

ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD

BYLAWS

ARTICLE I – NAME

Section 1.

The name of this body shall be the Erie County Corrections Specialist Advisory Board, hereinafter referred to as the “Board” or “ECCSAB.”

Section 2.

The Board was created by Local Law No. 3 of the year 2019 and is entitled "ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD" and will be hereinafter referred to as “the Local Law.”

ARTICLE II – PURPOSE

Section 1.

As outlined in the enabling Local Law, the purpose of the ECCSAB is to provide advice to and oversight over the Erie County Sheriff's Office Jail Management Division, which administers the Erie County Holding Center and the Erie County Correctional Facility.

The Board is intended to focus on restorative justice, serve as a bridge between the community, the Erie County Department of Mental Health, and the Erie County Sheriff's Office's Jail Management Division, and will be dedicated to enhancing the safety and conditions in Erie County Holding Center and Correctional Facility. Its mission is to bring leaders and professionals in the community together to help monitor and improve the County's correctional facilities, improve the lives of those who have left correctional facilities, reduce recidivism and help with re-entry to society, and work together for solutions to problems while continually looking for ways to improve internal operations and procedures in the correctional facilities.

The Board may undertake functions and activities intended to address the following:

- Improve the conditions, systems, and practices at the Erie County Holding Center and Correctional Facility.
- Identify and recommend programs that utilize restorative justice practices and other programs that help reduce recidivism in Erie County.
- Encourage public comment on issues related to the Erie County Holding

Center and Correctional Facility.

- Make formal recommendations to the Erie County Legislature, Erie County Executive, and the Erie County Sheriff's Office on the programs, funding, and services for the Correctional Facilities.
- Receive complaints regarding the Erie County Holding Center and Correctional Facility from the public, including those complaints that were sent directly to the Erie County Sheriff's Office, and refer such complaints to the Public Safety Committee of the Legislature. The Board shall make a monthly request to the Sheriff's Office for copies of any and all complaints received during the month.

Section 2.

In addition, the Board may receive and review communications from the Erie County Executive, the Erie County Legislature, the Sheriff's Office, and/or the public regarding issues within its scope of work or any specific requests related to its mandate.

Section 3.

Local Law indicates that the Board functions in an advisory capacity to both the Erie County Legislature and Sheriff's Office. The Board may recommend that the Chairperson of the Erie County Legislature utilize their power, as noted in Section 2607 of the Erie County Charter, to compel the testimony or production of records to the ECCSAB in order to follow through with activities deemed responsibilities of the Board.

ARTICLE III – MEMBERSHIP

Section 1.

The Local Law states that the Board will be comprised of current and/or retired professionals who have expertise in criminal justice, public safety, restorative justice and reducing recidivism that will more effectively serve the people of Erie County.

The Board shall consist of eleven (11) voting members, one (1) recommended from each of the following County entities:

- Chair of the Erie County Legislature
- Majority Leader of the Erie County Legislature
- Minority Leader of the Erie County Legislature
- Erie County Executive
- Erie County Sheriff
- Erie County Commissioner of Probation
- Erie County Commissioner of Mental Health

- Bar Association of Erie County

In addition to:

- One member with demonstrated experience in advocacy for prisoners to be recommended by an organization working on behalf of prisoners' rights
- One member with demonstrated experience with restorative justice to be recommended by an organization that is dedicated to restorative justice
- One member with demonstrated experience in assisting former offenders' transitions who is a former prisoner of a county or state holding/correctional facility, to be recommended by an organization that is dedicated to transitioning from jail/prison to life in the general public

Section 2.

All members must meet the minimum requirements outlined in Section 2205 of the Erie County Charter and any additional requirements outlined in the Local Law, including:

- a. Each Board member shall be a resident of Erie County at the time of appointment and shall remain a resident for the duration of their position as a Board member.
- b. Members of the Board may not hold elective office.

Section 3.

Members of the Board shall be approved by a majority vote of the Erie County Legislature and shall serve without compensation.

Section 4.

