

**BY-LAWS  
OF  
ESSEX COUNTY CORRECTIONAL FACILITY CIVILIAN TASK FORCE**

**ARTICLE I**

**1.01 Name.** The official designation shall be the “Essex County Correctional Facility Civilian Task Force” (“Task Force”).

**1.02 Offices.** The principal office of the Task Force shall be at McCarter English, LLP, Four Gateway Center, 100 Mulberry Street, Newark, New Jersey. The Task Force also may have offices at such other places as the Executive Director and Chair of the Task Force from time to time may determine.

**ARTICLE II**

**2.01 Purpose.** The purpose of the Task Force is to provide public oversight, transparency and accountability with respect to the policies, procedures, practices, supervision, management, and training at the Essex County Correctional Facility (“ECCF”).

**2.02 Authority.** The Task Force’s powers and limitations thereof are derived from Ordinance No. 0-2019-00017 adopted by the Essex County Board of Chosen Freeholders (“BOCF”) on October 23, 2019 (“Enabling Ordinance”).

**2.03 Preemption.** Nothing in these By-laws shall be construed to negate, expand or limit any provision of the Enabling Ordinance.

**ARTICLE III**

**3.01 Members.** The Task Force shall consist of nine (9) members, appointed by The County Executive of Essex County (“County Executive”) with the advice and consent of The Essex County Board of Chosen Freeholders (“BOCF”). The Task Force shall be composed as follows: one (1) member shall be a representative from a recognized detainee advocacy group; one (1) member shall be a representative from a recognized inmate advocacy group; one (1) member shall be an attorney licensed in the State of New Jersey and in good standing; one (1) member shall be a demonstrated corrections expert; one (1) member shall be a formerly incarcerated individual; one (1) member shall be a social justice advocate; one (1) member shall be an expert in the medical field; and one (1) member shall be a member of the public.

**3.02 Limitations.** A person may not be a member of the Task Force if the person or a member of the person’s immediate family:

a. is or has within the last five (5) years been employed by or participated in the management of a business entity or other organization that has, within the last five years, contracted with or received funds from ECCF, the Essex County Sheriff’s Office (“ECSO”), any other Essex County governmental entity, or U.S. Immigration and Customs Enforcement (“ICE”);

b. owns or controls, directly or indirectly, any interest in a business entity or other organization that has, within the last five years, contracted with or received funds from ECCF, ECSO, any other Essex County governmental entity, or ICE;

c. uses or receives any amount of tangible goods, services, or funds, with the exception of public benefits from ECCF, ECSO, any other Essex County governmental entity, or ICE;

d. is required to register as a lobbyist or consultant pursuant to N.J.S.A. 52:13C-18, *et seq.* because of the person's activities for compensation on behalf of a profession related to the operations of the ECCF, ECSO, any other Essex governmental entity, or ICE; or

e. is currently employed or has been employed within the last two (2) years by the County of Essex (“County”).

**3.03 Chair.** The County Executive shall appoint one (1) member of the public to serve as Chair of the Task Force, appointed with the advice and consent of the BOCF.

**3.04 Executive Director.** The County Executive may appoint an Executive Director of the Task Force who shall oversee the administration of the Task Force and procedures pertaining to same.

#### ARTICLE IV

**4.01 Selection.** Prospective members shall provide the County Executive with resumes and any other submissions requested by the County Executive that establish their qualifications to be considered for appointment to the Task Force.

**4.02 Training.** Each member shall successfully complete a training program, mutually agreed upon by the County Executive, BOCF and the Task Force at the County’s expense, within six (6) months of appointment to the Task Force.

**4.03 Term.** The term of the members shall be three (3) years, except that of the members first appointed, four (4) members shall be appointed for terms of one (1) year and four (4) members shall be appointed for terms of two (2) years. The terms of the Chair and Executive Director shall be three (3) years, respectively. A term shall start on January 1st and end on December 31st. No person serving continuously for six (6) years shall be eligible for reappointment until the lapse of three years.

**4.04 Resignation.** Any member of the Task Force may resign at any time by giving written notice to the Chair or Executive Director of the Task Force. The Chair or the Executive Director of the Task Force may resign at any time by giving written notice to the Essex County Executive. Any such resignation by a member, Chair or Executive Director shall take effect at the date of the receipt of such notice or at any later time specified therein and unless otherwise

specified therein, the effectiveness of resignation shall not be contingent on the acceptance thereof.

**4.05 Removal of Members.** The County Executive shall retain the authority to remove any member for cause, including the Chair, and designate another for appointment.

**4.06 Vacancies.** In the event of a vacancy on the Task Force during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term. Vacancies shall be filled within sixty (60) days.

## ARTICLE V

**5.01 Regular Meetings.** The Task Force shall meet, at a minimum, four times each year. One of said meetings shall be open to the public.

**5.02 Special Meetings.** Special meetings of the members may be called at any time by the Chair or the Executive Director, and shall be held at the principal office of the Task Force or at such place within or outside of the State of New Jersey as the Chair or the Executive Director calling the meeting shall designate.

**5.03 Notice, What Constitutes.** Whenever notice is required to be given to any member under the provisions of the these Bylaws, it may be given to the member, either personally, by electronic mail, by text message, by U.S. Mail or by facsimile transmission to such member's address (or facsimile number) supplied by the member to the Task Force for the purpose of notice.

**5.04 Notice of Meetings.** Notice of any regular meeting shall be given not less than seven (7) or more than forty (40) days prior to the date of the meeting. Notice of any special meeting shall be given not less than three (3) or more than forty (40) days prior to the date of the meeting. The Chair or the Executive Director at the Chair's request shall send, or cause to be sent, notice of meetings.

