



# **BYLAWS OF THE SANTA CRUZ COUNTY JUVENILE JUSTICE & DELINQUENCY PREVENTION COMMISSION**

## **ARTICLE I Statutory Authority**

The Juvenile Justice and Delinquency Prevention Commission is a joint commission of the Santa Cruz County Superior Court and the County of Santa Cruz. The authority and duties of the Juvenile Justice Commission are established through the California Welfare and Institutions Code ("WIC") Sections 225 through 231. The authority and duties of the Delinquency Prevention Commission are established in WIC section 233.

The Santa Cruz County Board of Supervisors has designated the Juvenile Justice Commission to serve as the Delinquency Prevention Commission pursuant to Santa Cruz County Code ("SCCC") section 2.48 and this Commission operates in accordance with Santa Cruz County Code section 2.38. These bylaws are authorized by and conform with Santa Cruz County Code section 2.38.140(A).

## **ARTICLE II Purpose**

The purpose of the Santa Cruz County Juvenile Justice and Delinquency Prevention Commission ("Commission") is to inquire into the administration of juvenile court law in the County (WIC Section 229), and to coordinate on a county-wide basis the work of those governmental and non-governmental organizations engaged in activities designed to prevent juvenile delinquency (WIC Section 233). In addition, Santa Cruz County Code section 2.48.020 states that the purpose of the Commission is to assist the Juvenile Court with monitoring the safety and well-being of youth housed in local facilities and to prevent youth from becoming involved in the juvenile justice system. The Commission further delineates that in execution of its purpose, powers, and duties, it will endeavor to educate and inform the community and system leaders on the importance of positive youth development and advocate for coordinated and well-resourced systems that promote family and youth success and prevent system involvement.

### **Commitment to Equity and Diversity**

The Commission is dedicated to promoting effective juvenile justice and dependency systems operated in an environment of credibility, dignity, fairness, and respect for system-involved youth and all residents of the County.

The Commission recognizes that any youth, regardless of income, race/ethnicity, geography, and other factors, may become involved with the juvenile justice system of Santa Cruz County. The Commission is committed to educating itself on the experiences and presenting issues of Santa Cruz County's diverse youth population. This commitment includes addressing the needs and recruiting members of historically marginalized and under-served groups such as youth of color, lesbian-gay-bisexual-transgender youth, indigenous youth, and immigrant youth.

## **ARTICLE III Business Duties**

**Section 1.** The Commission holds all powers and duties as outlined in SCCC section 2.48.060. Commissioners may utilize the Annie E. Casey Juvenile Detention Alternatives Initiative (JDAI) Facility Standards as guidance in conducting the annual Juvenile Hall inspection in accordance with state and federal laws.

**Section 2.** The Commission shall investigate complaints brought to the Commission's attention on behalf of youth held in a Santa Cruz County facility by their parents, guardians, or legal counsel. It may seek subpoenas from the Juvenile Court Judge to secure necessary materials from any individual, agency, or entity.

**Section 3.** The Commission may publicize its findings and recommendations as approved by a vote of the Commission and as directed by the Chair.

## **ARTICLE IV**

### **Membership**

**Section 1.** The composition of the Commission's membership, nomination, and appointment procedures and terms of office are specified in SCCC sections 2.48.030 and 2.48.040, respectively.

**Section 2.** Any member desiring to resign from the Commission shall submit their resignation in writing to the Juvenile Court Judge with copies to the Chairperson of the Commission.

**Section 3.** Any Commissioner who accumulates three (3) absences or more from any duly-noticed Commission meeting during the calendar year shall be referred to the Commission Chair and Juvenile Court Judge for possible termination unless it is determined there was "good cause" for the absences.

## **ARTICLE V**

### **Officers**

**Section 1.** Officers of the Commission shall serve a one (1) year term and shall be elected by a majority vote of the Commissioners at the Annual Meeting in April or at the soonest meeting thereafter as otherwise designated by a Commission vote. The Commission officers shall be the Chair, the Vice-Chair, and the Secretary.

