

BOARD OF CRIME CONTROL BYLAWS

PREAMBLE

The Board of Crime Control shall be comprised of members concerned with public safety. The members shall be appointed by the Governor for the purpose of assisting state, local and tribal governments with issues related to public safety, crime prevention and strengthening and improving the criminal and juvenile justice systems.

MISSION STATEMENT

THE MISSION OF THE BOARD OF CRIME CONTROL IS TO PROACTIVELY CONTRIBUTE TO PUBLIC SAFETY, CRIME PREVENTION AND VICTIM ASSISTANCE THROUGH PLANNING, POLICY DEVELOPMENT AND COORDINATION OF THE JUSTICE SYSTEMS IN PARTNERSHIP WITH CITIZENS, GOVERNMENT AND COMMUNITIES.

ARTICLE 1: NAME AND LOCATION OF PRINCIPAL OFFICE

SECTION 1.1

The name of this Board shall be THE MONTANA BOARD OF CRIME CONTROL.

SECTION 1.2

The principal office of the Board shall be located in the City of Helena, State of Montana.

SECTION 1.3

The Board may establish field offices at such time and locations as it deems necessary and proper to accomplish its objectives.

ARTICLE 2: GOVERNANCE

SECTION 2.1

Robert's Rules of Order Newly Revised Edition shall govern the meetings of the Montana Board of Crime Control in all cases to which they are applicable and in which they are not

inconsistent with these bylaws and any special rules of order that the Montana Board of Crime Control may adopt.

SECTION 2.2

The Board Chairperson shall communicate all Board of Crime Control member needs to the Executive Director to ensure all Board needs are met with assistance from the Montana Board of Crime Control staff. These needs include, but are not limited to: meeting organization, development of formal agendas, recording of all formal meetings, dissemination of documents, maintenance of records, and travel assistance.

SECTION 2.3

The Board shall review biennially in March of every even year all statute-related programs to ensure policies, standards, and other documents are updated to reflect changes in laws, regulations, standards, and guidelines.

ARTICLE 3: MEETINGS

SECTION 3.1

There shall be a quarterly meeting of this Board to be held in Helena, Montana. The date of each quarterly meeting shall be set at the last quarterly meeting of a calendar year for the following calendar year. Revision to a date or location of a scheduled meeting may be approved by a majority of the Board present at a preceding meeting. Meetings may be held by audio or video conference.

Public notice and an agenda of all quarterly meetings shall be posted on the Board's website at least 48 hours in advance of each meeting.

SECTION 3.2

A special meeting of the Board may be called at any time by the Board Chairperson, the Executive Committee, or upon written request of at least five Board members. Such special Board meetings shall be held at a time and place to be designated by the Board Chairperson as appropriate. Board members shall be notified by email at least 48 hours in advance of the meeting. The purpose of the special meeting shall be specified in the notice. Public notice and an agenda of all special meetings shall be posted on the Board's website at least 48 hours in advance of each special meeting.

SECTION 3.3

Board members shall submit agenda items for quarterly meetings to the Chairperson within 14 days prior to the quarterly meeting. The Executive Director or designated staff shall mail or e-mail the meeting agenda to each Board member at least seven days prior to each quarterly meeting.

SECTION 3.4

A quorum for each meeting shall consist of a majority of the Board members. The Board may conduct official business only during such times that a quorum is present.

ARTICLE 4: MEMBERSHIP

SECTION 4.1

As provided for in 2-15-2008, MCA, the Board is composed of 18 members appointed by the Governor in accordance with 2-15-124, MCA and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The Board shall be representative of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and shall include representatives of citizens and professional and community organizations, including organizations directly related to delinquency prevention.

The Board shall be composed of the following representatives:

1. Attorney General or designee
2. Department of Corrections Director or designee
3. Representative of the Montana Sheriffs & Peace Officers Association
4. Representative of the Office of State Public Defender
5. Representative of the Office of Court Administrator
6. District Court Judge
7. Tribal representative with knowledge and experience in law enforcement or criminal justice
8. Representative of the Montana County Attorney's Association
9. Representative of the Montana United States Attorney's Office
10. Representative of a victim services provider organization
11. Representative of the Montana Association of Counties
12. Representative of the School Administrators of Montana
13. Representative of the Montana Association of Chiefs of Police
14. Representative of a community treatment program organization
15. Probation and parole officer
16. Representative of educational or vocational or workforce training services for inmates

17. Tribal public member with knowledge and experience in law enforcement or criminal justice
18. Public member with knowledge and experience in law enforcement or criminal justice

No current members of the Board shall be displaced as a result of the listing of qualifications in 1-18 above. Current members shall complete their term and shall be replaced by a person fulfilling the qualifications set forth in 1-18 above.

