

# NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION  
NUMBER 60-13

February 15, 1996

## JAIL STANDARDS BOARD ORGANIZATION AND MEETING PROCEDURES

**PURPOSE:** To prescribe the Nebraska Jail Standards Board's (Board) organizational structure and the conduct of the Board meetings.

1. **REQUIREMENT:** Neb.Rev.Stat. 83-4,124 prescribes the Board membership and requires that, except for the Director of Correctional Services (or designee) and the State Fire Marshal (or designee), the other ten (10) members of the Board shall be appointed by the Governor and shall consist of: (a) one district judge; (b) two county commissioners or supervisors; (c) one county sheriff; (d) one municipal police chief; (e) one member of the Nebraska State Bar Association; (f) two lay people; (g) one person who at the time of his or her appointment is serving as an administrator responsible for the operation and maintenance of a juvenile detention facility; and (h) one person who at the time of his or her appointment is serving as an administrator responsible for the operation and maintenance of a criminal detention facility having an average daily population of greater than fifty persons. Each of the three congressional districts will be represented by at least one Board member.
2. **BOARD STRUCTURE:** The Jail Standards Board shall elect a Chair and Vice-Chair who shall serve in such capacity for a period of one year. A vacancy in either position shall be filled by the Board.
3. **BOARD MEETINGS:**
  - (A) The Jail Standards Board shall meet a least quarterly.
  - (B) The Chair or the Vice-Chair, if the Chair is unavailable, and the Jail Standards Division Chief may call a meeting of the Jail Standards Board for any purpose.
  - (C) The time, location and recording of minutes will be arranged by the Jail Standards Division Chief.
  - (D) The Jail Standards Board shall consider and may act on amendments, additions, or deletions to the Jail Standards when changes in the law or other special circumstances make it necessary.

- (E) Seven (7) members of the Board shall constitute a quorum for the transaction of any business or the exercise of authority of the Board. The Board shall have the authority to act by a majority of the members present at any of its meetings at which a quorum is present.
- (F) Open Session: All regular, special, or called meetings of the Board for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any formal action shall be open to the public.
  - 1. Ten (10) working days advance notice of the time and place of each meeting will be given by the Board by publishing in newspapers of general circulation. The notice shall contain an agenda of subjects to be discussed or a statement that the agenda, which shall be kept current, is available for public inspection at the office of the Commission.
  - 2. When the Board agenda includes public hearings on proposed rules and regulations, public notice of the agenda shall be published thirty (30) days in advance of the meeting date.
  - 3. Emergency meetings of the Board may be conducted by means of a telephone conference call. Advance public notice shall specify that the meeting will be conducted by means of a telephone conference call and specify the place in which the conference call will originate. Public notice of the telephone conference meeting may be published in less than ten (10) working days in advance of the meeting if the Chair determines that agenda items require the immediate attention of the Board. Complete minutes of the emergency meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.
  - 4. The minutes shall record the manner and date by which advance public notices were given, a statement of how the availability of an agenda of then known subjects was communicated, the date, time and place of each meeting actually convened, and the names of each member of the Board present or absent.

5. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the minutes shall state how each member voted, or if the member was absent or not voting.
  6. Minutes shall be written and available for inspection within ten working days, or prior to the next convened meeting, whichever occurs first.
- G. Closed Sessions: A closed session may be held by the affirmative vote of a majority of the Board members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting.
1. The vote to hold a closed session shall be taken in open session. A vote of each member on the question of holding a closed session, the reason for the closed session, and time the closed session commenced and concluded shall be recorded in the minutes. The meeting shall be reconvened in open session before any formal action may be taken.
  2. Any member of the Board which is in closed session shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reasons stated in the original motion to hold a closed session. Such challenge shall be overruled only by a majority vote of the members and such challenge and its disposition shall be recorded in the minutes.
- H. "Robert's Rules of Order" will serve as a guide in the conduct of the meeting. The voting procedure will be determined by the Chair.

Deborah Gilg, Chair  
Jail Standards Board

Allen L. Curtis  
Executive Director