

SUBSTITUTE
PROPOSED ORDINANCE

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT and
THE HONORABLE BRIDGET GAINER, ELIZABETH GORMAN,
JOAN MURPHY and DEBORAH SIMS, COUNTY COMMISSIONERS

JUVENILE TEMPORARY DETENTION CENTER ADVISORY BOARD

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article VI. Boards, Commissions and Committees, Division 2. Juvenile Temporary Detention Center Advisory Board, Sec. 2-511 through 2-521 of the Cook County Code are hereby enacted as follows:

ARTICLE VI. BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 3. JUVENILE TEMPORARY DETENTION CENTER ADVISORY BOARD

Sec. 2-511. Short title.

This Ordinance shall be known and may be cited as the "Ordinance Establishing the Cook County Juvenile Temporary Detention Center Advisory Board."

Sec. 2-512. Purpose of the Juvenile Temporary Detention Center Advisory Board.

The purpose of the Advisory Board is to establish an advocacy and resource group to provide public recommendations to the Executive Director of the Juvenile Temporary Detention Center ("JTDC"), the Chief Judge, the County Board and the President on matters relating to the policies and operations of the JTDC.

Sec. 2-513. Declaration.

- (a) The County Board hereby establishes the Cook County Juvenile Temporary Detention Center Advisory Board ("Advisory Board"). The County Board hereby finds and declares that the Advisory Board shall:
 - (1) Make public recommendations to the, Executive Director of the JTDC, the Chief Judge, the County Board and the President regarding administrative policies and procedures for operating the JTDC. The JTDC Advisory Board shall provide the Chief Judge and President all documented recommendations prior to their public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC and the Cook County Board.

- (2) Provide a public recommendation to maximize the use of existing resources at the JTDC. The JTDC Advisory Board shall provide the Chief Judge and President all documented recommendations prior to their public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC and the Cook County Board.
- (3) Provide public recommendations regarding the educational, physical, social, and psychological needs of the population. The JTDC Advisory Board shall provide the Chief Judge and President all documented recommendations prior to their public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC and the Cook County Board.
- (4) Establish public performance measures to track and measure the achievement of the JTDC's mission. The JTDC Advisory Board shall provide the Chief Judge and President all documented recommendations prior to their public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC and the Cook County Board.
- (5) Provide public recommendations as needed to ensure the general health, mental health, educational, physical, social and psychological needs of the population at the JTDC are being recognized and addressed. The JTDC Advisory Board shall provide the Chief Judge and President all documented recommendations prior to their public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC and the Cook County Board.

Sec. 2-514. Definitions.

For purposes of this article, the following words or terms shall have the meaning or construction ascribed to them in this section:

Advisory Board means the nine (9) member board charged with providing public recommendations to the Executive Director of the JTDC, the Chief Judge, the County Board and the President on all matters relating to the policies and operations of the JTDC.

Chairperson means the chairperson of the Juvenile Temporary Detention Center Advisory Board.

County Board means the Board of Commissioners of Cook County, Illinois.

Member means a member of the Advisory Board.

Ordinance means the Ordinance Establishing the Cook County Juvenile Temporary Detention Center Advisory Board Ordinance, as amended.

President means the President of the Board of Commissioners of Cook County, Illinois.

Sec. 2-515. Establishment of the Cook County Juvenile Temporary Detention Center Advisory Board ("Advisory Board").

- (a) The Advisory Board is hereby created and established. The Advisory Board shall consist of nine (9) members called "Members." The purpose of the Advisory Board is to establish an advocacy and resource group to provide public recommendations to the Executive Director of the JTDC, the Chief Judge, the County Board and the President on matters relating to the policies and operations of the Juvenile Temporary Detention Center.

Sec. 2-516. Members of the JTDC Advisory Board.

