

**[NAME OF FACILITY]
ADVISORY COMMITTEE
Model Bylaws**

Note: "Community," as used in this document, refers to the region or area which is affected by the [PROPOSED] correctional facility.

I. Establishment

The Department of Corrections (DOC) recognizes the importance of creating partnerships with Oregon communities where correctional facilities are located. Therefore, the DOC, in cooperation with [COMMUNITY] establishes the [FACILITY NAME] Advisory Committee on [DATE].

II. Name

The committee shall be called the [FACILITY NAME] Advisory Committee.

III. Purpose

- A. Serve as a citizen advisory group to the facility superintendents and designated Department of Corrections representatives regarding correctional issues, activities and practices affecting their community(ies).
- B. To promote open and effective communication between the DOC, the [FACILITY NAME] and the community during the life of the facility, from siting through operation and ultimate closure.
- C. To serve as a community-based conduit through which information is disseminated to and received from the public.
- D. To work in cooperation with the [SUPERINTENDENT] [designated DOC representative] to address specific issues that develop during the life of the facility.
- E. To assist the [SUPERINTENDENT] [designated DOC representative] in developing and promoting safe opportunities for the utilization of inmate labor.
- F. To work in cooperation with the [SUPERINTENDENT] [designated DOC representative] to promote, support, and communicate DOC's mission, vision and values.

IV. Membership

- A. The advisory committee shall include no less than 10 and no more than 20 voting members representing the demographic composition of the community. All members shall be appointed pursuant to applicable DOC administrative rules.
- B. Ex-Officio (non-voting) members shall be appointed pursuant to applicable DOC administrative rules. The [SUPERINTENDENT] [designated DOC

representative] shall serve as an ex-officio member of the advisory committee.

V. Orientation and Training

Members of the advisory committee may be required to attend orientation and training programs offered by the DOC. Consistent with applicable rules, policies, internal management directives and procedures, and laws, expenses (travel, lodging and meals) shall be paid by the DOC when training is required.

VI. Term of Membership

- A. The advisory committee shall confirm a position vacant when any of the following events occur:
 - 1. A member ceases to reside or work in the community;
 - 2. A member resigns;
 - 3. A member's term expires (should the Advisory Committee choose to adopt terms of specific length or limit the number of terms a member may consecutively serve); or,
 - 4. A member is removed by the [SUPERINTENDENT] [designated DOC representative].
- B. Each ex-officio member of the advisory committee who is a local elected official shall serve at the pleasure of the Department of Corrections, but in no case for a period of time that extends beyond the ex-officio member's term in elected office.

VII. Duties and Responsibilities

- A. The advisory committee, in cooperation with the [SUPERINTENDENT] [designated DOC representative], may develop procedures to govern its activities insofar as they do not conflict with any portion of the model bylaws, DOC administrative rules, policy, internal management directives or procedures, applicable laws, rules or regulations.
- B. While the DOC is responsible for the development, construction and operation of its correctional facilities, the [SUPERINTENDENT] [designated DOC representative] and the advisory committee shall work together to develop a process by which suggestions and recommendations are reviewed by the [SUPERINTENDENT] [designated DOC representative]. This process will include a mechanism by which the [SUPERINTENDENT] [designated DOC representative] reports a decision and rationale to the advisory committee regarding those suggestions and recommendations.
- C. The advisory committee may review proposals from various community sources for the purposes of presentation to and discussion with the [SUPERINTENDENT] [designated DOC representative].
- D. At the first meeting of each calendar year, the advisory committee shall adopt an "Annual Program of Work" to establish future meeting dates and anticipated special projects or activities for the year. This responsibility does not preclude the addition of other projects or activities.

- E. The advisory committee may complete such other activities as the [SUPERINTENDENT] [designated DOC representative] may request.

VIII. Officers

- A. The advisory committee shall elect annually (at the first meeting of each calendar year) a chairperson, first vice chairperson and second vice chairperson.
- B. Duties of the Officers:
 - 1. The chairperson shall conduct meetings, appoint subcommittees as necessary, and, in cooperation with the [SUPERINTENDENT] [designated DOC representative] call special meetings. The chairperson shall, in coordination with the [SUPERINTENDENT] [designated DOC representative], develop an agenda for each meeting and communicate the agenda to all members prior to the start of the meeting. The chairperson shall notify members of the time and place of all meetings, and cancel or reschedule regular or special meetings.
 - 2. The first vice chairperson shall act in the absence of or at the request of the chairperson.
 - 3. The second vice chairperson shall act in the absence of both the chairperson and the first chairperson.
- C. Duties of the Executive Committee:
 - 1. The executive committee shall include the chairperson, first vice chairperson and second vice chairperson. The [SUPERINTENDENT] [designated DOC representative] shall be an ex-officio member of the executive committee.
 - 2. The executive committee will call meetings on an “as needed” basis for requests from the [SUPERINTENDENT] [designated DOC representative].

