Criminal Justice Advisory Committee
Bylaws

Amended by AACOG Criminal Justice Advisory Committee on July 20, 2010
Adopted by AACOG Criminal Justice Advisory Committee on August 11, 2010
Adopted by the AACOG Board of Directors on August 25, 2010

1.0 Preface

The Board of Directors of the Alamo Area Council of Governments (AACOG) has, through its Executive Director, applied for and received successive grants from the Governor's Office – Criminal Justice Department for the establishment and maintenance of a Regional Criminal Justice Planning Unit, which consists of an Advisory Committee and professional staff.

The Bylaws of the Criminal Justice Advisory Committee are revised and amended herein to conform with the Policies and Regulations of the Alamo Area Council of Governments, the Governor's Office – Criminal Justice Department and with pertinent statutes.

2.0 Name

The program advisory committee in the area of criminal justice for the Alamo Area Council of Governments shall be known as the Criminal Justice Advisory Committee (CJAC).

3.0 Activities

3.1 In the performance of its functions, the Advisory Committee shall:

3.1.1 Advise the Board of Directors on all program and policy matters pertaining to the criminal justice area.

3.1.2 Serve as a focal point for leadership, guidance, coordination, development, and implementation of AACOG planning programs and activities in the criminal justice area.

3.1.3 Develop, review and make recommendations to the Board of Directors on the Annual Regional Criminal Justice Plans, including the priorities for the reduction of crime and the improvement to the criminal justice system.

3.1.4 Review and evaluate grant applications, make funding recommendations to the Board of Directors for action.

3.1.5 Review and act on funding changes made by appropriate funding agencies and forward its recommendations to the Board of Directors for action.

3.1.6 Review is concerned primarily with the following criteria:

3.1.6.1 Prevention of duplication and promotion of inter-governmental and interagency cooperation and coordination.

3.1.6.2 Planning comprehensiveness.

3.1.6.3 Analysis of the regional implication of the proposed project or program.

3.1.6.4 Compliance with the priorities needs or gaps in services identified in the Community Plans of each county in the AACOG region.

3.1.7 Provide technical assistance to project sponsors or agencies in the preparation, development and implementation of programs in the criminal justice area.

3.1.8 Promote public awareness of the issues, alternatives and goals in the criminal justice area.

4.0 Membership

4.1 The policies and directives of the Governor's Office – Criminal Justice Department and AACOG set forth the following criteria for membership of the Criminal Justice Advisory Committee:

4.1.1 The Criminal Justice Advisory Committee is composed of 37 members representing the following member counties: Atascosa, Bandera, Bexar, Comal, Frio, Gillespie, Guadalupe, Karnes, Kendall, Kerr, Medina and Wilson.

4.1.2 Membership should reasonably reflect the regional ethnic balance using the latest demographic statistics as a guide.

4.1.3 CJAC membership must include at least one representative from the following disciplines: law enforcement, juvenile justice, substance abuse prevention, non-profit organizations, victim's services, mental health, prosecution/courts, education, and concerned citizens or parents. No single group/discipline may constitute more than one third (1/3) of the CJAC.

4.2 Membership terms are for consecutive two years, but a member may be recommended for an additional term or terms by the organization or locality said member is representing, or by approval of a majority of the committee.

4.3 Recommendations for membership may be submitted by AACOG member governments, professional organizations, citizen's groups and current committee members. Such recommendations will be forwarded to the Board of Directors for approval and appointment.

4.4 Each member of the CJAC committee may designate alternate(s) to serve in his/her stead, with approval of the appointing body. Alternates will have full voting rights in the absence of the CJAC member.

5.0 Officers and Election of Officers

5.1 The officers of this committee shall be a Chair and a Vice-Chair.

5.2 The officers shall be elected by and from the members of the Committee and shall serve for a period of one year. A member may not hold the same office for more than three successive years, but may be elected to any office after an intervening term of one year.

5.3 Elections shall be held at the last meeting of the calendar year of the Committee and the terms of office shall begin the following January.

6.0 Duties of Officers

6.1 The Chair shall preside at all meetings of the committee and shall conduct the same according to *Parliamentary Procedure*, providing that said rules are applicable and not inconsistent with these Bylaws.

