

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of _____ Seneca

Town

Village

Local Law No. 5 of the year 2007.

A local law providing for the administration and operation of the Seneca County Criminal Justice Advisory Board

(Insert Title)

Be it enacted by the _____ Board of Supervisors of the
(Name of Legislative Body)

County
City

of _____ Seneca _____ as follows:

Town

Village

SECTION 1: DEFINITIONS

When used in this local law, the following words and phrases shall have the following meanings unless the specific context clearly indicates otherwise:

- A. CHAIR: The Chairman of the Seneca County Criminal Justice Advisory Board.
- B. BOARD: The Seneca County Criminal Justice Advisory Board
- C. LAW ENFORCEMENT AND CRIMINAL JUSTICE : All activities pertaining to crime prevention or the enforcement and administration of the criminal law, including but not limited to activities involving police, prosecution or defense of criminal cases, courts, probation and correction, juvenile delinquency prevention and juvenile justice

SECTION 2: SENECA COUNTY CRIMINAL JUSTICE ADVISORY BOARD CREATED

The "Seneca County Criminal Justice Advisory Board" is hereby created and/or continued pursuant to Article 13-A of the Executive Law of the State of New York..

SECTION 3: SENECA COUNTY CRIMINAL JUSTICE ADVISORY BOARD MEMBERSHIP

A. The board shall consist of twenty-three (23) voting members who shall be selected as follows:

1. County court judge;
2. Police court, district court, town court or village court judge, to be nominated by the Seneca County Magistrates Association and confirmed by the Board of Supervisors;
3. The district attorney;
4. The public defender;
5. Member of the county board of supervisors who chairs the public safety committee, or the committee best designed to deal with this subject, should no such public safety committee exist;
6. County director of probation;
7. Chief administrative officer, a/k/a jail administrator;
8. Youth Bureau Director;
9. Representative of a private organization operating within a county who has experience and involvement in alternatives to incarceration programs or pre-trial service programs, to be confirmed by the Board of Supervisors;
10. Ex-offender designated by the county manager;
11. Crime victim designated by the county manager;
12. County manager;
13. The director of community services as defined in section 41.03 of the mental hygiene law; and
14. An individual within a county who provides state certified alcohol and/or substance abuse treatment programs or services.
15. Municipal Drug Court
16. Pretrial Diversion Coordinator
17. County Attorney

18. Commissioner of Human Services

19. Representatives of the following agencies to be nominated by such agency and confirmed by the Board of Supervisors on an annual basis:

- a. Sheriff's Department
- b. Seneca Falls Police Department
- c. Waterloo Police Department
- d. Interlaken Police Department
- e. New York State Police

B. In addition, the Alternatives to Incarceration Coordinator, in his or her role as a liaison to the board, shall serve as an ex-officio, non-voting, member of the board and may also serve as the Secretary of the said Board in such ex officio capacity.

C. Members of the board shall receive no compensation for their services. Notwithstanding any inconsistent provisions of law, no officer or employee of the county or any political subdivision of the county shall forfeit such office or employment by reason of acceptance or appointment as a member of the board. For purposes of section thirteen of article thirteen of the state constitution, membership on the board by a sheriff or deputy sheriff shall not constitute public office.

D. The provisions of New York Public Officers Law § 3 requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from serving on the board.

SECTION 5: MEETINGS.

- A. Regular meetings of the Board shall be held monthly, on a day and time agreed to by a majority vote of the Board taken at the first meeting each year and thereafter as necessary but no less than quarterly.
- B. The Board Chairperson shall have the power to alter the date of a regular meeting should it seem reasonable and beneficial for the change such as a holiday or any other such emergency upon 48 hour notification of all members.
- C. Meeting place shall be at a location determined by the Board.
- D. Special meetings may be called by the Chairperson or at the request of any three members of the Board. Written notice of any special meeting shall be given no less than three business days in advance of such meeting. Notice shall be deemed given on the day mailed.

- E. A majority (twelve [12] voting members) of the whole number of the voting members (twenty-three [23]) shall constitute a quorum of the board and not less than a majority of the whole number may perform and exercise the powers, authorities or duties hereunder. For the purpose of this provision the words “whole number” shall be construed to mean the total number which the board would have were there no vacancies and were none of the persons or officers disqualified from acting.
- F. The annual organizational meeting shall be the first meeting of the calendar year. At this meeting, the board will be required to elect officers as described herein.
- G. The board, or committee or subcommittee or other similar body of same, shall be a "public body", and shall be governed by the provisions of New York State Public Officers Law, Article 7, Open Meetings Law, as might be hereinafter amended.

SECTION 6: OFFICERS

- A. Chairperson: Board members shall elect a Chairperson of the Board at the annual organizational meeting. The Chairperson shall conduct the business meetings, represent the Board’s position, and appoint all committees.
- B. Vice Chairperson: A Vice-Chairperson shall be elected by the membership of the Board and shall assume the duties of the Chairperson in the Chair’s absence of incapacity.
- C. Secretary: A secretary shall be elected by the membership of the Board. The secretary shall record and maintain all minutes of the meetings of the Board and perform such other normal duties of the office as are required or assigned by the Board.
- D. Vacancies of Officers: A vacancy in any of the offices described herein for any reason shall be filled at the next meeting by nomination and vote provided notice of the vacancy and planned voting is noted on the meeting notice which is given no less than three business days in advance of such meeting.

SECTION 7: POWERS AND DUTIES OF THE BOARD

The board is hereby authorized to, upon a vote of a majority of its membership to perform the duties of an advisory board established pursuant to Section 261 of the Executive Law of the State of New York or a criminal justice coordinating council, as such terms are defined in Article 13-A of the Executive Law of the State of New York, as well as the following

- A. Formulate the county plan designed to identify and provide eligible programs

established pursuant to Art. 13-A of the Executive Law of the State of New York

B. Study and identify needs and recommend to the Board of Supervisors effective methods for meeting the needs of the County's criminal justice system.

C. Assist all branches of county government with any law enforcement or criminal justice problem and, in an effort to identify these problems:

(i) Shall have the power to hold public hearings at which any citizen or public official may be heard;

(ii) Shall have the power to request any agency within Seneca County to supply such statistics, data, program reports and other material as it deems necessary to carry out its functions under this Local Law. Each such agency is hereby authorized to cooperate with the Board and to furnish the Board with such materials.

(iii) Maintain such accounts in the name of the county as might be authorized by the treasurer and/or board of supervisors

(iv) Shall establish a closer liaison and cooperation between law enforcement and criminal justice agencies.

D. Adopt bylaws and determine the rules of its own proceedings, not inconsistent with federal, state or local law, and to compel the attendance of members at regular and special meetings of the board and at committee meetings.

E. Create such standing and ad hoc committees as necessary to enable the board to properly carry out its functions, powers, and duties under this local law.

SECTION 8. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 9. EFFECTIVE DATE

This local law shall take effect upon its filing with the Secretary of State.