

NORTHEAST OHIO REGIONAL FUSION CENTER

The NEORFC BOARD is the advisory body that oversees the management of the NEORFC and shall exercise “advisory control” over the operations of the NEORFC, an organizational entity of the Office of the Executive for the County of Cuyahoga, Ohio, pursuant to provisions specified in these by-laws

*NEORFC Governance
Board By-Laws,
amended FEB 2020*



**NORTHEAST OHIO REGIONAL FUSION CENTER
GOVERNANCE BOARD
BYLAWS**

I. PURPOSE

The Northeast Ohio Regional Fusion Center Governance Board (hereinafter called the “NEORFC BOARD”) is established by the Office of the Cuyahoga County Executive to advise the Cuyahoga County Executive on the Northeast Ohio Regional Fusion Center (hereinafter called the “NEORFC”) operations.

The NEORFC BOARD is the advisory body that oversees the management of the NEORFC and shall exercise “advisory control” over the operations of the NEORFC, an organizational entity of the Office of the Cuyahoga County Executive, pursuant to provisions specified in these bylaws.

II. DEFINITIONS

Pursuant to the United States Department of Homeland Security (hereinafter called the “DHS”) Fusion Center Guidelines, “advisory control” shall be defined as the authority to provide strategic direction, guide resources, and develop and enforce policies and procedures of the NEORFC.

Advisory control shall include, but is not limited to guiding priorities for the NEORFC, setting standards for selection, supervision, and termination of the NEORFC personnel, and setting policy governing the operation of NEORFC's equipment, justice information sharing procedures, and operating procedures.

A. Mission. The mission of the NEORFC BOARD is to improve the administration of justice and protect the public by promoting practices and technologies for the secure sharing and distribution of criminal justice and antiterrorism information.

B. Guiding Principles. The guiding principles of the NEORFC BOARD are as follows:

1. The NEORFC BOARD shall be vocal and visible in creating and communicating a shared vision regarding information sharing within the justice, public safety, first-responder communities and private sector within Homeland Security Region 2, inclusive of the counties of Cuyahoga, Lake, Lorain, Geauga and Ashtabula;
2. The NEORFC BOARD shall work collaboratively and inclusively, bringing together representatives from the entire public safety community and related public and private entities, to address and overcome the barriers to all information sharing across agencies, disciplines, and levels of government;
3. The NEORFC BOARD shall identify and seek solutions to impediments to information sharing and make all recommendations on the basis of enhancing local, state, and federal public safety;
4. The NEORFC BOARD shall promote the development and implementation of standards that facilitate seamless exchanges of information among local, state, and federal law enforcement and related national intelligence systems;

5. The NEORFC BOARD shall provide information that supports sound business decisions for the planning, design, and procurement of cost-effective, information systems; and
6. The NEORFC BOARD shall promote protected constitutional standards and individual rights by ensuring the accuracy and security of personal identifiable information (“PII”) information and the implementation of appropriate privacy safeguards.

C. Objectives. The goal of the NEORFC Board is to ensure that NEORFC Staff are meeting the below objectives:

1. Fusion: Information & Intelligence: Develop, maintain, and enhance the exchange of information, utilizing first line intelligence analysis among appropriate agencies including the public and private sector as identified as the DHS Critical Operating Capabilities;
2. Critical Infrastructure/Key Resource (hereinafter called the “CI/KR”) Protection: Implement current National Infrastructure Protection Plan: Identify, assess and implement target-hardening measures for the region’s CI/KR; and
3. Awareness Training: Provide necessary training on information and intelligence collection, intelligence analysis, suspicious activity reporting (hereinafter called “SAR”) under the National SAR Initiative (hereinafter called “NSI”) and the role of the region’s citizens and public safety professionals in preventing, recognizing, and reporting terrorist threats and criminal activity under the DHS Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI).