6.2 The Chair shall perform all duties inherent in and incident to the office of Chair and such other duties as may be prescribed by the Board of Directors or the Advisory Committee from time to time.

6.3 The Chair may appoint a member to fill any vacancy in the office of Vice-Chair for the unexpired portion of the term, or call for an election to fill such a vacancy.

6.4 In the event of a vacancy in the office of Chair, the Vice-Chair shall succeed to and fill that office for the unexpired portion of the term.

6.5 The Vice-Chair shall preside in the absence of the Chair and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair.

7.0 Meetings

7.1 Meeting of the committee shall be held on a regular basis. Usually once each month, on the second Wednesday at 1:30 p.m. at the AACOG

Boardroom, 8700 Tesoro, Suite 100, San Antonio, Bexar County, Texas or at various other times and places as the committee may wish.

7.2 Special meetings of the Committee may be convened at the direction of the Chair, at the time and place so directed.

7.3 Fifty percent (50%) plus one of members of the committee must be in attendance at a meeting to constitute a quorum.

7.4 Each Member shall have one vote. A simple majority of those present and voting will be sufficient to decide any question before the Committee.

7.5 The use of proxy votes is in conflict with the AACOG bylaws and will not be accepted.

7.6 In the absence of both the Chair and the Vice-Chair, the senior staff member present may act as Chair Ex-officio, for the sole purpose of designating a member as Chair Pro-Tempore and a member so designated shall have all the powers of the Chair for the meeting so designated.

7.7 Any member who misses three or more regularly scheduled meetings in a calendar year without a duly recognized alternate in attendance may be considered by the Chair as having been removed and the vacancy filled in the normal manner.

7.8 All meetings will be open to the public in and accordance with Federal and State Law, pertaining to open meetings.

7.9 The AACOG staff shall prepare and distribute to all members, the agenda for each meeting at least one week prior to the date thereof. The official minutes of the meetings shall be maintained in the Alamo Area Council of Governments – Criminal Justice Department.

8.0 Application Review

8.1 The CJAC shall ensure that funding recommendations on grant applications are based upon:

8.1.1 Any state strategies identified by The Office of The Governor – Criminal Justice Division;

8.1.2 Priorities identified within the region by the COG resulting from the strategic and community planning process;

8.1.3 Participation in a local community planning process or a priority as identified in the current community plan;

8.1.4 The eligibility, reasonableness, and cost-effectiveness of the proposed project; and

8.1.5 Current COG policies and bylaws.

8.2 Community Plan Process: Each community, consisting of a single county or a group of counties, must file with AACOG – Criminal Justice Department, a community plan that addresses the community's criminal justice priorities. Each county's approach must utilize the following:

8.2.1 A community planning committee. A committee must include a wide range of members from entities such as public agencies, nonprofit corporations, faith-based organizations, and concerned citizens; and

8.2.2 Assess local trends and data; identify problems, resources, and priorities; develop effective strategies; and set goals and objectives.

8.2.3 At a minimum the Community Plan process shall be accomplished every even year. This does not preclude any county from accomplishing Community Plan process on an annual basis coordinated through AACOG staff.

8.2.4 All outside applicant agencies must participate in the AACOG County Community Planning Process in which they intend to provide services through the grant.

8.3 Mandatory Grant Workshops: Grant workshops are mandatory for all applicants. Failure to attend mandatory grant workshops will deem associated applications as ineligible.

8.4 Notification of Grant Application Deadlines: Application deadlines are specified by the Office of the Governor – Criminal Justice Division and will be updated and provided annually.

8.5 Late Application Policy: Late grant applications will not be accepted. Applications are due at the location, date and local time designated by AACOG. The official time of receipt will be determined by the time stamp machine at the AACOG reception desk, 8700 Tesoro, Suite 700, San Antonio, TX 78217.

8.6 CJAC Review and Training: The CJAC will use the review form provided by the Criminal Justice Planning Staff to review, evaluate and score each grant application. The scores given by the CJAC will be used to

determine each grant application's placement on the Priority Ranking Sheet that is submitted to CJD. CJAC members and their alternates will not be able to score applications without documented training within the last two calendar years.

