



AGENDA COVER MEMO

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Memorandum Date: September 11, 2024

Order Date: September 24, 2024

TO:	Board of County Commissioners
DEPARTMENT:	Community Justice and Rehabilitation Services
PRESENTED BY:	Erin Reynolds, Public Safety Coordinating Council Chair Denise Walters, PSCC Staff, LCOG Principal Planner
AGENDA ITEM TITLE:	Order/ In the matter of revising the bylaws of the Lane County Public Safety Coordinating Council

I. MOTION

Move to approve the Order revising the bylaws of the Lane County Public Safety Coordinating Council.

II. AGENDA ITEM SUMMARY

The Board is being asked by the Lane County Public Safety Coordinating Council (PSCC) to revise the PSCC bylaws to add two (2) additional seats for community members (lay citizens) to the membership and add some clarifying language around membership types (ex-officio and community members).

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Public Safety Coordinating Council (PSCC) is a statutorily required advisory council to the Board of County Commissioners. Required members of the PSCC are included in ORS 423.560. Over time the Board of Commissioners has added additional membership categories to the PSCC:

Member	Appointed By
Police Chief	Police Chiefs in the county
Sheriff	Sheriff of the county
District Attorney	District Attorney of the county
State Court Judge	Presiding Judge of county judicial district
Public Defender or Defense Attorney	Presiding Judge of county judicial district
Director of Community Corrections	Board of County Commissioners (BCC)
County Commissioner	Board of County Commissioners
Juvenile Department Director	Board of County Commissioners
Health Director	Board of County Commissioners
Mental Health Director	Board of County Commissioners
One lay citizen	Board of County Commissioners
City Councilor or Mayor	Cities in the county
City Manager or other city representative	Cities in the County
Representative of Oregon State Police (<i>non-voting</i>)	Superintendent of State Police
Representative of Oregon Youth Authority (<i>non-voting</i>)	Director of OYA
Community-based Victim Services Agency Director	Board of County Commissioners

Added by Lane County Board of Commissioners:

Member	Appointed By
City Councilor or Mayor from Eugene or Springfield	City of Eugene or Springfield
Two Lay Citizens	Board of County Commissioners
Lane County Administrator (<i>non-voting</i>)	Board of County Commissioners
Reentry Services Provider	Board of County Commissioners
Police Chief of Eugene or Springfield	Board of County Commissioners

The PSCC Bylaws break out the membership into two categories: those required by ORS 423.560 and those added by the BCC. In 2010, the Board reduced the number of Lay Citizen members added by the Board from two to one and added five Lay Residents for each Commissioner District to be appointed by the individual five Commissioners a number of which saw frequent turnover and difficulty to keeping filled. In 2018 the Bylaws were amended to reduce the number of lay citizens to a total of three (one statutorily required, and two BCC added) because the PSCC is not structured as a lay citizen advisory council but rather a professional advisory body to the Board of Commissioners with some lay citizen representation.

With PSCC's equity education efforts and community conversations, the PSCC recognized the current membership does not quite achieve the desired balance. The PSCC

considered the proposed amendments at its November 2023 and February 2024 meetings and unanimously voted to recommend the proposed revisions which increase the number of community member (lay citizen) seats from three (3) to five (5), one (1) statutorily defined and four (4) BCC defined.

B. Policy Issues

These updates reflect membership changes recommended by the PSCC and are consistent with the purpose and intent of the PSCC.

C. Board Goals

The proposed PSCC Bylaw amendments address the following components of the Lane County Strategic Plan 2022-2024: Safe, Healthy County.

Strategic Goal: Develop an equitable and integrated approach to health, behavioral health, public safety and homelessness so that all residents are safe, healthy, housed, and health outcomes are improved.

Objective A: Focus on people at the intersection of behavioral health, homelessness, and public safety to provide crisis/stabilization support and treatment.

Objective B: Invest in public safety for improved service delivery.

D. Financial and/or Resource Considerations

The PSCC would like to move toward providing stipends in recognition of community members' knowledge and time, however the protocol has not yet been fully established and would be nominal in relation to the funds PSCC advises on (Community Corrections Act Grant-in-Aid and Justice Reinvestment).

E. Health Implications

None.

F. Analysis

All recommended changes are designed to aid the PSCC in the roles assigned to it by ORS 423.560 and the Board of County Commissioners. The PSCC needs a full Council reflective of the communities served in order to operate effectively.

G. Alternatives/Options

1. Approve the Order,
2. Reject the Order and provide direction to staff.

IV. **RECOMMENDATION**

Approve the motion revising the Bylaws of the Lane County Public Safety Coordinating Council.