**Section 2.** The Immediate Past Chair, if willing and available, may provide mentorship and support to the Chair and serve as a source of institutional knowledge to the Commission.

**Section 3.** Each Commissioner shall hold only one office at a time. Pursuant to SCCC section 2.38.120, officers may serve up to two (2) full consecutive years as an officer and shall be eligible to serve again after a one-year "sit-out" period.

**Section 4.** In the event of a vacancy in the office of Chair, Vice-Chair, or Secretary by death, resignation, or otherwise; the Commission shall immediately select a successor to the vacant office to fill the vacancy for the remaining term of office at the soonest meeting thereafter as designated by the Commission.

## **ARTICLE VI**

### **Meetings**

**Section 1.** The Commission's Regular Meetings shall be noticed and held at least every other month unless otherwise ordered by the Chairperson. These regular meetings are open to the public and comply with the Brown Act.

**Section 2.** Pursuant to SCCC Section 2.38.130(A)(1), a calendar designating the time and place of such regular meetings shall be determined by a majority of the members at the first meeting in April, or if the commission does not meet in April, at the next subsequent meeting.

**Section 3.** The Chair may call Special Meetings which shall be open to the public, held within the County of Santa Cruz, and comply with the Brown Act.

**Section 4.** The rules contained in the most current edition of Rosenberg's Rules of Order shall guide the Commission in all parliamentary and procedural matters not otherwise specified within or inconsistent with these Bylaws.

**Section 5.** Pursuant to SCCC Section 2.38.160, meeting agenda preparation is the responsibility of the designated Staff Liaison who will consult with and seek input from the Chair and Vice-Chair, or their designee. Any Commissioner may submit proposed meeting agenda items to the Chair for review and consideration for publication with the public Agenda packet in a timely fashion.

## **ARTICLE VII Administration**

**Section 1.** A quorum and a majority vote are required to decide the business of the Commission. A quorum consists of one more than half of the members of the Commission. The ayes and noes shall be taken and recorded in the minutes. Abstentions shall be recorded as such.

**Section 2.** The Chair shall preside at all meetings of the Commission at which they are present. The Chair shall perform such duties and exercise such power as usually pertains to the Chair's office. The Chair or their designee shall be the official spokesperson for the Commission. Additional duties or powers may be granted by the Board of Supervisors or the Superior Court.

**Section 3.** The Vice-Chair shall preside at all meetings of the Commission in the absence of the Chair and shall perform such other duties as may be enjoined upon them by the Commission. In the absence or vacancy in the office of the Chair, all powers and duties of that office shall devolve upon the Vice-Chair, who shall continue to exercise such powers and duties until the Chair returns or the vacancy is filled.

**Section 4.** In case of the absence, disability, or refusal to fulfill the responsibilities of the office of the Chair and the Vice-Chair at any meeting of the Commission, the members present may elect a Chair Pro Tem for that meeting, by a majority vote of the members voting present. The Secretary shall determine whether a quorum is present by conducting a roll call vote.

**Section 5.** The Chair shall receive requests by non-Commissioners to discuss a matter before the next Commission's meeting a minimum of ten days before the meeting date. The Chair may override this rule if they determine it is appropriate and within the time frame of the Brown Act.

**Section 6.** The Commission shall preserve the confidentiality of any personal information relating to individual juveniles. Written requests or an oral petition concerning a youth's welfare while housed in a County institution shall be presented at the Meeting of the Commission with redactions or abbreviated names, as necessary. The Supervising Judge of the Juvenile Court shall have the power to issue subpoenas requiring attendance and testimony of witnesses as well as production of documents at a specified hearing.

**Section 7.** The Commission may establish special or ad hoc sub-committees of its membership to perform task force functions on any matter within the jurisdiction of the Commission. Such sub-committees will then set meeting times(s) and location(s), define its task, and submit any updates and/or findings in writing to the Commission. Any subcommittee that is permanently established or that requires more than six months to perform its defined task(s) shall comply with the Brown Act.