8.7 Mandatory Participation at Prioritization Meeting: A representative of the grant application agency, including exempt programs, must participate in the prioritization meeting in person or by phone (in the case of an emergency) to make a brief presentation and to answer any question posed by the Criminal Justice Advisory Committee.

8.7.1 Failure to participate in the prioritization meeting, in person or by phone (in the case of an emergency), will deem the application ineligible for scoring or prioritization.

8.7.2 All TRACS (Texas Review and Comments System) reviews shall be presented by the applicant to the CJAC for review and consideration.

8.8 Requesting Additional Information: The CJAC and/or the COG staff reserve the right to request additional information other than what is included in the CJD application, forms or attachments. Failure to comply with this request shall result in the application not being recommended for funding.

8.9 Conflict of Interest: The CJAC and/or the COG staff must abstain from reviewing, voting, commenting, or taking any action on any grant application, other than a grant application submitted by a COG, during the prioritization process if the member or an individual related to the member within the third degree by consanguinity or within the second degree by affinity:

8.9.1 Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;

8.9.2 Serves on any board that oversees the unit or division that would administer the grant, if awarded;

8.9.3 Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency;

8.9.4 Receives any funds from the applicant agency as a result of the grant, if awarded; or

8.9.5 Uses or receives a substantial amount of tangible goods, services, or funds from the applicant agency. If a member must abstain from reviewing, voting, commenting, or taking any action on any grant application, the member must also abstain from reviewing, voting, commenting, or taking any action on any competing grant applications within that funding source during the prioritization process. For purposes of this section, "agency", when applied to Municipalities or Counties, shall mean any division of said Municipality or County, and "unit or division" shall be a smaller component of that division.

8.10 Tabulation of Scores: The AACOG Criminal Justice Department staff will tabulate the scores rendered by the CJAC and report the priority ranking for the grant applications based on their total score average. Planning staff will dismiss the highest and lowest scores submitted by CJAC members in formulating the CJAC average score.

8.10.1 Point Deduction: There will be 10 points deducted for each of the following:

8.10.1.1 Non-participation in the Community Plan Process: Participation is based on community plan meeting sign-in sheets, the respective county community plan and input from the county community plan chairperson.

8.10.2.2 History: CJAC members may deduct up to 10 points in this category based upon history. This category includes funding history, Preliminary Review Report's, late reports, vendor hold, results of monitoring findings, and information regarding the agency's performance for currently funded projects.

8.10.2 Tie Scores: "In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest *remaining* score from the applications that result in a tie and re-average the remaining scores. This process shall be repeated, continuing to remove the lowest remaining score until the tie is broken. The scores resulting from the tie breaking process will only be used for the purpose of breaking the tie. These scores will not be used to change any other rankings in the prioritization process. The CJAC shall be notified of the tie and the revised results."

8.11 Notification of Scores and Priority Ranking: The Criminal Justice Planning Staff shall provide written notification of scores and rankings to all scored grant applicants and TRACS applicants within ten calendar days of approval by the AACOG Board of Directors. To ensure the accuracy of

information disseminated verbal notification will not be provided until the end of the 10-day notification deadline.

8.12 Ineligible Proposed Projects: Applications identified as ineligible for funding by the COG staff or The Office of the Governor-CJD shall be submitted and reported as ineligible to the Criminal Justice Advisory Committee. Applications not certified as eligible for funding by the Criminal Justice Department of the Office of the Governor shall not be processed or reviewed by the AACOG Criminal Justice Department Staff nor by the Criminal Justice Advisory Committee. Determinations of ineligibility for funding shall be based upon guidelines issued by the Office of the Governor, Criminal Justice Department and the By-laws, Policies and Procedures Manual, and voted actions of the Criminal Justices Advisory Committee. An application shall be deemed ineligible for the following reasons:

8.12.1 Failure to attend applicable mandatory grant workshops; or

8.12.2 Failure to file grant applications for technical review with the AACOG Criminal Justice Department in accordance with published deadlines and directives; or

8.12.3 Submission of multiple applications under one funding stream from one agency. (Limitations: each organization or agency may submit one application per funding stream without regard to whether or not it exemplifies a coordinated, collaborative initiative. For purposes of this section, “agency”, when applied to Municipalities or Counties, shall mean any division within each Municipality or County, and each division of said Municipality or County may submit one application per division per funding stream under this limitation. In addition, thereto, each organization or agency, including divisions of Municipalities or Counties, may submit one application per joint project per funding stream for those applications that exemplify coordinated collaborative initiatives).

