

**BY-LAWS OF THE DAVIDSON COUNTY, TENNESSEE  
COMMUNITY CORRECTIONS ADVISORY BOARD**

Be it resolved, that the By-Laws that appear hereinafter be and hereby are approved and adopted by the Davidson County, Tennessee Community Corrections Advisory Board.

**ARTICLE 1  
NAME AND DESCRIPTION**

Section 1. Name: The name of this Board is the Davidson County, Tennessee Community Corrections Advisory Board (hereinafter called the BOARD).

Section 2. Description: The BOARD was created by resolution by the Davidson County Metropolitan Council under the laws of the state of Tennessee and as required by the Community Corrections Act of 1985 (hereinafter called the ACT). The BOARD was established to make policy and monitor the Davidson County, Tennessee Community Corrections Program (hereinafter called the PROGRAM). The PROGRAM is an alternative sentencing program serving Davidson County.

**ARTICLE 2  
DUTIES OF THE BOARD**

The Community Corrections Advisory Board shall be responsible for the following duties:

1. Adopt state minimum offender eligibility standards and when additional local criteria are developed, ensure that local standards conform to the mandates of the ACT and to state minimum standards.
2. Review and adopt the Community Corrections proposal submitted by the Community Corrections Manager and recommend the proposal to the Davidson County/Metropolitan Council.
3. Review and adopt PROGRAM policies and procedures which shall include, but not be limited to:
  - a.) Written by-laws of BOARD.
  - b.) Personnel qualification, standards, and duties of each staff member.
  - c.) Table of organization designating lines of authority.
  - d.) Operational procedures describing the following functions:
    - I. Intake
    - II. Eligibility
    - III. Referral Process
    - IV. Supervision Standards
    - V. Maintenance of Case Records
    - VI. Major/Minor violations of Behavioral Contract
    - VII. Client Revocation or Sentence Modification
    - VIII. Restitution Plan Development and Monitoring

- e.) Develop a public education program and implement public information activities at a minimum once per quarter, which informs and educates the general public regarding the need for diversion of non-violent offenders from confinement and the benefits of these programs to the local communities.
- f.) Monitor Program effectiveness.
- g.) Develop by-laws for the conduct of business in compliance with the Freedom of information Act.
- h.) The BOARD shall not be responsible for determinations of individual offender eligibility.

### ARTICLE 3 APPOINTMENTS OF BOARD

Section 1. Appointments: The BOARD shall have the following representatives:

- A. A representative of Davidson County Government nominated by the Mayor and confirmed by the Metropolitan Council.
- B. The Metropolitan Davidson County Public Defender.
- C. The Sheriff of Davidson County.
- D. The District Attorney General of the 20<sup>th</sup> Judicial District.
- E. A Criminal Defense Attorney residing in Davidson County, nominated by the presiding Judge of the 20<sup>th</sup> Judicial District and confirmed by the Metropolitan Council.
- F. A representative of a nonprofit human service agency, nominated by the county Executive and the other board members who serve by virtue of their elected office and confirmed by the Metropolitan Council.
- G. A State Probation/Parole officer assigned to work in Davidson County, nominated by the Executive Director of the Board of Paroles and confirmed by the Metropolitan Council.
- H. At least three (3) private citizens residing in Davidson County nominated by the Mayor and other board members who serve by virtue of their elected office and confirmed by the Metropolitan Council.

Section 2. Board Term: All appointments to the BOARD shall be confirmed by the Davidson County/Metropolitan Council. The following appointments shall be initially appointed to a term of three (3) years and thereafter to a term of two years.

- 1. Criminal Defense Attorney.
- 2. State Probation and Parole representative.
- 3. One Davidson County citizen representative.
- 4. A representative of county government nominated by the Mayor and confirmed by the Metropolitan Council.

The following will be appointed for two years

1. The two remaining Citizen Representatives of Davidson County.
2. Representative of non-profit human service agency.

The Sheriff, Public Defender, and District Attorney shall serve during their terms in office.

Section 3. Vacancies: Vacancies shall be filled in the same nomination and confirmation process as original appointments for any unexpired terms.

#### ARTICLE 4 BOARD-GENERAL PROVISIONS

Section 1. Voting: Each member of the BOARD shall have one vote. There will be no proxy voting allowed.

Section 2. Board Compensation: No member of the BOARD shall receive a salary or compensation for services as chairman or as a BOARD member but shall be entitled to reimbursement for any actual expenses incurred in connections with such membership; provided same was authorized or ratified by said BOARD, and is within the approved program budget.

Section 3. Alternate Representatives: Alternate BOARD members shall be designated by BOARD members. Each BOARD member should have one (1) alternate. Alternates serving in the absence of a regular BOARD member thereof shall have full voting rights and privileges at such meetings as the regular BOARD members but shall have no voting rights or other privileges if their member is present at such meeting.

Section 4. Conflicts of Interest: The PROGRAM or the BOARD shall not obligate or expend any program funds for a purchase or rental of goods, space, or services from a member of the BOARD or a member of the immediate family of a BOARD member. Such limitation also applies to a.) any member of a committee, b.) Community Corrections Manager, c) any other employee of the PROGRAM whose responsibilities include procurement of goods, space or services.

#### ARTICLE 5 OFFICERS OF THE BOARD

Section 1 Officers: The officers of the BOARD shall be: a Chairperson, a Vice-Chairperson, and a Secretary for a total of three (3) officers; all to be elected by the BOARD at its annual meeting.

Section 2 Term of Office: All officers shall hold office for (2) years or until their successors are duly qualified or elected.

Section 3 Duties of Officers:

1. Chairperson- The Chairperson shall preside at all meetings of the BOARD. The Chairperson shall exercise such other duties as may be prescribed by the BOARD from time to time.
2. Vice-Chairperson- In the absence of the Chairperson, the vacating of said office or in the event of inability, or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson. Any Vice-Chairperson shall perform any other duties as from time to time may be assigned by the Chairperson of the BOARD.
3. Secretary- The Secretary shall see that the minutes of the meetings of the BOARD are kept in one or more books provided for the purpose, see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; be custodian of the corporate records of the program; keep a register of the post office address of each member, which shall be furnished to the Secretary by such members; and in general perform all duties incident to the office of the secretary and such other duties as from time to time may be assigned by the chairperson of the BOARD. By action of the BOARD a recording secretary may be designated to assist in the performance of any and all of these duties.

Section 4. Election: All officers of the BOARD shall be elected at the annual meetings of the BOARD, which shall serve for a period of **two years** and may succeed them in the office upon proper action of the BOARD.

Section 5. Vacancies in Office: Any vacancy, in any office, for any reason, may be filled by the BOARD for the unexpired portion of the term.

ARTICLE 6  
COMMITTEES OF THE BOARD

The BOARD shall have the authority to appoint specific committees from time to time as the BOARD deems necessary which shall meet as necessary. Said committees may include but are not limited to the following:

1. Executive Committee- to conduct transactions of the BOARD, which need to be acted upon or to discuss issues dealing with the PROGRAM. The Executive Committee shall deal with any issues or problems that might jeopardize the public image of the PROGRAM.
2. Finance Committee- reviews proposed program budget and makes recommendations to the BOARD regarding its adoption.
3. Public Education Committee- develops, conducts, and monitors a public education program for the community corrections program which informs and educates about the Community Corrections Act.

4. Program Committee- monitors the effectiveness of local community correctional service, makes recommendations to the BOARD regarding needed modification; along with the Community Corrections Manager, reviews innovative Community Corrections Programs operating in other areas; reviews and recommends potential subcontracts for the services to the BOARD. Reviews program policy and procedures and makes recommendations to the BOARD regarding their adoption.
5. Personnel Committee- shall screen all applicants for the Program Manager position and make a recommendation to the Board. The Board shall then recommend to **the Presiding Judge** the person to be hired as the Program Manager. All other program positions shall be filled through established **State Trial Court Personnel Procedures**.

Appointment must be approved by a majority vote of the BOARD.  
Each committee shall elect a chairperson who will serve as spokesperson for the committee to the BOARD.

## ARTICLE 7 MEETING OF THE BOARD

Section 1. Regular Meetings: Regular meetings of the BOARD shall be held quarterly or a minimum of three (3) times annually and provide a majority vote of the membership at each meeting. Such meetings shall be held at the designated time and place as provided by resolution approved by a majority of the members of the BOARD; provided further that if a regular meeting date falls on a legal holiday, the meeting shall be held the following day. The Chairperson may place on the agenda any person, group or organization wishing to appear before the BOARD and present their views on a specific subject within the PROGRAM'S province. The agenda of each meeting shall be prepared by the Chairperson, with assistance of the Community Corrections Manager and e-mailed to each member at least seven (7) days prior to every regular or special meeting. All relevant information or background materials to be considered at any meeting shall be included with the notice and agenda.

Section 2. Annual Meeting: An annual meeting of the BOARD shall be held in the month of July for the purpose of electing officers and members to the various committees and for transaction of other such business as may properly come before the meeting.

Section 3. Notice of Meetings: Written or printed notices stating the place, day and hour of any meeting of the BOARD shall be delivered by e-mail to each member not less than seven (7) days before the time of such meeting.

Section 4. Quorum Requirement: A quorum shall consist of a simple majority (51%) of the total membership of all members of the BOARD and all other committees of the BOARD. No business may be conducted at a meeting unless a quorum is present.

Section 5. Manner of Act. The act of the majority of the BOARD members at any meeting in which a quorum is present shall be an act of the BOARD.

## ARTICLE 8 FINANCIAL TRANSACTIONS

Section 1. Contract: Except as otherwise provided in these by-laws, the BOARD may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the PROGRAM.

Section 2. Checks, Drafts, Etc: All checks, drafts, or other orders for payment of money and all notes, bonds, or other evidences of indebtedness issued in the name of the PROGRAM or the BOARD or on its behalf shall be signed by Davidson County/Metropolitan Government agent or agents.

Section 3. Deposits: All funds of the PROGRAM shall be deposited on a timely basis to the account codes designated by Davidson County/Metropolitan Government.

Section 4. Fiscal Year: The fiscal year of the PROGRAM shall begin on the first day of July of each and every year and shall end on the last day of June.

## ARTICLE 9 PARLIAMENTARY AUTHORITY

The rules contained in these by-laws shall govern the BOARD in all cases to which they are applicable and which they are consistent with the Community Corrections Act of 1985 and the Resolution creating the BOARD. When parliamentary procedures are not covered by these by-laws, Roberts Rules of Order shall control.

## ARTICLE 10 AMENDMENTS TO THE BY-LAWS

Section 1. Act Required: These by-laws may be amended by a two-thirds vote of the entire BOARD.

ADOPTED, BY THE DAVIDSON COUNTY, TENNESSEE, COMMUNITY  
CORRECTIONS ADVISORY BOARD ON THE 1<sup>st</sup> DAY OF December, 2011.



Chairperson

Attest:

  
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Vice-Chairperson