Membership terms shall be staggered to ensure continuity. The initial appointments made by the Chair of the Erie County Legislature, the Minority Leader of the Erie County Legislature, the Erie County Executive, the Erie County Sheriff, the Erie County Commissioner of Probation, and the Erie County Commissioner of Mental Health shall each serve three (3) year terms for this initial appointment period. The appointments made by the Bar Association of Erie County, along with the appointments of one member with demonstrated experience in advocacy for prisoners (recommended by an organization working on behalf of prisoners' rights), one member with demonstrated experience in restorative justice (recommended by an organization dedicated to restorative justice), and one member with demonstrated experience assisting former offenders in their transition back to the community who is a former prisoner of a county or state correctional facility (recommended by an organization supporting reentry), shall each serve an initial two (2) year term. The term clock for all current appointments begins in June 2025, when the reappointed Board held its first meeting together. This provision intends to ensure that the Board's institutional knowledge and precedent are preserved

Regardless of where the appointment came from, no member may serve more than two (2) consecutive terms, including the completion of a term of another voting member. Those who have served two (2) consecutive terms may be eligible again after a two (2) year absence to again serve on the Board.

Section 5.

Members shall be required to complete and file annual financial disclosure statements pursuant to Local Law 10 of 1989, as amended.

Section 6.

A vacancy shall occur when a member resigns by submitting a written notice to the Chairperson, Vice-Chairperson, and Secretary; when a member's term expires; or when a member is removed by a majority vote of the current Board members following the procedures described in these bylaws.

Section 7.

A member may be removed from the Board for cause by a majority vote of current members, consistent with the following procedure and notice requirements. If a member misses three (3) consecutive meetings without appropriate notice to the Chairperson/Vice-Chairperson, the member will be sent a letter from the Chairperson requesting their presence at the next scheduled Board meeting. Failure to show up to the meeting following that notice, will result in a vote for their removal at the start of that meeting. There will be a letter sent to the Erie County Legislature and the member's recommending entity to provide transparency about the removal.

Section 8.

All vacancies shall be filled for the unexpired term in the manner by which the position was originally filled (application, interview, and approval by the Erie County Legislature).

ARTICLE IV – OFFICERS

Section 1.

The officers of the Board shall be elected by majority vote from among the Board members. Officer roles shall include, at a minimum, Chairperson, Vice-Chairperson, Secretary, and Communications Director.

Officer Duties and Responsibilities

Chairperson: Presides at all meetings, maintains order, enforces bylaws, prepares agendas, appoints committees with Board approval, coordinates staff support, and serves as an ex-officio member of all committees.

Vice-Chairperson: Assists the Chairperson and assumes their duties in the Chairperson's absence. In the absence of the Chairperson, the Vice-Chairperson presides over meetings.

Secretary: Records meeting minutes, takes attendance, monitors compliance with open meetings requirements, maintains official records, distributes minutes, and manages public comments received via email. In the absence of both the Chairperson and Vice-Chairperson, the Secretary presides over meetings.

Communications Director: Ensures transparency, coordinates public communication, prepares press releases, and serves as a spokesperson for the Board as needed. In the absence of the Chairperson, Vice-Chairperson, and the Secretary, the Communication Director presides over meetings.

Section 2.

Local Law reads: The Chairperson and Vice-Chairperson shall serve in such positions for three (3) years and may not serve more than two (2) consecutive terms.

Section 3.

A Board member may step down from an officer role without affecting their status as a Board member by submitting a written notice to all other officers.

Section 4.

If any officer position becomes vacant, an election shall be held to fill the vacancy by a majority vote of the Board as soon as possible.

Section 5.

Removal from Office: An officer can be removed from their role with cause, by an affirmative majority vote (at least 7 members) at a regular meeting where previous notice has been provided.

Section 6.

If the vacancy is the office of Chairperson, the Vice-Chairperson will act as Chairperson. At the next scheduled Board meeting, there will be an election for Chairperson, and if the Vice-Chairperson is elected Chairperson, there will be an election for the Vice-Chairperson at the same meeting.

Section 7.

Meetings will comply with New York State Public Officers Law, Article 7 (Open Meetings Law). Under this law, gatherings where there is no quorum and no formal votes or actions taken do not constitute a meeting. Officers and small working

groups that do not meet quorum are expected to regularly prepare for meetings and carry out necessary work between official meetings.

ARTICLE V – MEETINGS

Section 1.

The Board shall meet at least bi-monthly. Meetings will be conducted in person or be held via teleconference/electronic means, provided all members can hear and speak to each other simultaneously.

Section 2.

Notice of each scheduled meeting shall be given orally or in writing by the Secretary to each member and to be posted on the website at least seven days in advance.

Section 3.

All regularly scheduled Board meetings shall be held in compliance with the New York State Public Officers Law, Article 7, Open Meetings Law.

- I. Public Notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
- II. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
- III. The public notice provided for by this section shall not be construed to require publication as a legal notice.
- IV. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.
- V. Notice of the time and place of a meeting given in accordance with subdivision one or two of this section shall also be conspicuously posted on the internet website at <https://www2.erie.gov/legislature/index.php?q=erie-county-community-corrections-advisory-board>

Section 4.

A majority of the Board, six (6) members, shall constitute a quorum. An affirmative vote from a majority of all members shall be required to take action, unless indicated elsewhere in the bylaws that a super-majority is required.

Section 5.

If, during any meeting, attendance falls below the number required for a quorum, the meeting shall automatically adjourn. No further business may be conducted until a quorum is reestablished at a future meeting.

Section 6.

At the start of each meeting, Board members must identify, disclose, and manage conflicts of interest following the Conflict of Interest Policy and Procedure Statement attached to these bylaws, titled Appendix B.

Upon review of the agenda topics, Board members will independently assess if a recusal from a particular conversation or voting due to a conflict of interest is warranted. This determination should be based on the member having read and understood the Code of Ethics provided at the start of their Board term.

Section 7.

Robert's Rules of Order shall govern the conduct of all meetings unless otherwise specified in these bylaws.

Section 8.

A public comment period shall be set aside at the beginning of each regular meeting. Requests to speak must be submitted to the Clerk of the Erie County Legislature at least five (5) business days before the meeting via the ECCSAB email eriecountycsab@gmail.com. Comment requests can also be submitted via posted mail, addressed to the Erie County Legislature at Old County Hall, 92 Franklin Street, Floor 4 Buffalo, NY 14202. If Legislative staff receive posted mail with requests for the ECCSAB, they will be scanned in and sent to the email noted.

Section 9.

Individuals may speak for up to three (3) minutes. If public comment exceeds thirty (30) minutes, the Chair may pause the comment period to proceed with the agenda, resuming public comment after other items are addressed, unless the Board votes to extend the comment period of that specific meeting. If no individuals have submitted requests to speak, the Board will forgo the time for public comment at that meeting.

ARTICLE VI – COMMITTEES

Section 1.

The Board may establish standing or special committees as needed, and will be determined by majority vote. Each committee shall be created to carry out designated tasks, conduct research, and/or make recommendations related to the Board's mission and responsibilities.

Section 2.

Unless otherwise specified in the motion establishing the committee, the Chairperson shall appoint committee members and designate a committee chair, subject to the approval of the Board. Committees shall consist of Board members, except that non-members may be included as advisors or participants where appropriate. The Chairperson shall appoint committee members following a call for interest among Board members.

Section 3.

Committees are advisory and shall report findings and recommendations to the full Board for consideration and action.

Section 4.

Per New York State Public Officers Law, Article 7, and as clarified by the Court of Appeals in *Smith v. CSEA* (84 N.Y.2d 63, 1994), any committee or subcommittee established by formal action of the Board and consisting solely of Board members shall be considered a public body.

Section 5.

As committee meetings are not regularly scheduled meetings and are reporting back to the Board, there is no need to comply with the New York State Public Officers Law, Article 7 Open Meetings Law (details in Article V, Section 3). Under this law, gatherings where there is no quorum and no formal votes or actions taken do not constitute a meeting. Subcommittee/working groups that do not meet quorum are expected to regularly prepare for meetings and carry out necessary work between official meetings.

Section 6.

Committees shall be dissolved automatically upon completion of their assigned task and the delivery of their final report to the Board, unless otherwise specified by the Board. Standing committees may be dissolved by a majority vote of the Board.

ARTICLE VII – RECORDS AND REPORTS

Section 1.

The Board shall prepare an annual report summarizing its activities, recommendations, and any other information requested by the Erie County Executive, the Erie County Legislature, the Erie County Sheriff's Office, or the public.

The report for the 2025 - 2026 calendar year shall be submitted by July 1, 2026, and each subsequent report shall be submitted annually by July 1 of the following year. Annual reports will be submitted to the Erie County Legislature and verbally presented as requested.

Section 2.

Minutes will be recorded by the Secretary throughout each scheduled Board meeting, typed, and disseminated to the Board members before the next meeting. During the meeting, the Board can request amendments to the minutes and/or approve. Upon the Board's approval, the minutes will be uploaded to the website.

