

Correctional Treatment Board By-Laws

On September 17th, 2013, the members of the Correctional Treatment Board voted to create the following by-laws to govern the proceedings and affairs of the Board.

Article I Name, Authority, Purpose and Duties

Article II Membership, Officers and Staff

Article III Meetings, Committees, Minutes, Public Input

Article IV Voting, Quorum, Conflict of Interest, Policies/Procedures

Article V Ethics and Conflict of Interest

Article VI Amendment of By-laws

ARTICLE I
Name, Authority, Purpose, Duties

1.1 NAME

The name of the entity shall be the Correctional Treatment Board.

1.2 AUTHORITY

The Correctional Treatment Board (hereinafter Board) operates under the authority stipulated in 18-19-103 (5) C.R.S.

1.3 PURPOSE & DUTIES

The purpose and duties of the Board as outlined in 18-19-103 (5) are to:

- a. Prepare an annual treatment funding plan for monies in the Correctional Treatment Cash Fund;
- b. Ensure a fair and reasonable allocation of resources for programs throughout the state;
- c. Facilitate information flow with local treatment boards and review information prior to setting the annual funding plan;
- d. Determine the scope, method and frequency of data collection as well as the parties responsible for data collection, analysis and reporting.

ARTICLE II
Membership, Officers and Staff

2.1 BOARD MEMBERS

Members to the Board shall include the following, as stipulated in 18-19-103 (5) C.R.S

- a. Executive Director of the Department of Corrections or his/her designee
- b. Director of the Division of Probation Services in the Judicial Department or his/her designee
- c. The Executive Director of the Department of Public Safety or his/her designee
- d. The Executive Director of the Department of Human Services or his/her designee
- e. The State Public Defender or his/her designee
- f. The President of the Statewide Association representing District Attorneys or his/her designee
- g. The President of the Statewide Association representing County Sheriffs or his/her designee

2.2 TERM OF APPOINTMENT

Board members serve as long as they remain in the designated position as outlined in Article 2, Section 2.1 or until the stated representative changes his/her designee.

2.3 CHAIR and CO-CHAIR APPOINTMENT AND LENGTH OF TERM

The Board shall vote to determine a Board Chair and Co-Chair position, both of which will last for a period of two years. The Chair position shall be designated in July of every even-numbered year (2012, 2014, etc) with the Co-Chair being designated in July every odd-numbered year (2013, 2015, etc). Appointment must be by a majority vote of the Board and members may be re-appointed to Chair and Co-Chair positions as long as they are valid members of the Correctional Treatment Board.

2.4 DUTIES OF CHAIR and Co-CHAIR

The duties of the Chair and Co-Chair shall include:

- a. Preside over Board meetings
- b. Sign appropriate documents and correspondence
- c. Call special meetings as necessary
- d. Establish committees and task groups and appoint chairs of the committees
- e. Enforce ethics and conflict of interest provisions of these by-laws
- f. Represent the Board at functions related to the Correctional Treatment Board

2.5 STAFF TO THE BOARD & STAFF DUTIES

Statute authorizes the Board to hire a staff person to support its work. The Staff position shall be filled via an open and competitive hiring process and shall be an employee of the Judicial Branch. The staff member will report to the Board, but its primary supervisory contact will be with the Director of Probation Services or his/her designee to the Board. Staff Duties include:

- a. Facilitate and Coordinate Data Collection
- b. Conduct data analysis
- c. Develop contracts
- d. Prepare reports
- e. Schedule and Staff Board meetings and sub-committee meetings
- f. Engage in budget planning and analysis
- g. Coordinate the annual conference for the Board
- h. Perform other work as designated by the Board

ARTICLE III

Meetings, Committees, Minutes, Public Input

3.1 REGULAR MEETINGS & AGENDA

The Board shall conduct regular meetings on the third Tuesday of every month unless cancelled or re-scheduled by the Chair and/or Co-Chair. Meeting specifics such as location, date and time will be determined on an annual basis and posted on each agenda which will be provided to members at least seven (7) days in advance of the meeting. The meeting agenda will be prepared by the Board staff and approved by the Board Chair/Co-chair. The agenda will lay out the expected business topics for discussion at the meeting. Any Board member may add an agenda item to a Board Meeting by calling or writing the staff at least three days in advance of the meeting. Agenda additions are subject to approval by the Chair and/or Co-Chair.

3.2 SPECIAL MEETINGS & AGENDA

Special meetings of the Board may be called by the Chair/Co-Chair as needed and will require at least a three-day prior notice. A meeting agenda will be prepared for all special meetings by the Board staff and approved by the Board Chair/Co-chair. The agenda will lay out the business topics for discussion at the meeting. Any Board member may add an agenda item to a Board Meeting by calling or writing the staff at least three days in advance of the meeting. Agenda additions are subject to approval by the Chair and/or Co-Chair.