V. **TIMING/IMPLEMENTATION**

If adopted by the Board, revisions are effective upon action of the Board.

VI. **FOLLOW-UP**

None.

VII. **ATTACHMENTS**

Board Order
PSCC Revised Bylaws – Track Changes Showing Markup
PSCC Revised Bylaws – Changes Accepted

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-09-24-06

In the matter of revising the bylaws of the Lane County
Public Safety Coordinating Council.

WHEREAS, the Board of Commissioners appoints and is advised by the Lane County Public Safety Coordinating Council (PSCC) on matters regarding adult and juvenile offenders, criminal justice policy, use of local and state resources for adult and juvenile criminal justice, and planning to prevent criminal involvement; and

WHEREAS, both Oregon law and the Board of Commissioners have mandated specific membership slots on the PSCC; and

WHEREAS, the PSCC has recommended and the Board of Commissioners approved changes in membership; and

WHEREAS, changes to PSCC membership would provide valuable information and context to discussions and recommendations of the PSCC to the Board of Commissioners;

NOW, THEREFORE, the Board of County Commissioners of Lane County ORDERS the following revisions to the PSCC Bylaws and as shown in Attachment A amended bylaws:

1. Add two (2) Lay Citizen positions for a total of five (four BCC defined and one statutorily defined) and change the reference to Community Member (lay citizen) to Article III.
2. Make minor housekeeping/clarifying language revisions to Articles III.

ADOPTED this 24th day of September 2024.

Laurie Trieger, Chair
Lane County Board of Commissioners

ATTACHMENT A

**BYLAWS
OF THE LANE COUNTY
PUBLIC SAFETY COORDINATING COUNCIL**
Revised by PSCC **November 16, 2023**, January 18, 2018 and
May 17, 2018
Adopted by the Board of County Commissioners
September 24, 2024

ARTICLE I NAME

This advisory council shall be known as the Public Safety Coordinating Council hereinafter referred to as the PSCC.

ARTICLE II RESPONSIBILITIES

PSCC is mandated under ORS 423.560 and ORS 423.565 to:

- (1) Develop and recommend to the Lane County Board of Commissioners, hereinafter referred to as Board of Commissioners, a comprehensive plan for the use of:
 - a) state resources to serve the local offender population;
 - b) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources, and intervention strategies; and
 - c) state and local resources to serve the local youth offender population.
- (2) Coordinate local criminal justice policy among affected criminal justice entities.
- (3) Coordinate local juvenile justice policy among juvenile justice entities.
- (4) Create a facility advisory subcommittee when provided with the information described in ORS 169.690, Establishment of halfway houses and other facilities.
- (5) If a written plan of action has been provided to the council under ORS 165.127, county metal theft plan of action, annually review the plan and, if appropriate, make written recommendations to the affected district attorney for plan improvements.

ORS 165.127 mandates:

- (1) In each county in which a scrap metal business, as defined in ORS 165.116, has a place of business, the district attorney of the county shall, after consulting with representatives of the affected law enforcement agencies and the business

community, create a written plan of action that ensures effective communication between law enforcement and the business community regarding the theft of metal property as defined in ORS 165.116.

- (2) The written plan of action must include, but need not be limited to, a procedure for law enforcement agencies to notify scrap metal businesses of a theft of metal property within 24 hours after the receipt of the report of the theft.
- (3) The district attorney shall provide a copy of the written plan of action to the local public safety coordinating council described in ORS 423.560.

ORS 135.941 mandates:

To effectuate the purposes set out in ORS 135.942, each local public safety coordinating council established under ORS 423.560:

- (1) Shall establish early disposition programs for first-time offenders who have committed a nonperson offense and for persons charged with probation violations.
- (2) May establish early disposition programs for other offenders.

ORS 423.569 mandates:

- (1) The board or boards of county commissioners that have convened a local public safety coordinating council shall publish an annual summary of program, service or budget changes made in response to the recommendations of the local public safety coordinating council described in ORS 423.560 and 423.565.
- (2) The summary described in subsection (1) of this section shall be provided to the local public safety coordinating council and the Oregon Criminal Justice Commission.

