

## 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 opinion(s) noted.
- (D) **Meetings Open.** Meetings of the Commission and any committees shall be open to the public pursuant to R.C. 121.22.
- (E) **Advisory Committee.** Pursuant to R.C. 181.22, the Advisory Committee serves as an advisory body to the Commission and Advisory Committee members freely participate at all Commission meetings.

### II. 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 **not** considered present for meeting attendance, quorum, and voting purposes.
- (C) **Replacement designee.** Designees for the individual Commission members specified in R.C.181.21 shall be treated as Commission members for purposes of attendance, quorum, and voting. Other Commission and Advisory Committee members may request for an alternate

individual to attend meetings; however, those alternates will not be take the place of actual member for purposes of attendance, quorum, or voting.

(D) **Nonattendance.** If a Commission or Advisory Committee member misses three consecutive meetings of the full Commission pursuant to R.C. 3.17, 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.

### III. 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 combined membership of the Commission and Advisory Committee constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the Commission.

(C) **Proxy voting.** Pursuant to Operating Guideline IIC), a Commission member may not vote by proxy unless the proxy vote is cast by a replacement designee specified under R.C. 181.21(A). If the statutory member and the replacement designee both attend a meeting, only the statutory member may vote. Advisory Committee members do not have designees.

### IV. 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.

### V. 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.

### VI. 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. In order for non-Commission and Advisory Committee members serving on standing or ad hoc committees to receive reimbursement,

they must be appointed by the Commission Chair, Vice-Chair, or standing committee chair and they must appear on the standing or ad hoc committee roster.

- (B) **Ethics.** Commission and Advisory Committee members have the duty to file any disclosures required of them.

## VII. **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 the 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. Standing committee members and Ad Hoc committee members must be appointed by the Commission's Chair, Vice-Chair, or the Standing Committee Chairperson. The Commission will maintain member rosters for all Standing Committee and Ad Hoc committees.
- (D) **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.

## 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.