IX. Committee Operation

- A. Prison advisory committees shall be scheduled to meet no fewer than four (4) times per year.
- B. The [SUPERINTENDENT] [designated DOC representative] shall be present at all advisory committee meetings.
- C. Parliamentary procedure shall be used when a decision of the advisory committee is to be recorded or transmitted.
- D. Half of the voting members of the advisory committee shall constitute a quorum. All decisions of the advisory committee including, but not limited to, the decision to send a recommendation forward to the [SUPERINTENDENT] [designated DOC representative], must be made by a majority vote of a quorum of the advisory committee, unless otherwise specified in these bylaws or other DOC administrative rules.
 - E. The [SUPERINTENDENT] [designated DOC representative] shall ensure that meeting minutes are recorded and shall distribute copies to each advisory committee member and members of the Department of Corrections executive management team. The [SUPERINTENDENT] [designated DOC

representative] shall keep members apprised of activities regarding the facility at meetings or through the chairperson.

- F. Prison advisory committees may appoint subcommittees as needed.
 - 1. Subcommittees may be established and dissolved by a majority of voting members at a regularly scheduled meeting where this action is included as an item on the agenda.
 - 2. Subcommittees may be continuous or ad hoc in nature depending upon identified needs.
- G. In the event that an advisory committee is not subject to Oregon's public meetings law, as a matter of policy the advisory committee shall conduct its meetings in accordance with the public meetings law unless, in the judgment of the [SUPERINTENDENT] [designated DOC representative], necessity or convenience requires otherwise.

X. Resources and Services

- A. The Department of Corrections shall provide for the proper and effective operation of the advisory committee within the limits of its resources.
- B. Meeting facilities, support services for duplication of meeting minutes and other official communications, mailing expenses and other related services shall be considered essential for the proper function of the advisory committee.
- C. All financial activities associated with the functioning of the advisory committee will be in accordance with the policies of the [FACILITY NAME].
- D. Advisory committee expenditures must be approved by the [SUPERINTENDENT] [designated DOC representative].

XI Conflict of Interest

Upon appointment, each member of the advisory committee shall be required to sign and abide by the terms of a conflict of interest statement prepared by the Department of Corrections. (See Exhibit B)

XII Amendments

The bylaws may be amended by a vote, consistent with quorum requirement of these bylaws, of the appointed members of the advisory committee at a regularly scheduled meeting where the amendment is included as an agenda item. The chairperson of the advisory committee shall provide to the [SUPERINTENDENT] [designated DOC representative] written notice of any changes approved by the advisory committee. Such notice will be sent within 30 days of the committee's action. The [SUPERINTENDENT] [designated DOC facility representative] shall, from date of receipt of the change, have 30 days, or other reasonable time as may be needed, to provide the advisory committee with a written approval or denial to the requested change.

Exhibit B

Conflict of Interest Statement

I, _____, hereby certify that I have read the conflict of interest statement provided below and understand the contents thereof. If I have any questions regarding conflicts of interest I will address them to or may take them directly to the Oregon Government Standards and Practices Commission. If a conflict arises during the course of my committee membership, I will take the actions required under law.

Because members of the _____ Advisory Committee serve the State of Oregon through fulfilling the purposes and function set forth in OAR 291-200-0040, they are "public officials" for purposes of the laws and rules governing government standards and practices, and, therefore, are responsible for complying with those laws and rules, including ORS Chapter 244, which contains a code of ethics for public officials at ORS 244.040. As a part of this compliance, each member of the committee is responsible for publicly announcing the nature of any potential conflict of interest prior to taking any action as a committee member with regard to the matter creating the conflict. If a conflict of interest is actual, rather than potential, the member must publicly announce the nature of the conflict and refrain from participating as a committee member in any discussion or debate on the issue out of which the conflict arises or from voting on the issue. If the affected committee member's vote is needed to achieve the minimum number of votes to take official committee action, the member may vote but may not participate as a committee member in any discussion or debate on the issue. See ORS 244.120(2).

A "potential conflict of interest" means "any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of one of several circumstances cited in ORS 244.020(7).

An "actual conflict of interest" means "any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances cited in ORS 244.020(7).

Print Name

Signature

Date