

**ARK-TEX COUNCIL OF GOVERNMENTS
REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE
BYLAWS**

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of this body shall be the Regional Criminal Justice Advisory Committee (RCJAC) of the Ark-Tex Council of Governments (ATCOG).

The Committee shall assist and advise the staff and Executive Board of ATCOG on all appropriate matters relating to criminal justice issues in the region. Specifically, it shall:

- ❖ Review and consider recommendations concerning funding of local, State and/or Federal programs.
- ❖ Review and prioritize programs submitted for funding provided through the Office of the Governor – Public Safety Office (PSO), Criminal Justice Division (CJD), in accordance with RCJAC and CJD rules and regulations as adopted.

ARTICLE II - MEMBERSHIP

County Membership

The RCJAC shall have 27 county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

Members shall be recommended by the County Judge of the County where a vacancy exists, subject to approval by the ATCOG Board.

The membership shall be composed of representatives from law enforcement, juvenile justice, drug abuse prevention, nonprofit organizations, victim services, mental health, prosecution/courts, education and concerned citizens.

Regional Membership

The RCJAC shall have additional members from the region, recommended by ATCOG Criminal Justice staff subject to approval by the ATCOG Board, in order to ensure representation from each membership category.

Other Membership

A member of the ATCOG Board may be appointed by the ATCOG Executive Committee to serve as a liaison between the Board and the RCJAC.

ATCOG Criminal Justice staff shall perform the necessary staff functions to support the Committee's activities.

Membership Terms and Attendance

Terms of membership shall be two years. Members may be reappointed to serve additional terms. Terms of membership shall begin January 1 of every evenly numbered year.

Members who are absent from three consecutive meetings without a valid excuse shall be considered to have submitted his/her resignation. A member may resign at any time by submitting a written notice to ATCOG.

ARTICLE III - OFFICERS

The officers of the RCJAC shall be Chairman, 1st Vice-Chairman, and 2nd Vice-Chairman. Officers shall serve two-year terms. Officers shall be selected from and by the RCJAC membership during the first quarter of every evenly numbered year. Officers may be elected to serve more than one term.

The Chairman shall preside at all meetings of the RCJAC. The 1st Vice-Chairman shall perform the duties of the Chairman in his/her absence. The 2nd Vice-Chairman shall perform the duties of the 1st Vice-Chairman in his/her absence. If both the Chairman and 1st Vice-Chairman are absent, the 2nd Vice-Chairman shall perform the duties of the Chairman.

ARTICLE IV – MEETINGS

Open Meetings and Records

All meetings of the RCJAC shall be open to the public. All ATCOG governing board meetings and RCJAC meetings at which PSO/CJD-related matters are discussed must comply with the requirements listed in the Texas Government Code, Chapter 551 (Texas Open Meetings Act).

The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes.

Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.

Except where these bylaws require otherwise, Robert's Rules of Order shall govern the conduct of RCJAC meetings.

Quorum and Action

Twenty-five percent (25%) of the total membership will constitute a quorum at any meeting, whether at a location or by teleconference or webinar. If by teleconference or webinar, an official roll call will be taken to ensure a quorum is present.

Action taken by the committee shall be by a simple majority vote of the members present at the meeting by which a quorum is present.

Regular Meetings

The RCJAC shall meet as necessary during the year on a day, time and place specified by the ATCOG Executive Director, the ATCOG Criminal Justice liaison or the RCJAC as a whole.

RCJAC meetings can be conducted at a location, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG Criminal Justice liaison and electronically transmitted to each RCJAC member at least five (5) business days before the meeting date.

Special Meetings

The RCJAC shall hold a special meeting if called by the ATCOG Executive Director, the ATCOG Criminal Justice liaison, the RCJAC Chairman or requested in writing by at least one-third of the RCJAC membership. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.

Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.

Special meetings can be conducted in person, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

ARTICLE V - SUBCOMMITTEES

The RCJAC Chairman shall appoint temporary subcommittees as the need arises to perform specific tasks related to the business and activities of the RCJAC.

ARTICLE VI - BYLAWS AMENDMENTS

RCJAC Bylaws Review

The RCJAC shall review the bylaws annually to keep the document current. The RCJAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments are discussed and voted on. RCJAC amendment recommendations shall be presented to the ATCOG

Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the RCJAC members by ATCOG Criminal Justice staff.

ARTICLE VII - GRANT APPLICATION REVIEW PROCEDURES

Local Priorities & Strategic Plan

Each proposal must provide services, which have been identified as a local priority/need in the ATCOG region. Each applicant should contact ATCOG Criminal Justice staff to determine if the proposed project is listed as a local priority in the ATCOG region.