- (a) *General.* The appointed Members shall receive no compensation for their service, but may be reimbursed for actual and necessary expenses while serving on the JTDC Advisory Board. Pursuant to the relevant legal requirements regarding juvenile records, medical records, mental health records or any other law regulating sensitive and/or personal information, Members shall keep any and all such information confidential.
- (b) *Number of Members.* There shall be nine (9) Members of the JTDC Advisory Board.
- (c) *Appointment of Members.* One of the Nine Members shall be an Ex-Officio Member; the ex-officio Member shall be a Cook County Board Commissioner, the ex-officio Member shall be a joint appointment of the President and Chief Judge. The eight (8) remaining Members may be appointed by the President and the Chief Judge;
 - (1) *Ex-Officio Member.* The ex-officio Member shall be a voting Member of the JTDC Advisory Board. The Cook County Board Commissioner ex-officio Member shall serve as a liaison between the County Board and the JTDC Advisory Board.
 - (1) The Members appointed by the President and the Chief Judge, may include youth community advocates, youth development experts, educators, mental health specialists, physicians, and attorneys to ensure that the various needs of this population are recognized and served.

- (2) The Cook County Justice Advisory Council shall solicit and accept written nominations of interested and qualified persons to sit on the JTDC Advisory Board within 60 days of approval and adoption of this ordinance. Within 45 days thereafter, the Chair of the Cook County Justice Advisory Council shall submit all applicants to the President and the Chief Judge in writing for consideration. Nominated candidates shall at a minimum satisfy the qualifications listed in Section 2-517. The President shall then appoint four (4) individuals from the list of nominees to serve on the JTDC Advisory Board, and the Chief Judge may appoint four (4) individuals from the list of nominees to serve on the JTDC Advisory Board.
 - (3) Should a nominee withdraw, the President and the Chief Judge may request the Cook County Justice Advisory Council submit additional nominations to the President and Chief Judge in writing for consideration.
- (d) *Terms of Members.*
- (1) *Ex-Officio Member.*
 - a. The President's and Chief Judge's Cook County Board Commissioner ex-officio Member shall serve as their County Board appointment for the length of the Commissioner's term. Upon an appointment or election change for the representative from the County Board, the President and Chief Judge may provide notice to the County Board and the JTDC Advisory Board of any such change in ex-officio member appointment.
 - (2) *The remaining Members.* The remaining eight (8) Members of the JTDC Advisory Board shall serve terms as follows
 - a. For the initial Members,
 1. One (1) of the Members appointed by the President, other than the ex-officio Member, shall serve a term that expires on June 30, 2013.
 2. One (1) of the Members appointed by the Chief Judge, other than the ex-officio Member, shall serve a term that expires on June 30, 2013.
 3. One (1) of the Members appointed by the President other than the ex-officio Member, shall serve a term that expires on June 30, 2014.

4. One (1) of the Members appointed by the Chief Judge, other than the ex-officio Member, shall serve a term that expires on June 30, 2014.
 5. Two (2) of the Members appointed by the President other than the ex-officio Member, shall serve terms that expire on June 30, 2015.
 6. Two (2) of the Members appointed by the Chief Judge, other than the ex-officio Member, shall serve terms that expire on June 30, 2015
- b. Thereafter, all Members other than the ex-officio member appointed shall serve a term of three (3) years.
1. Each appointed Member, whether Initial or subsequent, shall hold office until a successor is appointed.
 2. Any appointed Member who is appointed to fill a vacancy, other than a vacancy caused by the expiration of the predecessor's term, shall serve until the expiration of his or her predecessor's term.
- (e) *Vacancy.* A vacancy shall occur upon the:
- (1) Expiration of Member's term,
 - (2) Resignation,
 - (3) Death,
 - (4) Conviction of a felony, or
 - (5) Removal from the office of an appointed Member as set forth in paragraph (f) of this section.
- (f) *Removal of Members.* A JTDC Advisory Board Member may be removed for good cause by the President or Chief Judge. Good cause includes inefficiency, neglect of duty, malfeasance, or any cause which renders the Member unfit for the position or unable to perform the duties of the position. The President or Chief Judge shall provide written notice to that Member, the Executive Director of the JTDC, and the County Board of the proposed removal of that Member from office; such notice shall state the specific grounds which constitute cause for removal. The Member, in receipt of such notice, may request to appear before the County Board and present reasons in support of his or her retention. Thereafter,

the County Board shall vote upon whether there are sufficient grounds to remove that Member from office. The President or Chief Judge shall notify the subject Member of the final action of the County Board.

