (1) vote. Voting by proxy or voting by telephone is not allowed. Except as otherwise provided in these Bylaws, by statute, or Roberts Rules of Order, all questions shall be determined by a vote of the members present. Designated alternates may cast the vote of their primary member in accordance with section IV.B.

F. Citizen Participation

Any citizen may comment upon Agenda items during citizen participation time. Citizens, after being recognized, shall identify themselves by name and address and shall limit their presentation to 3 minutes, unless time is extended by the Chairperson or by vote of the Council.

G. Distribution of Minutes

Proposed minutes shall be available for public inspection not more than eight (8) business days after each meeting. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting in which the minutes are approved by the Council. Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after corrections. The corrected minutes shall show both the original entry and the correction.

H. Commission Orders and Records

Every order, resolution, and determination of the Council shall be recorded in the records of the Council.

I. Rules of Order

The rules contained in Robert's Rules of Order, newly revised, shall govern the procedures of the Council. However, when those rules of procedure are inconsistent with the Bylaws or any special rules of order of the Council, the Bylaws or special rules of order shall prevail over Robert's Rules of Order.

VIII. Fiscal Year

The fiscal year of the Council shall be in conformance with the County fiscal year.

IV. Amendment of Bylaws

These Bylaws and Rules may be amended, altered, changed, added to or repealed by the affirmative vote of a majority of the members of the Council at any regular or special meeting, provided that the Bylaw or Rules amendments must also be approved by the County Board of Commissioners, the Chief Judge of the Trial Court, and shall conform to such guidelines or policies as may be from time to time established by said Board of Commissioners. A two-thirds vote of the entire Council shall be required when a motion to amend, alter, change, add to or repeal these Bylaws is not included in the regular call.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Beeman	X			LaBarre	X			Shink	X		
Brabec	X			Maciejewski	X						
Jamnick	X			Morgan	X						
Jefferson	X			Scott	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE:

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STATE OF MICHIGAN)

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on November 18, 2020, as it appears of record in my office.

COUNTY OF WASHTENAW)^{SS}.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 19th day of November, 2020.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 20-169