III. NEORFC BOARD MEMBERSHIP

A. Voting Membership. The voting membership of the NEORFC BOARD shall be as follows (13 voting members total):

1. The City of Cleveland Director of Public Safety, or Chief of the Division of Police, or their designee who is a law enforcement employee of the City of Cleveland;
2. The Cuyahoga County Director of Public Safety & Justice Services, or Cuyahoga County Sheriff, or their designee who is a law enforcement employee of the Cuyahoga County Sheriff.
3. The Ashtabula County Sheriff, or their designee who is a law enforcement employee of the Ashtabula County Sheriff;
4. The Lake County Sheriff, or their designee who is a law enforcement employee of the Lake County Sheriff;
5. The Lorain County Sheriff, or their designee who is a law enforcement employee of the Lorain County Sheriff;
6. The Geauga County Sheriff, or their designee who is a law enforcement employee of the Geauga County Sheriff;
7. The President of the Cuyahoga County Police Chiefs Association, or their designee who is a law enforcement employee of a municipal corporation or township in the County of Cuyahoga;
8. The President of the Cuyahoga County Fire Chiefs Association, or their designee who is a fire service employee of a municipal corporation or township in the County of Cuyahoga;
9. The Chief of Police of the Greater Cleveland Regional Transit Authority, or their designee who is a law enforcement employee of the Greater Cleveland Regional Transit Authority;
10. The Commissioner of the Cuyahoga County Board of Health, or their designee who is a health professional of the Cuyahoga County Board of Health;
11. The Chief of Police of the Cleveland Clinic Foundation Police, or their designee who is a law enforcement employee of the CCF Police;
12. The Chief of Police of the Cleveland Metroparks Police Department, or their designee who is a law enforcement employee of the Cleveland Metroparks Police;

13. The Chief of Police of the Cuyahoga Metropolitan Housing Authority Police, or their designee who is a law enforcement employee of the CMHA Police.

B. Non-Voting Membership. The non-voting membership of the NEORFC BOARD shall be as follows (8 members total):

1. One member of the United States Department of Homeland Security, or their designee who is an employee of the Department of Homeland Security;
2. The Executive Director of Ohio Homeland Security, or their designee who is an employee of Ohio Homeland Security;
3. The Special Agent-In-Charge of the Federal Bureau of Investigation Cleveland Division, or their designee who is an employee of the Federal Bureau of Investigation Cleveland Division;
4. The United States Attorney for the Northern District of Ohio, or their designee who is an employee of the United States Attorney's Office;
5. One member of the United States Coast Guard, 9th District, or their designee who is an employee of the United States Coast Guard;
6. One member of the U.S. Customs and Border Protection, or their designee who is an employee of U.S. Customs and Border Protection;
7. One member of Homeland Security Investigations (HSI), or their designee who is an employee of Homeland Security Investigations;
8. One member of the Northern Ohio High Intensity Drug Trafficking Area (HIDTA), or their designee who is an employee of the Northern Ohio High Intensity Drug Trafficking Area.

C. Rules. The rules of the NEORFC BOARD shall be as follows:

1. No single person shall represent more than one member defined in Section III, Paragraph A;

2. Members of the NEORFC BOARD shall serve at the pleasure of the appointing authority;
3. Vacancies occurring on the NEORFC BOARD shall be filled by the original appointing authority to complete the term of membership; and
4. A member may designate, in writing or e-mail format, an individual to represent the member at meetings of the NEORFC BOARD in the member's absence. Such alternates shall have full voting privileges and shall count toward a quorum.

D. Election of New Member Agencies. The processes for election of new member agencies shall be as follows:

1. Current NEORFC BOARD members will nominate potential new member agencies who have not violated the attendance policy outlined in Section IV, Paragraph A. 3;
2. The Executive Steering Committee, as defined in Section III, Paragraph E. 4., will review all recommendations;
3. Upon approval by the Executive Steering Committee, the recommendations will be sent to the NEORFC BOARD for consideration; and
4. The NEORFC BOARD must vote to determine whether the nominated agency should be recommended for membership; and
5. Potential member organizations must be approved by a majority vote of the NEORFC BOARD members.

E. Structure & Responsibilities. The structure and responsibilities of the NEORFC BOARD shall be as follows:

1. **Chair.** The NEORFC BOARD Chair shall coordinate the work of the NEORFC BOARD. The Chair is the presiding officer of the NEORFC BOARD and will direct the work of the NEORFC BOARD in its mission.

The Chair will have the following responsibilities:

- a. Shall have the authority to act as the official spokesperson in all matters relating to the NEORFC BOARD;
 - b. Shall call and preside at all meetings of the NEORFC BOARD;
 - c. Shall Chair the Executive Steering Committee;
 - d. Shall serve as the NEORFC BOARD's liaison with the criminal justice community, public safety agencies and public and private entities;
 - e. May establish Ad-hoc Working Groups (defined in Section VII) deemed necessary for the NEORFC BOARD to conduct its business with the concurrence of the majority of the NEORFC BOARD members in attendance; and
 - f. Upon recommendation of the Director, shall appoint members to act as leader of standing Working Groups (defined in Section VII).
2. ***Vice Chair.*** The NEORFC BOARD Vice Chair will assist the Chair and act as the presiding officer in the absence of the Chair.
 3. ***3rd Chair.*** The NEORFC BOARD 3rd Chair will assist the Chair and Vice Chair and act as the presiding officer in the absence of either.
 4. ***Executive Steering Committee.*** The Executive Steering Committee will consist of Chair, Vice Chair, 3rd Chair and leaders of any standing Working Groups. The Executive Steering Committee shall have the following responsibilities:
 - a. Shall review and submit for vote an Organizational Chart for the NEORFC, which shall include the Director and any other positions and respective job descriptions;
 - b. Shall review nominations of membership and present them to the NEORFC BOARD for voting;
 - c. Shall oversee the review of bylaws, mission statement and policies and procedures; and

- d. Shall review attendance at NEORFC BOARD meetings pursuant to Section IV, Paragraph A. 3.
- e. Shall evaluate and approve the establishment of working groups for specific research and development of the NEORFC.

IV. MEETINGS AND VOTING

All applicable NEORFC BOARD meetings shall be open to the general public pursuant to the Ohio Revised Code Sections 121.22.

A. Meetings. The meetings of the NEORFC BOARD shall be conducted as follows:

1. **Organization.** The NEORFC BOARD shall conduct an organizational meeting in February of each year. At the organizational meeting, the NEORFC BOARD and chairs of the standing working groups will be appointed. The NEORFC BOARD will assign a Parliamentarian Officer to maintain order and follow Parliamentarian rules as established pursuant to “Robert’s Rules of Order.”
2. **Frequency.** The NEORFC BOARD will meet in general session quarterly or as needed. All meetings shall be conducted pursuant to and in compliance with applicable state and local laws.
 - a. The NEORFC BOARD’s Chairperson, with the concurrence of the NEORFC Executive Steering Committee, may call an emergency meeting of the NEORFC BOARD; and
 - b. The NEORFC BOARD’s Chairperson shall cause to have an attempt made to provide all members of the NEORFC BOARD with telephone notification of any emergency meeting.
3. **Attendance.** A representative/proxy will be expected to attend all NEORFC BOARD meetings. If a voting member organization fails to send its representative/proxy to two consecutive NEORFC BOARD meetings, excluding emergency meetings, the absences will be reviewed by the Executive Steering Committee to determine if continued

participation by the organization is appropriate. In the event that the Executive Steering Committee determines that an organization should relinquish its membership on the NEORFC BOARD, this recommendation will be forwarded to the agency head for a response. If the agency does not respond and/or is not in attendance at the next general meeting of the NEORFC Board, a roll call vote of board members shall be conducted by the Chair or their designee. The agency will then be removed if there is a majority vote of the NEORFC BOARD members. The agency that has been removed from voting status will then not be able to reapply to become a voting member for two years from the date of removal.

4. ***Proxies.*** A representative sending a proxy must notify the NEORFC BOARD Chair prior to the opening of the meeting for which the proxy is given. The proxy must be a representative of the same organization as the appointed representative with the authority of the principal to participate in discussions or votes planned in the agenda for that meeting. If not so authorized, the proxy will be considered an observer and not a participant.
5. ***Quorum.*** A quorum will consist of at least 51 percent (*voting members*) of the board and will include authorized proxies. A meeting will be held, but no vote will be taken unless a quorum is present.
6. ***Agenda.*** The Executive Steering Committee and Director of NEORFC, with the final approval of the NEORFC BOARD Chair, will set the agenda for NEORFC BOARD meetings. However, any item of new business put forth by any member shall be acted on appropriately at the meeting. A summary report of Working Group meetings will be placed on the agenda of the next regular meeting of the NEORFC BOARD for its review.
7. ***Reconsideration of Past Actions.*** Any action previously voted upon and adopted may be reconsidered at the next duly constituted meeting only if a person who voted on the prevailing side moves to have the past action reconsidered. A second to the motion to reconsider is required, and a vote must be held before the past action will be reconsidered.

8. ***Adjournment.*** The NEORFC BOARD Chair will adjourn the meeting when the work of the NEORFC BOARD is complete or if adjournment is in the public interest.
 9. ***Minutes.*** Minutes of NEORFC BOARD meetings will be maintained by the Vice Chair of the NEORFC BOARD and be made available to the public pursuant to applicable state and local laws.
- B. Voting.** The voting process of the NEORFC BOARD shall be conducted as follows:
1. ***Participation.*** Any representative of the NEORFC BOARD is entitled to full participation in its proceedings, that is, the right to make motions and to speak in debate. Only officially designated NEORFC BOARD members pursuant to Section III shall have voting privileges.
 2. ***Motions.*** After a proper motion has been made, a second to the motion is required to bring any issue to vote. The motion will pass after discussion has been exhausted when a majority of the members vote in the affirmative.
 3. ***Roll call.*** Votes at the NEORFC BOARD meetings shall be made orally.