ARTICLE III MEMBERSHIP

The **PSCC** shall consist of the following twenty-~~four~~^{two} members:

Member	Appointed By
<u>Required by ORS 423.560</u>	
• Police Chief	Police Chiefs in county
• Sheriff of the County	Sheriffs in the county
• District Attorney	District Attorneys of the county
• State Court Judge	Presiding Judge of county judicial district
• Public Defender or Defense Attorney	Presiding Judge of county judicial district

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|--|--------------------------------|
| • Director of Community Corrections | Board of County Commissioners |
| • County Commissioner | Board of County Commissioners |
| • Juvenile Department Director | Board of County Commissioners |
| • Health Director | Board of County Commissioners |
| • Mental Health Director | Board of County Commissioners |
| • One <u>Community Member</u> (lay citizen) | _____Board of |
| County Commissioners | |
| • City Councilor or Mayor | Cities in the county |
| • City Manager or other city representative | Cities in the county |
| • Representative of Oregon State Police (<i>non-voting</i>) | Superintendent of State Police |
| • Representative of Oregon Youth Authority (<i>non-voting</i>) | Director of OYA |
| • Community-based Victims Services Agency Director | Board of County Commissioners |

Added by Lane County Board of Commissioners

- | | |
|---|-------------------------------|
| • City Councilor or Mayor from Eugene or Springfield | City of Eugene or Springfield |
| • Four <u>Two</u> <u>Community Members</u> (lay citizen) | _____Lay Citizens |
| _____Board of County Commissioners | |
| • Lane County Administrator (<i>non-voting</i>) | Board of County Commissioners |
| • Reentry Services Provider | Board of County Commissioners |
| • Police Chief of Eugene or Springfield | Board of County Commissioners |

Ex-officio appointees to the PSCC are those on the Council by virtue of the position they hold.¹ Thus, the only Council members who are not ex-officio are Community Members. A ~~11~~ members with the exception of Community Member seats are ex-officio. Community Memberses who are not assigned ex-officio to the PSCC shall serve four-year terms, unless the appointment is to fill the unexpired term of another committee member. Should an appointed Community Member a appointee who is not ex-officio leave prior to the end of their four--year term, the new appointee's four--year term begins upon their appointment to the PSCC by approval of the Board of County Commissioners.

ARTICLE IV VACANCIES

In case of a vacancy in the PSCC lay citizen position, the nominating committee shall seek applications by way of the Board of County Commissioner's advisory committee vacancy process. A nominating committee appointed by the chair of the PSCC shall then review applications. The committee's recommendation shall be presented to the PSCC for a recommendation to the BCC. The County Administrator will then present the recommendation to the BCC. With regard to PSCC positions, which represent government entity or entities, the County Administrator shall request a nominee from the entities and upon receipt of the name will forward it to the BCC for action.

¹ "Ex officio" is a Latin term meaning "by virtue of office or position." Ex-officio members of boards and committees, therefore, are persons who are members by virtue of some other office or position that they hold. <https://robertsrules.com/frequently-asked-questions/>

PSCC members have the responsibility of contacting the PSSC Chair or staff if they are unable to attend a meeting. The third consecutive absence, or absence without assignment of proxy, shall be considered a voluntary resignation for any member who is not statutorily assigned to the PSSC. A member can request an exception from the PSSC Chair if there are mitigating circumstances that prevented them from attending.

The PSSC Chair, within 30 days of appointment, shall designate a Nominating Committee consisting of three members of the PSSC. The Nominating Committee will review applications and make recommendations of reappointment of officers or filling vacancies to the PSSC. The PSSC recommendations will be submitted to the Board of County Commissioners for final approval.

ARTICLE V OFFICERS

The **officers of the PSSC** shall be elected by a majority of a quorum of the PSSC to serve for two years or until their successors are elected with the beginning of each calendar year. They shall consist of a Chair and a Vice Chair. The Vice Chair becomes the Chair when the Chair's term is expired or the Chair resigns. The Chair shall preside at all meetings of the PSSC, maintain contact with designated member agencies as appropriate, work with staff in responding to correspondence, and present PSSC reports and recommendations to the Board of Commissioners. The Vice Chair shall work with committees and assume all responsibilities of the Chair in her/his absence.

ARTICLE VI MEETINGS, VOTING, AND COMMITTEES

The PSSC shall meet at a frequency designated by the Chair, but not less than quarterly.

The Chair or the majority of the PSSC, by written request to the Chair, may call a meeting of the PSSC.

Each voting member of the PSSC shall have one vote. ORS 423.560 stipulates the State Police and Oregon Youth Authority representatives may not vote on matters arising from PSSC duties mandated by ORS 423.560. All members may vote on matters arising from PSSC duties mandated by intergovernmental agreements not linked to ORS 423.560. Decisions shall be made at meetings where there is a quorum. A quorum shall consist of eleven voting members of the PSSC. Per ORS 423.560, non-voting members of the PSSC may not be counted in determining whether a quorum exists. The current membership consists of twenty-~~four~~three, with three members non-voting. All PSSC decisions shall be made by simple majority vote of voting members at a meeting where a quorum is present. A written proxy may be given to the Chair to be read at the time of voting. Another person, other than a current PSSC member, may be sent with authorization to act in his or her absence.

