

**By-Laws of Buncombe County  
Justice Resource Advisory Council (JRAC)**

**Article I - Name and Purpose**

*Section 1 – Name:* The name of the organization shall be the Justice Resource Advisory Council, known as “the JRAC” henceforth.

*Section 1 – Authority:* Approved by the Buncombe County Board of Commissioners in 2017, the JRAC is Buncombe County Board that serves in an advisory capacity regarding justice system improvements to include policy and allocation of fund recommendations to the Buncombe County Board of Commissioners.

*Section 3 – Purpose:* The purpose of the JRAC is to serve as an advisory body to the policy makers, judiciary, and stakeholder groups of the criminal justice system in Buncombe County. The JRAC examines potential improvements to the system, sets priorities, makes recommendations, and guides with their implementation. The JRAC utilizes evidence based methods to identify goals and priorities, develops solutions, and measures results to ensure policies and programs are cost effective, efficient and produce maximum outcomes for the community.

To achieve its purpose, the JRAC is committed to enhancing the efficiency and effectiveness of the Buncombe County criminal justice system with emphasis on strategies that are cost effective, prioritize public safety, provide greater resources to law enforcement and the courts and supportive services to individuals involved in the justice system. Based on this goal, the objectives are:

- to align efforts to ensure cohesive systemic planning;
- to produce and continually improve a comprehensive criminal justice plan;
- to identify and initiate programs or strategies for improvements of the criminal justice system;
- to utilize evidence based system planning, evaluation and data driven decision making and;
- to address jail population management in a holistic manner considering resources, safety, and disparities.

*Section 4 – Strategic Plan:* The JRAC will develop and adopt a comprehensive criminal justice plan that aligns with the understanding the needs of the community, best practices, and allocation of resources. Once adopted the progress of the plan will be reviewed quarterly with the JRAC to ensure we are meeting the goals and objectives set forth. The plan will be reviewed and updated every two to three years to reflect the changes in needs, and resources.

**Article II – Membership**

*Section 1 – Membership by position:* There are ten voting members of the JRAC who are members due to the position they hold. These eleven members serve on the JRAC for as long as they occupy the position:

- Chief District Court Judge, 28<sup>th</sup> Judicial District
- Chief of Police, Asheville Police Department
- Chief Public Defender, 28<sup>th</sup> Judicial District
- Chief Juvenile Justice Counselor, 28<sup>th</sup> Judicial District
- Chief Magistrate, 28<sup>th</sup> Judicial District
- Clerk of Court, 28<sup>th</sup> Judicial District
- District Attorney, NC 40<sup>th</sup> Prosecutorial District Attorney’s Office

- Judicial District Manager for Community Corrections, 28<sup>th</sup> Judicial District
- Senior Resident Superior Court Judge, 28<sup>th</sup> Judicial District
- Sheriff, Buncombe County Sheriff's Office

*Section 2 –Membership by representation:* There are eleven voting members of the JRAC who representative by selection of their organization/department. The organization/department which they represent determines who will serve on the JRAC and the length of time. Staff will send out an invitation to the membership organization asking them to reply in writing with their designated representative.

- Buncombe County Government
  - Bureau of Identification
  - Board of Commissioners
  - County Manager's Office
  - Health and Human Services
  - Pretrial Services
  - Strategic Partnerships
- Buncombe County Coordinated Community Response
- The City of Asheville
  - City Council
  - City Manager's Office
- Local Private Defense Bar Association
- Regional Area Public Managed Care Organization

*Section 3 – Membership by selection by nomination and appointment:* There are two voting members of the JRAC who are nominated by the JRAC members and appointed by the Buncombe County Board of Commissioners. These two members will serve for two years and can only serve for a maximum of two consecutive terms.