The Board shall recommend to the Governor that appointments include at least two members of the juvenile justice state advisory group and that consideration be given to additional tribal representation who meet the qualifications set forth in 1-18 above.

SECTION 4.2

Members shall serve 4-year terms. A member who no longer represents a particular category due to termination of his/her tenure of office or employment may be replaced by appointment of the Governor to complete the term of the terminated member.

SECTION 4.3

The Chairperson of the Board shall advise the Governor concerning any member of the Board who is absent from three consecutive meetings of the Board without justification as determined by the Chairperson. A member who is unable to attend a meeting should notify the Chairperson and Executive Director before the meeting. The Governor for cause may remove Board members.

SECTION 4.4

Members shall be paid in accordance with MCA 2-15-124(7):

- (a) Unless otherwise provided by law, each member is entitled to be paid at the state quasi-judicial board rate for each day in which each member is actually and necessarily engaged in the performance of Board duties.
- (b) A member who is a full-time salaried officer or employee of this state or of a political subdivision of this state may not be compensated as provided for in subsection (a), unless the member performs his or her duties outside the member's regular working hours or during time charged against the member's leave.
- (c) All members shall be reimbursed for expenses incurred, according to State travel policies, while in the performance of Board duties.

ARTICLE 5: OFFICERS AND MINUTES

SECTION 5.1

The Board shall have a Chairperson and a Vice-Chairperson. The Governor shall designate the Chairperson of the Board who serves at the pleasure of the Governor. The Board shall elect in March of each odd year the Vice-Chairperson who shall serve a two-year term until the next election. The Vice-Chairperson may serve more than one term if elected.

SECTION 5.2

The Chairperson's general duties or the Vice-Chairperson's general duties in the Chairperson's absence are as follows:

- a. to open each meeting at the designated time by taking the Chair, calling the members to order, declaring that a quorum is present and that the Board may conduct its official business;
- b. to announce the business before the Board in the order in which it is to be acted upon;
- c. to recognize members entitled to the floor;
- d. to state and to put to vote all questions that are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
- e. to assist in the expediting of business in every way compatible with the rights of the membership;
- f. to enforce on all occasions the observance of order and decorum among members;
- g. to inform the assembly, when necessary, on a point of order or practice pertinent to pending business;
- h. to authenticate, by his or her signature, where necessary, all the acts, orders and proceedings of the Board declaring its will, and in all things obeying its commands; and
- i. to appoint a pro-tem chair if both the chair and vice-chair are unavailable.

SECTION 5.3

The Chairperson shall require all formal Board meetings are recorded and minutes kept according to Robert's Rules of Order and Montana Open Meetings Law.

ARTICLE 6: VOTING

SECTION 6.1

Each member of the Board is entitled to one vote in the business of the Board. Members may vote in person or by audio or video conferencing during the meeting. Proxy voting is not permitted.

SECTION 6.2

As a member of the Board, the Chairperson is entitled to vote on all issues if he or she so chooses; however, the Chairperson must vote when, without his or her vote, the votes of the members have produced a tie. He or she may vote with the minority when it will produce a tie vote, thus causing the motion to fail.

SECTION 6.3

In accordance with MCA § 2-15-124(8), any motion requires for its adoption a majority of members of the Board at a legal meeting where a quorum is present except where a larger vote is required in these bylaws.

SECTION 6.4

As members of a quasi-judicial board, all Board members are subject to the Code of Ethics and standards of conduct applicable to public employees under Title 2, Chapter 2.

ARTICLE 7: OBJECTIVES AND DUTIES

SECTION 7.1

The objectives and duties of this Board shall include:

- a. establishment of priorities for long- and short-range goals and objectives for Montana's criminal and juvenile justice systems;
- b. approval and adoption of the comprehensive criminal and juvenile justice plans in general and the annual action programs specifically;
- c. overview and evaluation of the total state effort in planning and implementation of criminal and juvenile justice system programs; and
- d. oversight and management of the juvenile justice State Advisory Group (SAG) created under the Juvenile Justice and Delinquency Prevention Act (JJDP Act) Reauthorization 2018.
(Refer to Attachment 1 for SAG Rules of Procedure)

SECTION 7.2

The Board has full power and authority to approve, terminate, alter or reject any application for an award or grant of funds and assistance unless prohibited by law.