**5.05 Quorum.** At any meeting of the Task Force, either by phone or in person, the presence of at least a majority of the members serving at that time shall constitute a quorum for all purposes except as otherwise provided by law or these By-Laws, and the act of a majority of those present at any meeting at which there is a quorum shall be the act of the Task Force except as otherwise may be provided specifically by statute or by these By-Laws. Either in the absence of a quorum or when a quorum is present, a meeting may be adjourned from time to time by vote of the majority of those members present in person, without notice to those in attendance other than by announcement at the meeting. At least one (1) day notice of the date of the postponement shall be given to any absent member. At any adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the original meeting.

**5.06 Meeting By Remote Communication.** Any one or more members of the Task Force may participate in a meeting of the Task Force by means of a conference telephone, video conference, or similar communications equipment. Participation by such means shall constitute presence in person at a meeting provided that all persons participating in the meeting can hear each other at the same time and each member can participate in all matters before the Task Force, including, without limitation, the ability to propose, object to, and vote upon a specific action to be taken by the Task Force.

**5.07 Organization.** At every meeting of the Task Force, the Chair shall preside. In the conduct of meetings and the transaction of Task Force business, the Chair shall follow the most recent edition of Robert's Rules of Order. In the event of a conflict between Robert's Rules of Order and these By-Laws, Robert's Rules shall take precedence. If the Chair is absent or unable to attend, the Executive Director shall preside.

**5.08 Minutes.** The Task Force shall keep minutes of all regular and special meetings. Adopted minutes shall be made available to the public within a reasonable time period after adoption.

**5.09 Voting.** At every meeting of the Task Force, each present member shall be entitled to one (1) vote.

**5.10 Action by Consent.** Any action required or permitted to be taken at any meeting of the Task Force thereof may be taken without a meeting, if prior or subsequent to such action, a written consent to such action is signed by all members, as the case may be, and if such written consent is filed with the minutes of proceedings of the Task Force.

## ARTICLE VI

**6.01 Responsibilities.** In addition to the duties stated in the Enabling Ordinance, the responsibilities of the Task Force include the following tasks:

a. To ensure all individuals housed at ECCF from this time forward receive written notice stating the following information:

- i. a summary of the Task Force's purpose and its duties;
- ii. the differences between the Task Force and other grievance and complaint mechanisms afforded to individuals housed at ECCF;
- iii. individuals housed at ECCF may submit complaints anonymously;
- iv. all complaints submitted, even anonymously, to the Task Force will be provided to the administration of ECCF.

b. To make unannounced visits to ECCF, in accordance with Section 5(C)(3) of the Enabling Ordinance, on a quarterly basis and interview individuals housed at the facility.

- c. To administer confidential surveys to individuals housed at ECCF regarding the conditions of the facility and any other issue that the Task Force deems appropriate.
- d. To review and examine all complaints submitted in accordance with Section 5(A)(6) of the Enabling Ordinance within ninety (90) days of receipt.
- e. To conduct investigations pursuant to Article 7.01 of these By-Laws.
- f. To issue reports in accordance with Article 7.02 of these By-Laws for all investigations initiated by the Task Force.
- g. To establish confidentiality rules and procedures for all information that the Task Force maintains, which simultaneously protect the privacy of the individuals housed at ECCF and promote transparency.

## ARTICLE VII

**7.01 Investigations.** The Task Force shall conduct investigations regarding:

- a. any action taken by ECCF upon a majority vote of the members of the Task Force; and
- b. any and all incidents of retaliation against individuals housed at ECCF who have cooperated or interacted with the Task Force.

When conducting an investigation pursuant to this article, the Task Force shall use the powers bestowed upon the body by Section 5 of the Enabling Ordinance. If no ECCF investigation or proceeding is in progress relating to any matter the Task Force wishes to investigate, the Task Force shall begin its investigation immediately. The Task Force shall issue a report pursuant to Article 7.02 of the By-Laws for all investigations undertaken.

**7.02 Reports.** A report may be adopted by the Task Force by a majority vote. The contents of each report shall be in accordance with Section 6 of the Enabling Ordinance and all reports issued by the Task Force shall be made available to the public in accordance with Section 6 of the Enabling Ordinance.

## ARTICLE VIII

**8.01 Agents.** The members of the Task Force may appoint such agents and representatives of the Task Force with such powers and to perform such acts or duties on behalf of the Task Force as the members may see fit, so far as may be consistent with these By-Laws, and to the extent authorized or permitted by law.

**ARTICLE IX**

**9.01 Conduct of Members.** With the exception of the Chair and Executive Director, members of the Task Force shall not speak publicly on behalf on the Task Force. Members of the Task Force are to speak publicly in an individual capacity regarding any matter relating to ECCF or the Task Force.

**ARTICLE X**

**10.01 Inspection.** Each member of the Task Force shall have the right to examine and inspect all documents within the possession of the Task Force.

**ARTICLE XI**

**11.01 Adoption.** These By-Laws shall become effective upon adoption by a majority vote of the authorized voting membership of the Task Force.

**ARTICLE XII**

**12.01 Amendments to By-Laws.** The Task Force shall have the power to make, alter, amend, and repeal these By-Laws by a two-thirds majority of the members then in office, provided, however, that:

- a. the proposed alteration, amendment, or repeal shall be specified in the notice of the meeting provided for in Article V of these By-Laws; and
- b. the public is afforded an opportunity to review and comment on the proposed alteration, amendment, or repeal prior to the vote for adoption.

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Chair of the Essex County Correctional Facility Civilian Task Force

Approved: