



## OHIO CRIMINAL SENTENCING COMMISSION OPERATING GUIDELINES

These Operating Guidelines are issued by the Ohio Criminal Sentencing Commission ("Commission") pursuant to R.C. 181.21(B) and apply to the operation of the Commission to assist in exercising the responsibilities established for the Commission under sections 181.21 through 181.26 of the Ohio Revised Code. These guidelines are intended to establish consistent standards and expectations in undertaking its duties and responsibilities.

### I. General Provisions

- (A) **Officers.** The Commission shall select a Vice-Chairperson and any other necessary officers. In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson.
- (B) **Commission Meetings.** The full Commission shall meet at least once per calendar quarter, at the call of the Chair or on the written request of eight or more of its members.
- (C) **Commission Actions.** Members of the Commission shall strive for consensus on recommendations concerning criminal justice policy, procedure or legislative proposals. Official actions of the Commission will be recorded by roll call vote and dissenting vote(s) noted.
- (D) **Meetings Open.** Meetings of the Commission shall be open to the public pursuant to R.C. 121.22.

### II. Standing and Ad Hoc Committees

- (A) **Creation.** In addition to the juvenile committee required pursuant to R.C. 181.21(D), the Commission hereby creates the following standing committees: Sentencing and Criminal Justice committee; Data Collection and Sharing committee. The Commission may form additional standing committees by formal vote. The Commission may also form ad hoc committees it believes necessary to complete its work. Ad Hoc committees shall be created by the Commission by formal vote and will also be dissolved by the Commission by formal vote at such time when the Commission determines the Ad Hoc committee has completed its work and/or at the time final recommendations are presented to the Commission.
- (B) **Chairpersons.** Each standing committee shall select a Chairperson and Vice-Chairperson who shall be Commission or Advisory Committee members. Chairpersons and Vice-Chairpersons shall serve in their capacity for a term not exceeding two years. Chairpersons and Vice-Chairpersons shall be permitted to serve no more than two consecutive terms in their respective capacities. Ad Hoc committees created will select a chairperson in consultation with a standing committee Chairperson, Vice-Chairperson or Director of the Commission.
- (C) **Membership.** Any standing or ad hoc committee created should consist of Commission members, Advisory Committee members and other persons who the standing committee

Chairperson, Vice-Chairperson, or Director of the Commission believe will assist in a full exploration and vetting of the specific issues under the review of the committee. Committee members must be appointed by the standing committee Chairperson or Vice-Chairperson. The Commission will maintain member rosters for all standing committees and Ad Hoc committees.

(D)

(E) **Voting.** All appointed members to a standing and/or ad hoc committee including non-Commission or non-Advisory Committee members, may vote on any motion properly before the (standing or ad hoc) committee on which they serve.

### III. Member Attendance

(A) **Requirement.** For a fully effective Commission, a Commission member or Advisory Committee member shall make a good faith effort to attend, in person, each Commission meeting.

(B) **Participation by telephone or other electronic means.** A Commission member or Advisory Committee member who is unable to attend a meeting due to an unavoidable conflict may request to participate by telephone or other electronic means available to the Commission. A Commission member or Advisory Committee member participating in this manner is considered present for meeting attendance, quorum, and voting purposes.

(C) **Replacement designee.** Subject to the provisions of R.C. 181.21(A) regarding individual designees for certain Commission members and Guideline IV (C), a Commission member or Advisory Committee member may designate a replacement for participation in meetings.

(D) **Nonattendance.** If a Commission or Advisory Committee member misses three consecutive full Commission meetings, the chairperson or executive director may recommend to the appointing authority that the member relinquish the member's position on the Commission or Advisory Committee.

### IV. Commission Meeting Voting

(A) **Procedure.** Commission members in attendance at a Commission meeting may vote on any motion properly before the Commission. The Advisory Committee members in attendance may vote if the Commission adopts a motion that allows for it. Members may abstain from a vote if they have a conflict, noting their abstention for the record.

(B) **Quorum.** Sixteen members of the Commission constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the Commission. The quorum present may include the Advisory Committee members if so moved.

(C) **Proxy voting.** A replacement designee may not vote on behalf of a Commission member unless that replacement designee is one of the individual designees allowed under R.C. 181.21(A). Advisory Committee members do not have designees.

- (D) **Electronic voting.** In consultation with the Director, a Commission member may vote on a specific proposed recommendation via electronic means no more than seven calendar days prior to any regularly scheduled Commission meeting. Electronic voting will be recorded and reflected in the official minutes of the Commission. Commission members may not electronically vote after a vote has taken place at a Commission meeting. Electronic voting is not applicable to Advisory Committee members.

## V. Minutes

- (A) Minutes shall be kept at every Commission meeting and distributed to the members for review and approval at the next meeting.
- (B) Minutes shall, at a minimum, record any votes taken on motions by the Commission, including a notation of those members in opposition to and abstaining from such motion.

## VI. Parliamentary Authority

- (A) The rules contained in the current edition of *Robert's Rules of Order Newly Revised* (<http://www.robertsrules.com/>) shall govern the Commission in all cases in which they are applicable and in which they do not conflict with State law and regulations; these Operating Guidelines; and any rules, procedures, or official action the Commission may adopt.

## VII. Ethics

- (A) **Compensation.** Pursuant to R.C. 181.21 and R.C. 181.22 Commission members and Advisory Committee members shall serve without compensation, but each member shall be reimbursed for the member's actual and necessary expenses incurred in the performance of the member's official duties on the commission. Committee members who are not members of the Commission or Advisory Committee shall not be reimbursed their actual and necessary expenses for attendance at committee and Commission meetings.
- (B) **Ethics.** Commission and Advisory Committee members have the duty to file any disclosures required of them.

## VIII. Amendment of Operating Guidelines

- (A) The Operating Guidelines may be amended at any full meeting of the Commission by the votes of a majority of the quorum present, provided that the amendment was submitted in writing at the last previous full Commission meeting or in advance of the full Commission meeting as approved by the chairperson, vice-chair person or executive director.

## IX. Effective Date

- (A) These Operating Guidelines are effective upon adoption.