Sec. 2-517. Qualifications of Members.

- (a) The eight (8) Members nominated by the Cook County Justice Advisory Council and appointed by the President and the Chief Judge, may be comprised of persons with expertise in youth development, education, law enforcement, juvenile probation, juvenile corrections, mental health, substance abuse, including, but not limited to, physicians and attorneys.
- (b) Criteria to be considered in nominating or appointing individuals to serve as Members shall include:
 - (1) Background and skills needed on the JTDC Advisory Board;
 - (2) Resident of Cook County, Illinois;
 - (3) Availability and willingness to attend a minimum of nine JTDC Advisory Board meetings annually; and
 - (4) Willingness to acquire the knowledge and skills required to advise on complex juvenile detention center issues.
- (c) Duties of individual Members include, but are not necessarily limited to, the following:
 - (1) Promptly relate community input to the JTDC Advisory Board;
 - (2) Learn sufficient details about JTDC management and operations in order to effectively evaluate proposed actions and reports; and
 - (3) Accept and fulfill reasonable assignments from the Chairperson of the JTDC Advisory Board.

Sec. 2-518. Chairperson/officers of the Advisory Board.

- (a) The Members shall select the initial Chairperson of the JTDC Advisory Board from among the initial Members. The Chairperson shall serve a one-year term and, thereafter, the JTDC Advisory Board shall annually elect a chairperson from among the Members.
 - (1) The Chairperson shall preside at meetings of the JTDC Advisory Board, and is entitled to vote on all matters before the JTDC Advisory Board.

- (2) A Member may be elected to serve successive terms as Chairperson.

Sec. 2-519. Meetings of the JTDC Advisory Board.

- (a) The President shall call the first meeting of the JTDC Advisory Board, after consultation with the Chief Judge. Thereafter, the Members shall prescribe the times and places for their meetings and the manner in which regular and special meetings may be called.
- (b) Meetings shall be held at the call of the Chairperson, however, no less than 12 meetings shall be held annually.
- (c) A majority of the voting Members shall constitute a quorum. Recommendations of the JTDC Advisory Board shall require the affirmative vote of a majority of the voting members of the JTDC Advisory Board present and voting at the meeting at which the action is taken.
- (d) To the extent feasible, the JTDC Advisory Board shall provide for and encourage participation by the public in the development and review of recommendations for JTDC. The JTDC Advisory Board may hold public hearings as it deems appropriate to the performance of any of its responsibilities.
- (e) The JTDC Advisory Board shall comply in all respects with the Open Meetings Act, as now or hereafter amended, and found at 5 ILCS 120/1, et seq.
- (f) The JTDC Advisory Board shall be subject to the Local Records Act, as now or hereafter amended, and found at 50 ILCS 205/1, et seq.

Sec. 2-520. Annual report of the JTDC Advisory Board.

- (a) The JTDC Advisory Board shall submit to the Executive Director of the JTDC, the Chief Judge, the Board of Commissioners and the President an annual report prior to the end of the Cook County fiscal year. The JTDC Advisory Board shall provide the Chief Judge the annual report prior to its public release, thirty days thereafter, the public recommendations shall be sent to the Executive Director of the JTDC, the Cook County Board and the President.
- (b) Included in the report shall be any recommendations for additional legislation or other action which may be necessary to carry out the mission, purpose and intent of the JTDC.

Effective date: This ordinance shall take effect 90 days after approval and adoption.