

## **POLK COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL BYLAWS**

These Bylaws are made and entered into by and between the Members of the Polk County Criminal Justice Coordinating Council (hereinafter "CJCC"). The members of the CJCC established the CJCC in 2008, with the support of the Polk County Board of Supervisors. Thereafter, an updated charter was adopted on February 10, 2011, expanding membership and further clarifying the mission and scope. The CJCC has no legal authority to order changes to the County's criminal justice system, but it may bring about changes through consensus by the participating Agencies and Departments.

### **Article I: Name, Mission, Principles, and Purpose**

#### **Section 1.1 - Name**

- 1) The name of this Council shall be the Polk County Criminal Justice Coordinating Council (CJCC), and it shall be referred to as the CJCC in the following bylaws.

#### **Section 1.2 - Mission**

- 1) The Mission of the CJCC is to assist in making sustainable, data-driven improvements to the criminal justice system existing in Polk County, Iowa. By developing innovative solutions to challenges and collaborating with stakeholders, the CJCC aims to achieve coordinated solutions for the criminal and juvenile justice systems. The CJCC strives to improve public safety, uphold justice, and responsibly and effectively use the taxpayer's dollars.

#### **Section 1.3 – Guiding Principles**

- 1) The CJCC works to: advance public safety and justice for the citizens of Polk County; demonstrate respect and dignity toward all justice involved individuals; support victims and their families; and work towards the prevention of crime and the reduction of recidivism.
- 2) To meet the above-stated goals, the CJCC is guided by the following principles:
  - a) Public safety impacts every person's quality of life.
  - b) Improved outcomes in criminal justice are achieved through collaboration at all levels.
  - c) Informed decision-making in criminal justice relies upon the collection, analysis, and use of data.
  - d) Research helps guide, inform, and achieve the best outcomes for criminal justice systems.

#### **Section 1.4 – Purpose and Function**

- 1) The purpose and function of the CJCC is to advance initiatives aimed at improving public safety and the administration of justice. The system-wide coordination of criminal justice initiatives shall include the following:
  - a) Dedication and adherence to evidence-based practices.
  - b) Advancement of innovations guided by research and evaluation.

- c) Monitoring policy decisions and program implementation.
- d) Providing opportunities for regular communication among the participants in the Polk County criminal justice system.
- e) Supporting interactions and cooperation with all agencies and stakeholders in the Polk County criminal justice system.
- f) Identifying applicable grants and other funding opportunities to assist the Polk County criminal justice system.
- g) Support for legislative action that will enhance and improve the Polk County criminal justice system.
- h) Taking actions to implement system-wide improvements consistent with the mission statement set forth in Article I, Section 1.2.

## **Article II: Membership**

### **Section 2.1 - Members**

- 1) The CJCC is a voluntary association existing by and through its members, whom shall participate as a member based on the position they hold. These members serve on the CJCC for as long as they occupy the position entitling them to membership.
  
- 2) Persons holding the following positions shall be entitled to membership in the CJCC:
  - a) Chair of the Polk County Board of Supervisors
  - b) Additional member of the Polk County Board of Supervisors
  - c) Polk County Attorney
  - d) Polk County Sheriff
  - e) Chief Judge, Fifth Judicial District of Iowa
  - f) District Director, 5<sup>th</sup> District Iowa Department of Corrections
  - g) Chief Attorney, Des Moines Office of the State Public Defender
  - h) City of Des Moines Des Moines Police Chief
  - i) One Police Chief Representative of all other Polk County law enforcement agencies
  - j) Chief Juvenile Court Officer, Fifth Judicial District of Iowa
  - k) Superintendent of Des Moines Public Schools
  - l) Chief U.S. Probation Officer, Southern District of Iowa
  - m) Director, Polk County Behavioral Health and Disability Services
  
- 3) In addition to the membership detailed in Article II, Section 2.1(2), one member of the public shall be appointed to serve as a member of the CJCC. This member shall be a Public Member of the CJCC.
  - a) This member shall be a resident of Polk County, Iowa.
  - b) This member shall have lived experience from involvement in the criminal justice system.
  - c) This member shall be appointed by an application process developed and utilized by the Executive Committee of the CJCC. The Executive Committee shall be responsible for selecting the public member appointee.
  - d) This member shall serve a term of one (1) year that shall begin each calendar year. The member shall be eligible to serve consecutive terms. If the member desires to serve more than one term,

the member shall utilize the same application process, as determined by the Executive Committee.