3.3 COMMITTEES & WORKING GROUPS

Committees and working groups shall meet on an as-needed basis and are advisory to the Board. Recommendations of committees and working groups shall be ratified by a majority of the Board at regular Board meetings unless decision-making authority is otherwise delegated to the committee or working group.

3.4 BOARD MEETING ATTENDANCE

Members may participate in meetings by means of conference telephone calls or similar communications by which all persons participating in the meeting can hear each other.

3.5 MINUTES

Minutes shall be kept at all regular and special meetings of the Board and shall be approved at the next appropriate meeting. Minutes of all committee meetings shall be kept.

3.6 OPEN MEETINGS

The Correctional Treatment Board meetings are subject to the Open Meeting Law (Section 24-6-401 C.R.S)

3.7 INPUT FROM NON-BOARD MEMBERS

The Board may request or receive expertise and input from non-Board members on matters of general standards development, research or implementation of its mandates. The Board Chair/Co-Chair shall recognize and/or solicit input from non-member attendees at meetings as needed or requested by the Board. Non-Board members shall have no voting rights on matters before the Board.

ARTICLE IV

Voting, Quorum, Conflict of Interest, Policies/Procedures

4.1 VOTING

The work of the Board is designed to promote collaboration across all criminal justice agencies, so the Board and Committees will work to develop consensus on issues under consideration by the Board. When consensus is not possible, a majority vote of the Board or committee, which has been seconded, shall be the official decision of the Board or Committee. All members, including the Chair and Co-Chair shall have voting rights. A quorum must be present for votes to be taken and votes can be cast in person, over the phone or by e-mail.

4.2 QUORUM

A majority of Board members must be present, in person or via phone/video conference, at any meeting to constitute a quorum. A majority of votes cast by members present at a meeting in which a quorum is present shall decide any question brought before the meeting. Robert's Rules of Order shall govern all matters not covered by these by-laws.

4.3 IN ABSENTIA VOTES

Votes by e-mail must be approved by the Chair and/or Co-Chair in advance of the meeting where the e-mail vote is required. If this is allowed, the vote shall be by roll call and the result shall be reported to the full Board and the next Board meeting. All votes shall be recorded in the minutes.

4.4 CONFLICT OF INTEREST

Members shall abstain from voting when he/she has a conflict of interest or appearance of conflict of interest (see Section 5)

4.5 ADOPTION OF POLICIES AND PROCEDURES

In order to achieve its statutory mandates, the board shall adopt policies and procedures as necessary which shall be put into writing and dated. All policies and procedures shall be approved by the Board and may be amended or abolished as necessary. The staff to the Board shall maintain all records related to the adoption and/or changes to all policies and procedures developed by the Board. The Board may deviate from a policy or procedure for good cause.

ARTICLE V

Ethics and Conflict of Interest

5.1 DECLARATION

All Board members shall make a declaration orally or in writing during a regular, special or committee meeting of the board which will be included in the minutes, of any conflict of interest or appearance of a conflict of interest. For this purpose, conflict of interest is defined as personal financial gain. The board member shall not participate in the discussion if a conflict of interest is declared but may answer questions of the Board. It is the responsibility of the Chair/Co-Chair to enforce this section.

5.2 ABSTENTION FROM MOTIONS AND VOTING

Board members shall abstain from making a motion, seconding a motion, or voting on any matter in which the member has a conflict of interest or the appearance of a conflict of interest. The Board staff person shall make a record of who abstained.

5.3 RESPONSIBILITY OF BOARD MEMBERS AND STAFF

If a Board member or Board staff person is aware of a conflict of interest or the appearance of a conflict of interest of a Board member, he/she shall bring such conflict to the attention of the Board Chair/Co-Chair.

5.4 PROHIBITIONS

No Board member shall accept any stipend, fee, gratuity, or other consideration of any kind or nature from any person, unit, agency or organization for the purpose of influencing a vote, decision or recommendation of a Board member or staff member on a matter before the Board.

ARTICLE VI

Amendment of By-Laws

6.1 AMENDING BY-LAWS

The Board shall have the power to repeal or amend these by-laws at any regular or special meeting at which a quorum is present by majority vote, provided notice is given of such purpose to all Board members ten days prior to the meeting. All Board members shall be given thirty-days written notice prior to any vote amending the by-laws. Amendments to the by-laws shall take effect when they have been approved by no less than 2/3 of the Board. The staff to the Board shall reflect by-law changes in the minutes and keep copies of current by-laws.