8.12.4 Failure of headquarter county to submit a Community Plan: Any agency whose headquarter county did not submit a Community Plan to AACOG-CJD by the set deadline will be deemed ineligible for funding.

8.12.5 Failure to participate in the prioritization meeting. (Reference 8.7)

8.13 Reasonable Budget Expectation: The Criminal Justice Advisory Committee may recommend an amount less that the amount requested by the applicant or any exempt program due to the limited availability of funding or for any other reason that it deems necessary and appropriate.

8.14 Recommended vs. Not Recommended Applications: The Criminal Justice Advisory Committee has the latitude to determine which applications will be recommended for funding and which will not be recommended for funding. The decision to not recommend an application for funding will be reported to the Office of the Governor, Criminal Justice Department.

Determination of Recommendation: The Criminal Justice Advisory Committee must vote to give an application that will be recommended for funding a "Favorable Review". The Criminal Justice Advisory Committee must vote to give an application that will not be recommended for funding an "Unfavorable Review". The Criminal Justice Committee may not send forth an application to the AACOG Board of Directors without a recommendation.

8.15 Appeal Process: Consistent with the amendments made to the Texas Administrative Code, effective June 21, 2009, there is no appeal process for grant applicants for decisions made by the Criminal Justice Advisory Committee, the AACOG Board of Directors to the Executive Director of the Governor's Office, Criminal Justice Department. The funding decisions of the Executive Director of the Governor's Office, Criminal Justice Department are final and are not subject to appeal. (TAC Section 3.9)

8.15.1 Applicants may appeal the "Unfavorable" review decision of a Grant Application or a TRACS application made by the Criminal Justice Advisory Committee to the AACOG Board of Directors. Applicants may not appeal the point score evaluations of the Criminal Justice Advisory Committee to the AACOG Board of Directors. Applicants who wish to appeal the "Unfavorable" review decision of the Criminal Justice Advisory Committee must advise AACOG staff of their decision to appeal within 5 working days of the decision made by the CJAC. AACOG staff will ensure that the written notification of the date and time of the next AACOG Board meeting is given to the agency who wishes to appeal the decision of the CJAC. AACOG staff will ensure that the AACOG Board is notified of the appeal that the appeal is placed on the AACOG Board agenda. The decision of the AACOG Board of Directors is final.

8.16 Grant Funding: The Criminal Justice Advisory Committee may develop and adopt policies and procedures for funding recommendations and forward the policies and procedures to the AACOG Board of Directors for approval and adoption. The approved and adopted policies and procedures will be included in the AACOG Criminal Justice Advisory Committee Policies and Procedures Manual and shall be distributed to all CJAC members and shall be included in all grant workshop-training

sessions to ensure that the policies and procedures are distributed to all interested persons.

8.16.1 Policies and Procedures: The Grant funding policies and procedures may include, but are not limited to, Benchmark definitions, Funding Ratios decreasing fund ratios, and the Grant Application Cycle.

8.17 CJD Programs deemed exempt from Priority Ranking at the discretion of the CJAC: It is at the discretion of the CJAC to deem any program exempt from scoring if the program provides continued, regional service that is of a high standard. The following program(s) are currently exempt:

8.17.1 Regional Police Training Academy (RPTA): The staff will complete and submit an application for funding to The Office of the Governor-CJD and will also be available to make a presentation to the CJAC in person during scoring of the application.

8.18 Administrative Requirements: The CJAC will be notified of the funds available for allocation when grant applications are mailed out for their review prior to the meeting, if such information is available from the Governor's Office – Criminal Justice Department.

8.19 Amendments to the Bylaws:

8.19.1 The Bylaws may be amended by a majority vote of the Committee.

8.19.2 Any proposed amendment must be submitted to the membership at least ten days prior to the meeting at which they may be acted on.

8.19.3 An amendment to any one section of the said Bylaws does not necessarily invalidate the remainder.

8.19.4 The AACOG Board of Directors must expressly approve these Bylaws, as well as, any revision.