*Section 4 – Membership Responsibility:* JRAC members agree to participate on the JRAC with the purpose of improving cross-system collaboration and designing collective strategies to address justice and mental health needs. Members will actively participate in planning, provide relevant data (if applicable), evaluate the facts and explore alternatives to incarceration while prioritizing public safety. Members will participate in system mapping and data analysis to understand current services and justice-involved populations. Members will engage in discussions on procedures for sharing information between agencies as allowed by statute and not in conflict with the legal or ethical obligations of any member. If a JRAC member is unable to attend, they make a reasonable attempt to send a designated proxy.

### **Article III – Chair and Vice Chair**

The Chair of the JRAC is appointed by the County Manager and will serve a term of two 2 years. The Vice Chair is voted on by simple majority of the JRAC. This vote will be done by secret ballot. Nominations will be accepted via email one week prior to the meeting. The Chair will be responsible for working with JRAC members in agenda setting, calling the meeting to order and ensuring JRAC by-laws are properly

carried out. The chair is also responsible for presiding over the JRAC and JRAC Steering Committee. The Vice Chair is responsible for the former in the event the chair is unable to attend the meetings.

#### **Article IV – Staff Support**

Staff support for the JRAC is provided by Buncombe County Government, including coordination, logistics, program planning, and performance management. Primary support is provided by a full time position. This position will serve as the primary point of contact for the JRAC and organizes logistics, public communications, and handles all the official records and all other basic matters pertaining to the JRAC.

#### **Article V – Steering Committee**

*Section 1 – Purpose:* To expedite and facilitate the business of the JRAC and the orderly and efficient consideration of matters coming before it, the following standing committees are established.

*Section 2a – Steering Committee:* The Steering Committee is to provide leadership in the planning and implementation of the JRAC goals by:

- designating existing structures or creating new structures for the achievement of the JRAC goals; and
- reviewing implementation plans, timetables and costs and reporting with recommendations on such matters to the JRAC.

*Section 2b – Composition:* The Steering Committee is comprised of:

- Chief District Court Judge, 28<sup>th</sup> Judicial District
- Chief of Police, Asheville Police Department
- Chief Public Defender, 28<sup>th</sup> Judicial District
- District Attorney, NC 40<sup>th</sup> Prosecutorial District Attorney’s Office
- Senior Resident Superior Court Judge, 28<sup>th</sup> Judicial District
- Sheriff, Buncombe County Sheriff’s Office
- County Manager’s Office
- City Manager’s Office

#### **Article V – Standing Committees and Work Groups**

*Section 1 – Standing Committee Purpose:* Standing committees shall be determined by the JRAC. The size, and term of the committees shall be determined by the Steering Committee. The Steering Committee Chair upon consultation with the full Steering Committee shall designate the committee’s membership and chair. Committee membership can include representation from member organizations that are not on the Steering Committee, and JRAC. Committees provide regular updates to the full Steering Committee. Staff will send out a proposal for standing committees.

*Section 2 – Work Groups Purpose:* Work groups will form on an ad hoc basis to investigate and analyze specific issues within the criminal justice system as determined by the JRAC. The work groups will form recommendations and submit them to the JRAC for review. Work groups will also assist in the implementation and evaluation of supported plans. Work groups will be led by a JRAC member and may

include members from the public and private sector. The number of members and meetings will vary. Work groups shall dissolve once they have completed their purpose.

Standing Committee and Workgroup meetings shall be open to the public, unless there is a need for a special closed meeting.

## **Article VI – JRAC and Committee Meetings**

*Section 1a – JRAC Meetings:* The JRAC meets the first Friday of February, April, June, August, October, and December at 12:30pm. The JRAC must designate the time and place of all JRAC meetings, which meetings must be conducted in compliance with the North Carolina Open Meetings Law (G.S. 143-318.9).

*Section 1b – Steering Committee Meeting:* The Steering Committee meets bi-monthly on months opposing JRAC meetings.