### **Section 2.2 Member Vacancies**

- 1) Polk County Board of Supervisors. If a vacancy occurs during the term of a Polk County Board of Supervisor due to death, resignation, or end of service as a county supervisor, the vacancy of the Elected Member shall be filled by designation of the Polk County Board of Supervisors.
- 2) Membership Designated by Position (Polk County Attorney, Director of Department of Correctional Services, Chief Public Defender Attorney, Superintendent Des Moines Public Schools, Director – Polk County Behavioral Health and Disability Services Dept.). If a vacancy occurs during the term of a position-designated Member, due to death, or resignation of such Director, the vacancy shall be filled by any person holding the interim position until the next elected or hired person assumes the role.
- 3) Law Enforcement. If a vacancy occurs during the term of a Law Enforcement Member due to death, resignation, or end of service as a member of law enforcement, an alternate Member designated by the pertinent agency may assume the duties of the Member until the next person assumes the role.
- 4) Judicial System. (Chief Judge, Chief Juvenile Court Officer, Chief U.S. Probation Officer – Southern District of Iowa) If a vacancy occurs during the term of a Judicial System Member due to death, resignation, or end of service as a member of the judicial system, the vacancy shall be filled by any person holding the interim position until the next person assumes the role.
- 5) Public Member. If a vacancy occurs during the term of a Public Member due to death, resignation, or other action, the vacancy shall be filled by the application process as designated by the Executive Committee, and shall serve the remainder of the calendar year term.

### **Section 2.3 CJCC Coordinator**

- 1) The Criminal Justice Coordinating Council Coordinator (hereinafter “CJCC Coordinator”) shall be designated by Polk County, Iowa. Polk County, Iowa shall either a) employ, b) designate or c) contract for the CJCC Coordinator. The CJCC Coordinator shall be the single point of coordination and communication for the CJCC.
- 2) The CJCC Coordinator shall report to both Polk County, Iowa and the CJCC. If a conflict arises between the CJCC and Polk County, Iowa as it pertains to the designated CJCC Coordinator, any dispute or conflict that cannot be resolved informally may be resolved pursuant to Article VII below. All parties shall act in good faith to resolve any conflict or dispute regarding the CJCC Coordinator serving in both capacities.
- 3) The CJCC Coordinator shall be tasked with presenting topics, ideas, projects, etc. for consideration of evaluation and improvement by CJCC Members.

## Article III: Powers and Duties

### **Section 3.1 Powers and Duties of CJCC**

- 1) The Members of the CJCC established the CJCC in 2008, with the support of the Polk County Board of Supervisors. Thereafter, an updated charter was adopted on February 10, 2011, expanding membership and further clarifying the mission and scope of the CJCC.
- 2) The CJCC has no legal authority to order changes to the Polk County criminal justice system, but it may bring about change through consensus by the participating Agencies and Departments.
- 3) To establish and support subcommittees and workgroups.

### **Section 3.2 Decisions That Require a Member Vote**

- 1) The following situations require that the CJCC have approval from a majority of its Members before the CJCC may take any action:
  - a. Adoption or amendment of governing documents.
  - b. Addition or removal of Members of the CJCC.
  - c. Making a proclamation or voicing support for an initiative.
  - d. Termination and dissolution of the CJCC.

### **Section 3.3 Limitation on Authority**

- 1) Nothing in these Bylaws shall be construed as granting to the CJCC any power or authority to direct or control the administration of particular law enforcement agencies and/or other agencies within the criminal justice system of Polk County, Iowa. Furthermore, it is not intended that the operation of the CJCC shall in any way hinder, obstruct, or otherwise interfere with the day-to-day performance and duties of the Members.