V. NEORFC BOARD OFFICERS

- A. Officers.** Officers of the NEORFC Board shall be as follows:
1. ***Chair.*** The Chair will be the presiding officer.
 2. ***Vice Chair.*** The Vice Chair will assist the Chair in their duties and act of the Chair in their absence.
 3. ***3rd Chair.*** The 3rd Chair will assist the Chair and Vice Chair in their duties and in the absence of the Vice Chair act in their absence.
- B. Term.** The term of office for a NEORFC officer shall be for a period of one (1) year from organizational meeting to organizational meeting. The Chair will

alternate yearly between the City of Cleveland, Department of Public Safety (even years) and the Cuyahoga County Sheriff's Department (odd years). The Vice Chair will alternate yearly between the City of Cleveland, Department of Public Safety (odd years) and the Cuyahoga County Sheriff's Department (even years). The 3rd Chair will consist of a voting member of the NEORFC BOARD, and not that of the Chair or Vice Chair agency.

- C. **Removal of Officers.** The NEORFC BOARD may remove any officer for just cause by a two-thirds majority roll-call vote of those officers in attendance.

VI. DUTIES AND COMPENSATION

Members shall receive no compensation from the NEORFC BOARD or the Cuyahoga County Executive for attendance at the NEORFC BOARD meetings or for attendance at any other activities of the NEORFC BOARD.

- A. **Salary.** No NEORFC BOARD member or working group member will receive salary or other honorarium for their services under these Bylaws.
- B. **Reimbursement.** Reimbursement for travel and per diem expenses for NEORFC BOARD members will be at the discretion of the NEORFC BOARD under appropriate guidelines established by the NEORFC.
 - 1. Members may be reimbursed for out-of-pocket expenses directly related to the activities of the NEORFC BOARD with prior written approval of the NEORFC BOARD.
- C. **Duty to Attend.** All NEORFC BOARD members have a duty to attend the regularly scheduled and called meetings of the NEORFC BOARD.

VII. WORKING GROUPS

- A. **Working Groups.** NEORFC Working Groups will be created pursuant to a designated request by the Fusion Center and will stand from year to year or as

appropriate. Working Group leaders will be appointed by the NEORFC BOARD Chair and must be an NEORFC BOARD member. In consultation with the NEORFC BOARD Chair and the Executive Steering Committee, the Working Group Chair will establish the membership of the Working Groups. Working Group members will consist of representatives of the participating agencies and/or other appropriate organizations. Working Group meeting times and locations will be determined by their membership. They will have the following responsibilities:

1. Provide working group meeting minutes to the NEORFC BOARD Chair for discussion by the Executive Steering Committee, as required; and
2. Establish their own policies with regard to meeting procedures and quorums.
 - a. *Proxies.* A Working Group representative sending a proxy to a Working Group meeting must notify the Chair of the Working Group in writing prior to the opening of the meeting for which the proxy is given.

B. Ad-hoc Working Group. Ad-hoc Working Groups may be formed for specific matters and at the discretion of the NEORFC BOARD Chair as deemed necessary.

C. Rules and Policies. The rules of Working Groups are as follows:

1. The Chair of each Working Group may invite subject matter experts who are not NEORFC BOARD members to participate in the Working Group's proceedings. Such individuals shall be Ex officio members without voting privileges.

VIII. NEORFC BOARD RECORDS

A. Agenda. A record of previous meeting agendas will be kept and maintained by the NEORFC. Agendas of all meetings are available to the public upon request pursuant to applicable state and local laws.

- B. Minutes of Meetings.** Minutes of NEORFC BOARD and Executive Steering Committee meetings will be kept and maintained by NEORFC. Draft minutes will be distributed to NEORFC BOARD members by NEORFC within a reasonable amount of time following the meeting. Minutes of all meetings are available to the public upon request pursuant to applicable state and local laws.

IX. NEORFC BOARD RESPONSIBILITIES AND AUTHORITIES

- A. Authority.** The NEORFC BOARD, including the Executive Steering Committee and Working Groups, shall not assume any duty, responsibility or authority granted to the Cuyahoga County Executive by the Ohio Revised Code.
- B. Recommendations.** The NEORFC BOARD may submit recommendations on NEORFC operations to the Director of NEORFC and Cuyahoga County Executive or their designee(s).

X. BYLAWS REVISIONS

- A. Revisions.** The NEORFC BOARD will review the bylaws every two years for potential revisions. If the NEORFC Board determines that revisions should be made, the Board may recommend to the Cuyahoga County Executive the revisions to these bylaws. Prior to the submission of said recommendations to the Director of NEORFC and Cuyahoga County Executive, all such recommendations shall be:
 1. Submitted to and accepted by the NEORFC BOARD at a meeting by two-thirds vote of the NEORFC BOARD members, as determined by a roll call vote; and
 2. Approved by the NEORFC BOARD at a following meeting by at least two-thirds vote of the NEORFC BOARD members as determined by a roll call vote.