ARTICLE 8: BOARD OF CRIME CONTROL APPEAL POLICY

The Board shall establish policy providing for the appeal of any decision regarding an application for award or a grant of funds.

ARTICLE 9: CREATION OF COMMITTEES

SECTION 9.1

The following Standing Committees are authorized by the members of the Board:

- a. Executive Committee
- b. Anti-Drug Committee;
- c. Victims Committee;
- d. Prevention and Treatment Committee;
- e. Policy Committee;
- f. Legislative Committee; and
- g. Tribal Committee

SECTION 9.2

A Standing Committee is permanent in nature and composed exclusively of Board members. Its members are appointed by the Chairperson on an annual basis in March, with members to serve terms of two years. All appointments must be approved by the Board.

SECTION 9.3

Standing Committees shall meet at such times and places determined by the Committee Chairperson. Standing Committee members shall be notified by email at least 48 hours in advance of the meeting. The purpose of the Standing Committee shall be specified in the notice. Public notice and an agenda of all Standing Committee meetings shall be posted on the Board's website at least 48 hours in advance of each Standing Committee meeting.

SECTION 9.4

A Standing Committee shall review the applications for the applicable Board subgrants and make recommendations to the full Board regarding applications and funding.

SECTION 9.5

A Special Committee is temporary in nature and created by the members of the Board for a specific purpose. Upon submission and acceptance by the Board of the final report of any Special Committee, the Committee shall automatically terminate.

SECTION 9.6

As determined by the members of the Board, a Standing or Special Committee may consist of any number of members necessary to accomplish the designated purpose.

SECTION 9.7

The Board shall elect Standing and Special Committee members. The Board Chairperson shall designate the Committee Chairperson and Vice-Chairperson.

SECTION 9.8

Unless otherwise appointed to a Committee, the Board Chairperson may serve as an ex-officio, non-voting member of any Standing or Special Committee.

SECTION 9.9

Standing and Special Committees may be created or terminated by majority vote of the Board members.

ARTICLE 10: EXECUTIVE COMMITTEE

SECTION 10.1

The Executive Committee shall be composed of the Board Chairperson and Vice-Chairperson and at least four members of the Board, with members to serve terms of two years. All appointments must be approved by the Board.

SECTION 10.2

The Executive Committee shall meet at such times and places as the Chairperson shall determine. If the Chairperson and Vice-Chairperson are absent from the meeting, the members shall choose one of their members to preside at the meeting.

SECTION 10.3

The Executive Committee shall have the power to act on behalf of the Board between meetings on matters that require immediate attention. However, any such action shall be subject to approval and ratification by the Board at the next regularly scheduled meeting.

SECTION 10.4

The Executive Committee shall, without further delegation or direction:

- a. provide assistance and support to the Executive Director to ensure the staff is compliant with Board policies and strategic decisions of the Board;
- b. assist the Chairperson in developing the agenda for the Board's quarterly meetings and annual strategic planning meeting;
- c. perform the initial review of any legislative action recommended by the Chairperson and provide the Executive Director with guidance concerning any legislative action recommended by the Board;
- d. at each meeting, provide the Board with a report of its actions and recommendations and between meetings, as necessary in its discretion, keep the Board advised and informed by any convenient method;
- e. review the proposed biennial budget prepared by the Executive Director (March of each even year); and
- f. conduct performance reviews of the Executive Director and make salary recommendations to the full Board.

ARTICLE 11: AMENDMENT

These MBCC bylaws may be amended at any regular or special meeting of the Board by two-thirds vote of the membership of the Board, provided that any proposed amendment or revision shall have been distributed to the Board members at least 30 days prior to the meeting at which they are to be acted upon.

CERTIFICATE OF ADOPTION

These by-laws, as revised, were adopted by a two-thirds vote of the membership of the Board on September 8, 2022 and are effective immediately.

Done this 8th day of September 2022.

A handwritten signature in cursive script, appearing to read "Leo Dutton".

Leo Dutton

Chairperson, Board of Crime Control