*Section 1c – Standing Committees and Workgroup Meetings:* Meeting, time and location will be determined by committee/workgroup members once they are formed. In order to encourage open discussion, committees, and work groups are not public meetings unless a majority of the JRAC is present or unless otherwise determined by the JRAC to be required by the North Carolina Open Meetings Law (G.S. 143-318.9).

*Section 1d – Special Meetings:* The Chair or three of the members of the JRAC may at any time call a special meeting of the JRAC by signing a written notice stating the time and place of the meeting and the subjects to be considered. The person or persons who call the meeting shall cause the notice to be mailed, emailed, or delivered to the Chair and all of the JRAC members or left at the usual dwelling place of each member at least 48 hours before the meeting and shall cause a copy of the notice to be posted at the door of its usual meeting room and on the building in an area accessible to the public at least 48 hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or those who are not present have signed a written waiver.

If a special meeting is called to deal with an emergency, the notice requirements of this rule do not apply. However, the person or persons who call an emergency special meeting shall take reasonable action to inform the other members and the public of the meeting. Only business connected with the emergency may be discussed at the meeting.

*Section 2 – Public Comment:* There shall be the opportunity for public comment during JRAC meetings, using the same guidelines as the Buncombe County Board of Commissioners. No specific cases shall be discussed.

*Section 3 – Minutes and Records:* In conducting its business, the JRAC shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws setting forth the powers and duties of local Committees. To assist the JRAC in compliance, the Chair shall maintain a current copy of relevant North Carolina General Statutes and make them available to JRAC members on request.

Staff shall prepare minutes of each JRAC and committee meetings. Copies of the minutes shall be made available to each JRAC and/or committee member before the next regular JRAC and committee meetings. At each regular meeting, the JRAC and/or committee members shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The

public may obtain copies of JRAC and/or committee meeting minutes at the County Administration Building, 200 College St., Asheville, NC 28801. Said minutes will also be available on the website at [www.buncombecounty.org/jrac](http://www.buncombecounty.org/jrac).

*Section 4 – Absences:* In alignment with the Buncombe County Board of Commissioners policy if an JRAC appointee misses four consecutive meetings unexcused or fails to attend at least seventy five percent of the regularly scheduled meetings within a twelve month period, her or she is obligated to resign. JRAC members by position or representation should adhere to professional courtesy to prioritize the JRAC meeting. If a JRAC member by position or representation is unable to attend, they shall send a designated proxy.

## **Article VII - Voting and Decision-Making**

*Section 1 – Consensus:* Many decisions of the JRAC are made through discussion and consensus and do not require a formal vote.

*Section 2 – Absentee:* If a designated representative is unable to attend a JRAC meeting, they may provide an opinion respective to their office in one of two ways:

1. They may authorize another member of their organization who is in attendance to provide feedback related to the topic on their behalf; or
2. The designated representative may email their feedback in advance of the meeting to the Chair or their designee.

*Section 3 – Submitting Items for Formal Discussion or Vote:* The established protocol is as follows:

1. Members of the JRAC may submit agenda items to the Chair or their designee in advance of the meeting, or request placement on the agenda at the beginning of the meeting.
2. Steering Committee members discuss issues, make decisions, or refer the items to a committee or work group. The steering committee has the authority to make decisions on behalf of the JRAC.
3. A consensus is required for an item to be approved.
4. A consensus is develop by all members verbally affirming the decision unless determined otherwise by the Chair.
5. Budgetary considerations and By-law revisions must be presented to the Steering Committee at least one meeting prior to the meeting at which the vote will occur.
6. In the event that items are referred to a committee or work group, the members will meet, discuss the items, and make recommendations to the full Steering Committee. At this time, the Steering Committee has final approval to move forward on items.

## **Section VII – Amendments**

1. The By-Laws may be amended by a simple majority vote of the Steering Committee. Amendments must be submitted for consideration at least one meeting prior to the vote.

## **Section VIII - Amendments to the By-Laws**

Original Approval: February 14, 2020

Revised: