

MINNESOTA VIOLENT CRIME COORDINATING COUNCIL (VCCC)
ORGANIZATIONAL BYLAWS

1. AUTHORITY: Pursuant to the authority granted by Minnesota Statute 299A.642 and the declared intent of the 2010 Minnesota Legislature, there is established the Minnesota Violent Crime Coordinating Council.

2. PURPOSE: The Violent Crime Coordinating Council is established to provide guidance related to the investigation and prosecution of gang and drug crime which includes violent crimes associated with gang activity.

3. DUTIES OF THE COUNCIL: The coordinating council shall develop an overall strategy to ameliorate the harm caused to the public by gang and drug crime within the state of Minnesota. Additionally, the council shall:

- 3.1 Subject to approval by the commissioner of public safety, develop an operating procedures and policies manual to investigate gang and drug crime in a multijurisdictional manner;
- 3.2 Identify and recommend a candidate or candidates for statewide coordinator to the commissioner of public safety;
- 3.3 Assist the Department of Public Safety in developing grant eligibility criteria and operating an objective and conflict-free grant review application process;
- 3.4 Make recommendations to the commissioner of public safety to terminate grant funding for multijurisdictional entities if an entity no longer operates in accordance with Minnesota Statute 299A.642, subdivision 4, or no longer functions in a manner consistent with the best interests of the state or public;
- 3.5 Assist in developing a process to collect and share information to improve the investigation and prosecution of drug offenses;
- 3.6 Develop and approve an operational budget for the coordinating council;
- 3.7 Develop policies that prohibit the improper use of personal characteristics such as race, color, national origin, gender, or religion to target individuals for law enforcement action, prosecution, or forfeiture action; and,
- 3.8 Subject to approval by the commissioner of public safety, adopt narrowly tailored, objective criteria and identifying characteristics for use in determining whether individuals are or may be members of gangs involved in criminal activity. The council shall review and update the criteria and characteristics adopted under this clause every two years with the objective to ensure effectiveness and relevance to the accurate identification of subjects actively involved in criminal gang activity. As part of this review process, the council shall obtain input from members of communities that are impacted by criminal gang activity. Before adopting any changes under this clause, the council must submit its recommendations to the commissioner of public safety for approval.

4. COUNCIL MEMBERSHIP:

- 4.1 PERMANENT AND APPOINTED MEMBERS – The governing statute designates the membership of the council. The council shall consist of the following individuals or their designees: the director of the Office of Special Investigations as the representative of the commissioner of corrections; the superintendent of the Bureau of Criminal Apprehension as the representative of the commissioner of public safety; the attorney general; four chiefs of police, selected by the Minnesota Chiefs of Police Association, of which one must be employed by the city of Minneapolis, one must be employed by the city of St. Paul, one must be employed by a municipality located in the seven-county metropolitan area excluding Minneapolis and St. Paul, and one must work in greater Minnesota; four sheriffs, selected by the Minnesota Sheriffs ‘

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Association, of which, one must work in Hennepin County, one must work in Ramsey County, one must work in Anoka, Carver, Dakota, Scott or Washington county, and one must work in greater Minnesota; the United States Attorney for the District of Minnesota; two county attorneys, selected by the Minnesota County Attorneys Association, one who must work in the seven-county metropolitan area and one who must work in greater Minnesota; four citizen members appointed by the commissioner of public safety in consultation with representatives from the councils created in Minnesota Statute sections 3.922, 3.9223, 3.9225, and 3.9226; and, a tribal police officer, selected by the commissioner of public safety, in consultation with the Minnesota Indian Affairs Council.

- 4.2 DESIGNEES – Appointed members to the council may permanently or temporarily designate an individual to serve on their behalf. A designation must be submitted in writing. Temporary designees may be appointed by a member or permanent designee with written notification to the chair of the council prior to any meeting that the temporary designee will attend.
- 4.3 TERMS – The governing statute specifies the council is permanent. For designated members, the term of membership shall continue until such time as one of the following occurs: their appointing agency chooses an alternate member; until they resign from the council, until they resign as a member of the organization that vests membership in them, or until they are removed under 4.4.
- 4.4 REMOVAL OF MEMBERS – The council may request that members be removed for cause and as follows:
- a. A member or their designee may be removed for cause and upon the vote of two-thirds of the other council members, or,
 - b. A member or their designee may be removed for missing three or more official meetings in a rolling twelve month period.

In either event, the body or agency appointing them to the council will be asked to appoint a replacement.

5. COUNCIL OPERATIONS:

- 5.1 OFFICERS - The Council shall select a Chair and Vice-Chair from among its members. The chair shall serve a two-year term and the appointment of the chair shall alternate between a person who works in greater Minnesota and a person who works in the seven-county metropolitan area. Nominations may be made orally or in writing at the January meeting of the council or the first regularly scheduled meeting after the Chair and Vice-Chair's two-year term is completed. All members of the council, or their designees, may place one vote for each office. The nominees receiving the most votes shall be elected to serve as Chair or Vice-Chair, respectively. An interim Chair and Vice-Chair may be selected to preside over the council before its first January meeting.
- 5.2 AUTHORITY AND DUTIES OF THE CHAIR - The Chair shall have authority to act on the council's behalf regarding routine, day-to-day matters. The Chair shall report all such actions at the following council meeting. Additionally:
- a. The Chair shall preside over all council meetings.

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- b. The Chair shall establish a schedule for regular meetings with the date, time, location, and agenda of such meetings disseminated in a timely manner to members and interested individuals.
 - c. The Chair will ensure that all official actions are taken at a legally called meeting that is subject to the requirements of the Minnesota Open Meeting Law.
 - d. The Chair shall ensure that minutes of each meeting are recorded and distributed. (Certain data discussed may be under the purview of the Minnesota Government Data Practices Act, and, therefore may be classified as confidential or private.)
 - e. The Chair will communicate recommendations to the commissioner of public safety intended to provide direction for the work of the Statewide Coordinator on behalf of the coordinating council in carrying out the mission and objectives of the council and the statewide gang and drug strategy.
 - f. The Chair will assist the commissioner of public safety with preparation of a report on the activities and goals of the coordinating council due by February 1 of each year to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding.
- 5.3 AUTHORITY AND DUTIES OF THE VICE-CHAIR - If the Chair is absent from a meeting of the council or is unable to exercise his or her office; the Vice-Chair shall preside over the council with all rights and responsibilities of a duly-elected chair.
- 5.4 SPECIAL MEETINGS – The chair or any group of five members of the council may call a special meeting after giving notice of the time, place and purpose of the special meeting at least five business days before the meeting.
- 5.5 QUORUM – The presence of at least fifty-one percent of the council, or their designees, is required to constitute a quorum for the transaction of business.
- 5.6 VOTING - Certain items of council business shall be determined by a vote of the membership. A majority shall be based on the number of members present at a regular or special meeting when the vote is taken. “Present” means that the council member or his or her voting designee is physically present at the council meeting at the time the vote is called for by the Chair. Only council members or their designees may cast a vote. The Chair or any member may request that any vote be taken as a roll call vote. In the case of a tie vote, the vote of the Chair will prevail.
- 5.7 CONFLICT OF INTEREST – Council members shall avoid any actual conflict, or the appearance of any conflict, between their own respective personal, professional or business interests and the interests of the council. This applies to any and all actions taken by them as a member of the council or action on behalf of the council. In the event that any member has a direct or indirect conflict related to actions to be taken by the council, or there is the potential for an appearance of conflict, such member shall give notice of the conflict. Notice shall be given to the full council and the presiding Chair will make the conflict determination. The Chair’s ruling may be overridden by two-thirds of the council members present. If the disclosure is deemed to be an actual conflict or is deemed to create the appearance of a conflict, the council member shall refrain from discussing, voting or influencing any other council member on the pending matter under consideration.

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5.8 COMMITTEES – The council shall have the following standing committees:

- Data and Information
 - Governance and Legislation
 - Professional Standards and Accountability
 - Community Engagement
- a. Should the council receive an allegation that a task force is not operating in accordance with MN Statute §299A.642, subd 4, other Minnesota statutes, or in a manner consistent with the best interest of the state or public, that information will be forwarded to the council’s Professional Standards and Accountability committee. The Professional Standards and Accountability committee, with the assistance of the statewide coordinator, shall investigate all such allegations towards any multijurisdictional gang and drug enforcement entity that receives funding through the Minnesota Department of Public Safety. The Professional Standards and Accountability committee will propose findings for the council with which the council will make a recommendation to the commissioner of public safety regarding the continued funding of a multijurisdictional gang and drug enforcement entity. A two thirds vote of the council will be required to make a recommendation to terminate funding of a multijurisdictional gang and drug enforcement entity.
- b. The Chair or council will determine how the committees shall be appointed.
- c. The Chair or council may designate other committees as the need arises.

6. ROLE OF THE ATTORNEY GENERAL:

6.1 ADVICE - The Attorney General or a designee shall generally advise the coordinating council on any matter that the council deems appropriate.

6.2 COMMUNITY LIAISON - The Attorney General or a designee shall serve as a liaison between the coordinating council and the councils created in Minnesota Statute sections 3.922, 3.9223, 3.9225, and 3.9226. The attorney general or designee will be responsible for:

- a. Informing the councils of the plans, activities, and decisions of the coordinating council and hearing their reactions to those plans, activities, and decisions; and
- b. Providing the coordinating council with the position of the councils on the coordinating council’s plans, activities and decisions.
- c. Limitations:
 - 1. In no event is the coordinating council required to disclose the names of individuals identified by it to the councils referenced in this subdivision.
 - 2. Nothing in this subdivision changes the data classification (Minnesota Government Data Practices Act) of any data held by the coordinating council.

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7. **OFFICIAL NOTICE:** All official notice to the council should be submitted to:

Minnesota Violent Crime Coordinating Council
c/o Office of Justice Programs
Minnesota Department of Public Safety
445 Minnesota Street, Suite 2300
St. Paul, MN 55101

8. **RATIFICATION AND AMENDMENTS:** These bylaws must be ratified by two-thirds vote of the council membership and may be amended at a regular meeting by two-thirds vote of the members present provided there is 30 days notice of intent to amend.