The Strategic Plan for the region shall be reviewed and revised as necessary and should not exceed a 5-year cycle without updating, with an effort to follow the format recommended by the Criminal Justice Division of the Governor's Office (CJD). Based on the current requirements by CJD, the top five local priorities within each category of the Strategic Plan (Victim Services, Juvenile Services, Law Enforcement) will be used in the grant application scoring process and also submitted to CJD. Focus groups of the previously mentioned categories will develop a list of recommendations for the top five (can be less than five if necessary) priorities of each category. These recommendations will be reviewed by the RCJAC and ATCOG Board for their approval prior to the scoring process. Since the local priorities are necessary in the application scoring process, the priorities will be reviewed/discussed by the focus groups each year and recommended to the RCJAC and ATCOG Board for approval, regardless if the full Strategic Plan is updated during that particular year. A list of participating representatives present at the Strategic Planning meeting, and their affiliation, should be attached to the Strategic Plan, with the date of review and revision. The Strategic Plan is available to view on the ATCOG website, www.atcog.org.

Grant Application Workshop

Each applicant must attend a Grant Application Workshop presented by ATCOG Criminal Justice staff prior to beginning the application process each year until further notice. The workshop will be conducted at a location, via teleconference, webinar, or by other electronic means as decided by ATCOG CJ Staff each year. All local officials and anyone who has expressed an interest in applying for a grant will be notified of the date, time and location (physical location and/or teleconference/webinar/electronic info) of the workshop,

along with deadlines that may apply. This information will be announced with the notification of available grant funding. A one-on-one conference can substitute for workshop attendance if someone is unable to attend. Applicants must have the “Intent to Apply/Grant Workshop Verification Form” signed and returned to ATCOG CJ Staff at least 30 calendar days prior to the PSO/CJD eGrants application submission deadline.

Notification of Application Deadlines

All local officials, current and potential grantees, will be notified of grant application deadlines as soon as they are established.

Under no circumstances will grant applications be accepted after the deadline.

Fund Specific Requirements

Decreasing Ratio Policy for JAG and JJP Applications:

Decreasing ratio and five-year maximum projects shall establish their CJD request each year by following the percentages listed below (Benchmark is based on the amount awarded by CJD in the first year of funding). This requirement is in effect for the following funding categories: Criminal Justice Programs (JAG), and Juvenile Justice Program (JJP).

- 1st year – 100% CJD funding (Benchmark amount established)
- 2nd year - 80% CJD funding
- 3rd year - 60% CJD funding
- 4th year - 40% CJD funding
- 5th year - 40% CJD funding

If a grant applicant is not funded during any year of the cycle, they will be allowed to apply at the same percentage/amount for the following year. (Ex. In 2019 an agency is currently at 80% (yr. 2) applying for \$50,000, but they are not awarded the grant. In 2020, they will be allowed to apply at 80% (yr. 2) for \$50,000. If awarded in 2020, they will then be allowed to apply at 60% (yr. 3) in 2021.)

Exceptions to this policy include the Purchase of Juvenile Services Project (JJP). This project is exempt from the decreasing funding ratio and maximum years policy.

Prioritization Meeting

Mandatory Attendance of Prioritization/Scoring Meeting: Grant applicants are required to have a representative attend the RCJAC Prioritization Meeting, to provide a brief presentation regarding their project to the RCJAC. If no representative is present for an applicant, the RCJAC has the option to not consider the project for funding. Upon receipt of copies of the grant applications and review instruments, the committee members may complete the scoring sheets at their convenience and bring them to the Prioritization Meeting. If RCJAC members wish to revise their scores after hearing the applicant presentations, they may do so before submitting them to ATCOG staff for tabulation.

If a RCJAC member is not present at the scoring meeting, their scores will not be considered unless it is decided there are extenuating circumstances related to their absence. In order for their scores to be considered, the member must send a notarized letter to ATCOG prior to, or at the meeting, with their reason for absence stated in the letter. The letter will be presented to the RCJAC members who are present at the meeting, at which time the RCJAC will vote to accept or not accept the scores based on the member's reason for absence.

Prioritization Meeting Outcomes

The results of the prioritization meeting will be compiled and emailed to the RCJAC members and the grant applicants the following day, if possible. If an applicant wishes to inquire about the scoring results sooner, they may contact ATCOG staff.

The RCJAC reviews and competitively scores/ranks the following categories:

General Victim Assistance – Direct Services Program
(Victims of Crime Act – VOCA)

Violent Crimes Against Women Justice and Training Program –
Domestic Violence, Sexual Assault, Dating Violence, and Stalking
(Violence Against Women Act – VAWA)

Juvenile Justice Program
(Juvenile Justice and Delinquency Prevention Act – JJDP)
(State Criminal Justice Planning Fund - 421)

Justice Assistance Grant (JAG) Program
(Byrne Justice Assistance Grant)
(State Criminal Justice Planning Fund – 421)

CJD may also recommend or require the RCJAC to review and score applications in additional funding categories when necessary. At that time, the corresponding scoring instruments or other scoring documents to be used will be reviewed and approved by the RCJAC and made available to those applicant(s) prior to the scoring process.

The RCJAC has the option not to recommend for funding, an application or line item(s) identified as ineligible. The decision not to recommend funding these applications must be accurately reported to CJD.