## Article IV: Meetings

### **Section 4.1 Attendance, Frequency, and Place of Meetings**

- 1) The CJCC shall meet bi-monthly. The date for meetings shall be set by the CJCC at the beginning of each calendar year.
- 2) A meeting can be called at any time by the Chair, or at the written request of at least four (4) Members. Meetings shall be held at locations determined by the CJCC.
- 3) Members are expected to attend all meetings of the CJCC in person. On the rare occasion when a Member is unable to attend a the CJCC meeting, the Member shall designate an Alternate to represent them. The Alternate shall have the same decision making and voting authority as the appointed Member and represent the official policy position as the official who designated them.

- a) If a Member cannot attend in person and no Alternate is designated, the Member may request an accommodation to attend the meeting electronically. The Member shall inform the CJCC Coordinator of the circumstances and the requested method of attendance.

#### **Section 4.2 Meeting Notice**

- 1) Though advisory in nature and not subject to the provisions of Iowa Code Chapter 21 (The Open Meetings Law), the CJCC shall act in all ways consistent with the provisions of Iowa Code Chapter 21, including those regarding notice, accessibility, and recording of minutes.
- 2) The Chair or CJCC Coordinator shall send meeting notice and agenda by written or electronic means to all Members at least 48 hours prior to meeting date and time. The meeting agenda shall be publicly posted at least twenty-four (24) hours prior to meeting at a place to be designated by the CJCC.

#### **Section 4.3 Quorum**

- 1) A quorum must be present in order for the CJCC to take official action.
- 2) A quorum shall consist of eight (8) Members.

#### **Section 4.4 Voting Procedures**

- 1) Each Member of the CJCC shall have one (1) vote.
- 2) The goal of the CJCC shall be to establish a consensus among the Members. Votes may be taken, upon a motion and a second, to establish a Council position. A majority vote requires an affirmative vote of two-thirds of the Members present.
- 3) Voting shall be done by voice or roll call vote.
- 4) Proxy voting by one Member for another Member shall not be allowed.
- 5) Non-member participants of committees and workgroups are not voting members of the CJCC.

### **Article V: Committees**

#### **Section 5.1 Appointment of Committee Chairs, Representatives, and Non-member Participants**

- 1) The CJCC may designate committee Representatives from among its Members, each of which shall have and may exercise the authority as directed by the CJCC.
- 2) The CJCC may also appoint Non-Member Participants to serve on committees and workgroups. The CJCC shall also ensure engagement with a host of community advisors. Their voices and input will be considered by the CJCC in its decision-making process. Representation is intended to be diverse and reflective of the community served.

- 3) Each committee shall select a Chair from among its Representatives and Participants.

#### **Section 5.2 Ad hoc Committees and Workgroups**

- 1) The CJCC shall have the power to create ad hoc committees or workgroups for any necessary purpose as determined by the CJCC or recommended by the CJCC Coordinator.

### **Article VI: Officers**

#### **Section 6.1 Officers**

- 1) The CJCC shall organize itself and elect a Chair and Vice-Chair from its Members at the first meeting of the CJCC and shall serve the balance of that calendar year. Thereafter, the Chair and Vice Chair shall be elected by the Members at the first meeting of the CJCC each calendar year, and shall serve a term ending at the election of the following year.
- 2) The Chair and Vice Chair, along with the CJCC Coordinator, shall constitute the Executive Committee of the CJCC.

#### **Section 6.2 Resignation or Removal**

- 1) An officer may resign at any time by delivering a written notice to the remaining elected officer(s) and the CJCC Coordinator. The remaining officer(s) and/or CJCC Coordinator shall inform the CJCC immediately of the resignation. If the Chair resigns, the new Chair will be elected, as described in Article VI, Section 6.1, at the next meeting to complete the term. If the Vice-Chair resigns, a new Vice-Chair shall be elected at the next meeting to complete the term.
- 2) Any officer can be removed, based upon the best interest of the CJCC, upon the 2/3 vote of the CJCC.

#### **Section 6.3 Duties of the Chair**

- 1) The Chair shall preside at all CJCC meetings. The Chair shall have the authority to sign, execute, and acknowledge all public announcements, agreements, checks, or other documents on behalf of the CJCC. The Chair shall work with the CJCC Coordinator in preparing an agenda for each CJCC meeting.
- 2) At the start of each meeting of the CJCC, the Chair shall designate an individual present to record the minutes of the meeting.
  - a) At the conclusion of each meeting, the minutes of the meeting shall be submitted to the CJCC coordinator for retention and filing.