ARTICLE VIII – AMENDMENTS

Section 1.

Proposed amendments to these bylaws shall be distributed by the Secretary to all Board members at least ten (10) days before the meeting at which action is to be taken.

Section 2.

Amendments must be adopted by a supermajority vote of the full Board at a meeting with a quorum present.

ARTICLE IX - ERIE COUNTY LEGISLATURE STAFF SUPPORT

Section 1.

The Chair of the Erie County Legislature will choose a member of the legislative staff to serve as the Clerk of the Board. This staff person will communicate with members and the public via notices regarding meeting location, dates, agendas, and public comments. The Clerk will also be responsible for taking attendance, recording votes, working with the Officers on developing the annual reports, and setting up any needed teleconferencing/virtual meetings.

APPENDIX A:

Erie County Corrections Specialist Advisory Board Code of Ethics

Section 1. Purpose

This Code of Ethics sets forth the principles and standards of conduct expected of all members of the Erie County Corrections Specialist Advisory Board. Members shall uphold the integrity, impartiality, and accountability necessary to support effective oversight and improvement of the Erie County Jail Management Division within the Erie County Sheriff's Office.

Section 2. Ethical Principles

A. Public Interest First

Members shall perform their duties in the interest of the public and the mission of the Advisory Board, not for personal or political gain.

B. Integrity and Honesty

Members shall act honestly and with integrity in all board-related activities. They shall avoid deception, conflicts of interest, and actions that could compromise the board's credibility.

C. Confidentiality

Members shall maintain the confidentiality of sensitive information obtained through board service, especially regarding individual cases, personnel matters, and protected records.

D. Respect and Fairness

Members shall treat all individuals with respect, dignity, and fairness, regardless of race, ethnicity, gender, religion, sexual orientation, disability, socioeconomic status, or criminal history.

E. Accountability and Transparency

Members shall be accountable to the public and conduct their duties transparently, except where confidentiality is legally or ethically required.

F. Avoidance of Conflicts of Interest

Members must disclose any actual or potential conflicts of interest and recuse themselves from discussions or votes where such conflicts exist or may appear to exist.

G. Commitment to Justice and Equity

Members shall strive to advance justice, equity, and humane conditions within the Erie County Jail Management Division and ensure that recommendations are informed by these principles.

H. Professional Conduct

Members shall maintain professional behavior in all interactions, including public meetings, private discussions, and communications representing the board.

Section 3. Violations

Alleged violations of this Code of Ethics shall be reviewed by the Chair with recommendations brought before the board. Repeated or serious violations may result in disciplinary action, including removal from the board.

APPENDIX B:

Conflict of Interest Policy and Procedure Statement

Conflict of Interest. Conflict of Interest is defined as an actual or perceived interest by the Advisory Board member in an action that results or has the appearance of resulting in personal, organizational, or professional gain.

POLICY:

Members of the Board shall declare any actual or perceived conflicts of interest either before the start of the Board meeting or before any discussion or decisions about any matters on which they or anyone with whom they have a close personal relationship could directly benefit or be harmed, or where such benefit or harm could be perceived.

PROCEDURE:

1. At the start of each Board meeting, following approval of the agenda, the Chair shall ask for a declaration of any conflict of interest relating to any of the agenda items.
2. If a Board member declares a real, potential, or perceived conflict of interest, the declaration shall be recorded in the minutes. Perceived conflicts of interest are situations in which internal or external stakeholders could interpret actions of the board member as being in conflict.
3. Any Board member with a conflict of interest shall recuse (remove) him/herself from the room for discussion of the agenda item. The Board member shall not discuss nor vote on the issue. The Board member shall not discuss the issue with any other Board member at the time of the meeting or subsequently.
4. If a Board member is not certain he/she is in a conflict of interest position, the matter may be brought before the Board for advice and guidance.
5. If there is any question or doubt about the existence of a real or perceived conflict, the Board will determine, by vote, if a conflict exists. The person potentially in conflict shall be absent from the discussion and vote.
6. It is the responsibility of other Board members who are aware of a real, potential, or perceived conflict of interest on the part of a fellow Board member to raise the issue of concern with the Board at the time the issue is identified.

As an Advisory Board member, my signature below acknowledges that I have received, read, and fully understand the Conflict of Interest Statement and will comply with the statement by bringing any potential conflict of interest situations to the board for consideration.

Printed Name: _____ Signature: _____

Date: _____