The PSSC may have both standing and ad hoc committees. Ad hoc committees can be

organized and appointed by the Chair. In order to conduct business, a committee must have a simple majority of the appointed members in attendance. Once a quorum of current committee members is present, a majority of those members in attendance, who are not excused from participating due to a conflict of interest, may act to cause a recommendation of the committee to be forwarded to the PSCC. In addition to regular voting committee members, any PSCC member, who is not a member of the committee, is encouraged to attend any committee meeting without voting privileges.

Standing committees of the PSCC are: **Workplan Workgroup, Juvenile Committee, Budget Committee, and Executive Team.**

The charge of the **PSCC** is to provide recommendations on all new issues coming before the PSCC and to adopt a final policy or position including developing the PSCC Workplan and to oversee any work generated through the Workplan or the Intergovernmental Agreement. The PSCC may initiate a proposal for consideration by member agencies.

The **Workplan Workgroup** and the **Juvenile Committee** shall provide to the PSCC recommendations regarding policies, practices, and programs that might enhance efficiency and effectiveness in the community safety and justice system. The PSCC Chair will appoint committee Chairs.

The **Workplan Workgroup** shall consist of PSCC members and other people who represent or are interested in the corrections system.

The **Juvenile Committee** shall consist of PSCC members and other people who represent or are interested in prevention and juvenile justice.

The PSCC **Budget Committee** develops recommended budgets, including the budgets for the biennial Community Corrections Plan, Justice Reinvestment Grant Program, and Measure 57 Supplemental Funds, and others, as needed, for the approval of the PSCC to recommend to the Board of County Commissioners for final approval.

The Budget Committee shall consist of the four members of the Lane County Supervisory Authority Team (SAT) and the Reentry Services Representative who is a Member of the PSCC.

The SAT is appointed by the Board of County Commissioners to facilitate management of the offender population under the supervisory authority of the Sheriff's Office and those under the supervisory authority of Parole and Probation. Members of the SAT consist of the Sheriff, the Presiding Judge of the Circuit Court, and the County Administrator, or their respective designees, as voting members, and a County Commissioner as a non-voting liaison between the SAT and the Board of Commissioners. The County Commissioner also is a non-voting liaison between the PSCC Budget Committee and the Board of Commissioners.

The Executive Team sets the agenda for PSCC meetings.

The Executive Team shall consist of s the Chair and Vice Chair of the PSCC and the County Administrator or designee.

There shall be ad hoc committees and task teams organized by the PSCC Chair. The PSCC Chair shall appoint all members of the standing committees, ad hoc committees and task teams.

All meetings of the PSCC and its committees are public meetings and shall be open to the public and held in conformance with the Oregon Open Meetings Law, and shall be conducted in accordance with Roberts Rules of Order Newly Revised, as far is as reasonable and practical. PSCC members will be notified in advance with regard to meetings of the PSCC and its committees.

ARTICLE VII CONFLICT OF INTEREST

Members shall be required to vote on all matters which require a decision except, in accordance with ORS Chapter 244, no PSCC member shall participate in a decision in which that member has a private pecuniary interest. 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. 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 Commissioners as required under ORS 244.120.

ARTICLE VIII BYLAW ENACTMENT AND AMENDMENT

The initial Bylaws of the PSCC shall become effective upon:

1. approval by a simple majority of the PSCC where a quorum is present and
2. approval by the Board of Commissioners.

Once adopted, the Bylaws may be amended upon:

1. a vote of a majority of PSCC members:
 - a) where a quorum is present,
 - b) at a PSCC meeting whose notice includes reference to the fact that Bylaw amendments are to be voted on at that meeting,
 - c) where notice is accompanied by a copy or summary of the proposed amendments, and
2. approval by the Board of Commissioners.

**BYLAWS
OF THE LANE COUNTY
PUBLIC SAFETY COORDINATING COUNCIL**
Revised by PSCC November 16, 2023, January 18, 2018 and May 17, 2018
Adopted by the Board of County Commissioners September 24, 2024

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 - b) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources, and intervention strategies; and
 - c) state and local resources to serve the local youth offender population.
- (2) Coordinate local criminal justice policy among affected criminal justice entities.
- (3) Coordinate local juvenile justice policy among juvenile justice entities.
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Member

Appointed By

Required by ORS 423.560

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- Sheriff of the County
- District Attorney
- State Court Judge
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Police Chiefs in county
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| • Director of Community Corrections | Board of County Commissioners |
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| • City Councilor or Mayor | Cities in the county |
| • City Manager or other city representative | Cities in the county |
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