The RCJAC has the option to recommend less funding than applied for on any fund source application submitted by an applicant. The decision to recommend less funding than the original amount requested by the grant applicant must be reached by a simple majority vote of the RCJAC present at the scoring meeting.

Grant Application Scoring Guidelines

New projects and continuation projects shall be reviewed, scored, and prioritized for funding each year, as applicable, utilizing a standard review instrument. All projects considered for CJD funding must meet the guidelines and requirements established by

CJD annually. The applicant agency/organization must be located within the ATCOG region and provide services within the ATCOG region in order for the application to be eligible for review and scoring.

All eligible applications in each funding category must be prioritized and ranked for funding consideration by the RCJAC. These recommendations shall be forwarded to the Ark-Tex Council of Governments Board of Directors/Executive Committee for their approval. ATCOG will submit prioritization results to CJD.

Each application shall be scored by each RCJAC member unless the member has a conflict of interest, and an average score shall be assigned to each proposal. Applications in each category shall be prioritized according to the average score assigned to the proposals. Proxy votes shall not be allowed at scoring meetings.

Applicant Correspondence with RCJAC Regarding Scoring

A grant applicant, or individual(s) acting on behalf of the applicant, shall not contact any RCJAC member prior to any scoring/prioritization meeting to persuade a score. If an applicant, or individual(s) acting on behalf of the applicant, contacts a scoring member to persuade a score, their application may be disqualified at the discretion of the RCJAC. If a RCJAC member receives a contact of this nature from an applicant, or individual(s) acting on behalf of the applicant, the scoring member should contact the RCJAC Chairman and/or ATCOG Criminal Justice staff.

Conflict of Interest

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they or an individual related within the third degree by consanguinity or within the second degree by affinity:

- Is employed by the applicant agency and works for the unit or division that would administer the grant if awarded,
- Serves on any governing board that oversees the unit or division that would administer the grant if awarded,
- 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,
- Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.

RCJAC members who have a conflict of interest should contact ATCOG CJ Staff prior to the scoring meeting regarding their conflict.

High/Low Scores Dropped

The high and low score of each grant application will be dropped if the number of eligible RCJAC scoring members (to submit their scores) for the particular funding source is ten or greater.

Tie-Breaker Method

In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest 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 RCJAC shall be notified of the tie and the revised results.

RCJAC Representation

The RCJAC is required to have a multi-disciplinary representation of members from the region, which includes the following categories: law enforcement, juvenile justice, drug abuse prevention, non-profit organizations, victim services, mental health, prosecution/courts, education, and concerned citizens or parents, with no more than one-third (1/3) of the total membership being representatives of one group.

Review Instrument / Score Sheet

The review instrument used by the RCJAC to score the grant applications is developed by ATCOG staff to accommodate the recommendations/approvals by the RCJAC, based on CJD requirements and the local priorities in the Regional Criminal Justice Strategic Plan. This review instrument is subject to change each year, as the CJD requirements and the local priorities are also subject to change.

Appeal Procedure

Each applicant will be allowed to appeal actions of the Regional Criminal Justice Advisory Committee (RCJAC). Appeals must be based on a verifiable error made during the prioritization or review process and the applicant must be able to show that the error actually caused the application or portion of the application to not be funded. Factors that allow discretion by RCJAC members will not be considered for an appeal. The applicant must submit written documentation in support of the appeal. Letters and phone calls of support will not be considered as part of the official appeal process.

All appeals must be handled as follows:

- An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.

➤ The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.

Civil Rights Policies

➤ ATCOG has an Equal Employment Opportunity Plan in place and the ATCOG Human Resources Manager acts as the EEO Officer and is responsible for implementing the ATCOG EEO Program. Through the EEO Plan and the EEO Officer, employees are notified that ATCOG provides a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability, or other protected class.

In addition to ATCOG's EEO Plan for employees, ATCOG offers the following civic rights information available to employees and also to individuals that participate in (or benefit from) ATCOG's criminal justice grant programs/activities (available on the ATCOG website www.atcog.org/atcog-home/criminal-justice):

- ATCOG's criminal justice programs do not discriminate on the basis of race, color, religion, disability, nationality, sex, English proficiency, or age.
- ATCOG's EEO Complaint Process (p.8 in ATCOG EEO Plan - on website) should be used when an ATCOG employee, or an individual that participates in (or benefits from) ATCOG's criminal justice programs, files a complaint alleging discrimination on the basis of race, color, religion, disability, nationality, sex, English proficiency, or age.
- ATCOG provides access to their criminal justice programs/activities to persons who have limited English proficiency (LEP) by using a language translation/interpretation service when necessary.
- ATCOG criminal justice programs comply with the Equal Treatment for Faith-Based Organizations guidelines including efforts to ensure the programs do not engage in inherently religious activities and that the program does not discriminate against program participants and/or vendors on the basis of religion or religious beliefs.

Reviewed/Amended/Recommended by RCJAC 02-11-21.
Approved by ATCOG Board 02-25-21.