#### **Section 6.4 Duties of the Vice-Chair**

- 1) In the absence, inability, or refusal of the Chair to act, the Vice-Chair shall perform the duties of the Chair, and when so acting, shall have all the powers of and be subject to all the restrictions of the Chair. The Vice-Chair may also assume duties assigned by the Chair.

#### **Article VII: Methods for Dispute Resolution**

##### **Section 7.1 Methods**

- 1) An internal dispute which cannot be resolved shall mean any action which the CJCC must take and for which there is no approval from the majority of the voting Members present, and such determination of action has remained unresolved for thirty (30) calendar days. In the event an internal dispute arises amongst or between the CJCC, the CJCC Coordinator or Polk County, Iowa, which cannot be resolved, the following dispute resolution shall be used:
  - a. Mediation in accordance with Iowa laws. The mediator shall be chosen by mutual agreement of the parties;
  - b. If after which the dispute remains unresolved, arbitration will be submitted to and determined by arbitration in Polk County, Iowa, in accordance with Iowa Code Chapter 679A. The arbitrator shall be chosen by mutual agreement of the parties.

#### **Article VIII: Term and Termination**

##### **Section 8.1 Effective Date**

- 1) These Bylaws shall become effective when signed by two-thirds (2/3) of the Members.

##### **Section 8.2 Term and Termination**

- 1) The term of these Bylaws shall be perpetual unless terminated by a two-thirds (2/3) vote of the CJCC to dissolve the CJCC.

#### **Article IX: Confidentiality**

##### **Section 9.1 Assurance of Compliance**

- 1) The CJCC, its Coordinator and agents shall comply with all State, Federal, and County laws, policies, rules and regulations, including those, which pertain to the confidentiality of privileged information.

#### **Article X: Amendments**

##### **Section 10.1 Amendment Procedures**

- 1) These bylaws may be amended by a vote of two-thirds (2/3) of the total Membership of the CJCC at a regularly scheduled meeting or at a special meeting called for that purpose. Notice of proposed

bylaw changes shall be provided to all CJCC Members at least fourteen (14) days prior to any meeting at which an amendment vote is scheduled.

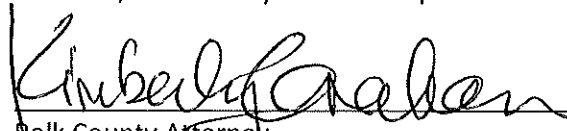
These bylaws were approved and executed by the Members of the Polk County Criminal Justice Coordinating Council on JANUARY 23, 2024.

  
Chair, Polk County Board of Supervisors

1/23/24  
Date

  
Member, Polk County Board of Supervisors


1/23/24  
Date

  
Polk County Attorney

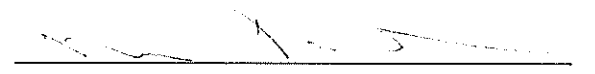
1-23-24  
Date

  
Polk County Sheriff

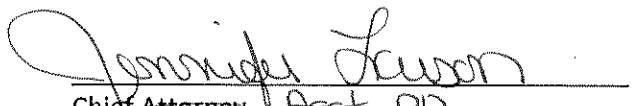
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Date

  
Chief Judge, Fifth Judicial District of Iowa

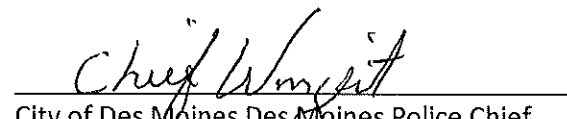
1/23/2024  
Date

  
Director of Department of Correctional Services,  
Fifth Judicial District of Iowa

1-23-24  
Date

  
Chief Attorney, Asst. PD  
Des Moines Office of the State Public Defender

1/23/24  
Date

  
City of Des Moines Des Moines Police Chief

1/23/2024  
Date





Police Chief Representative,  
Law Enforcement Agencies in Polk County

2-21-24

Date



Chief Juvenile Court Officer,  
Fifth Judicial District of Iowa

1/29/2024

Date