**Section 8.** The Commission's Staff Liaison shall keep a complete record of the Commission's Agendas, Minutes, Monthly "packets," actions, and any exhibits or other materials the Commission deems helpful for its historical record.

**Section 9.** All public appeals, applications, complaints, and other communications concerning the business of the Commission shall be referred to the Chairperson of the Commission for investigation and report to the full Commission.

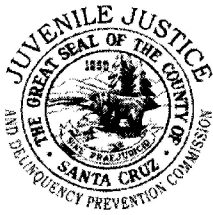
**Section 10.** No Commissioner may make a public statement regarding Commission business, findings, or viewpoints without first securing the Chair's authorization and after a vote by the Commission regarding the subject matter. Individual Commissioners cannot commit the Commission to any policy determination or course of action. Nothing in these Bylaws shall be construed to prevent Commissioners from expressing themselves as individuals. However, such action shall include a disclaimer that such expression is made in their individual capacity and not as a representative of the Commission's conclusions.

## **ARTICLE VIII Amendment of Bylaws**

These Bylaws can be amended at any regular meeting of the Commission by a two-thirds (2/3rds) vote of a quorum, providing that the amendment has been submitted in writing at the previous regular meeting of the Commission and is named on the agenda as a subject for discussion. If passed, the amended bylaws shall be submitted to County Counsel, the Presiding Judge, and the Board of Supervisors for final approval.

**Ratified by the JJCPC and submitted to the Board of Supervisors on \_\_\_\_\_(date).**





## **BYLAWS OF THE SANTA CRUZ COUNTY JUVENILE JUSTICE & DELINQUENCY PREVENTION COMMISSION**

### **ARTICLE I**

#### **Authority**

The Juvenile Justice Commission is established through the provisions of the California State Welfare and Institutions Code, Section 225. The Santa Cruz Board of Supervisors have adopted an ordinance stating that the Juvenile Justice Commission of the County of Santa Cruz is also the Delinquency Prevention Commission, pursuant to Section 233 of the Welfare and Institutions Code. The Commission shall be known as the Santa Cruz County Juvenile Justice and Delinquency Prevention Commission.

### **ARTICLE II**

#### **Purpose and Statutory Duties**

The responsibilities of a juvenile justice commission are broadly defined in Section 229 of the Welfare and Institutions Code. The general purpose of the Commission is to "inquire into the administration of the Juvenile Court Law in the County." The Commission is dedicated to the promotion of an effective juvenile justice system operated in an environment of credibility, dignity, fairness and respect for the youth and other citizens of the county. Within its statutory duty, the Commission has the following functions:

- Section 1     To annually inspect any Juvenile Hall, jail, Ranch Facility or lockup within the county used for the confinement of any minor more than 24 hours and report the results of such inspection in writing to the Juvenile Court and to the Board of Supervisors. The Commission may also inquire into a children's or youth shelter or group home licensed to house youth under the jurisdiction of the Juvenile Court.
  
- Section 2.    To conduct public or closed hearings on matters relevant to the implementation and administration of the Juvenile Court Law in the county. The Commission is empowered to inquire into the administration of juvenile justice in a broad sense, including, but not limited to, operations of the Juvenile Court, Probation Department, social services agencies, and any other agencies involved with juveniles. The Juvenile Court Judge has the power to issue subpoenas requiring the attendance and testimony of witnesses and production of documents at a hearing of the Commission. The Commission shall take measures to preserve the confidentiality of personal information relating to individual juveniles.

- Section 3     Publicize findings as decided by the Commission.
- Section 4     To assure that needed services are identified, developed, and provided for the children and youth of the County.
- Section 5     Provide input in the selection process for the Chief Probation Officer.

The Responsibilities of a Delinquency Prevention Commission as defined in Section 233 of the Welfare and Institutions Code are:

To assure that needed services are identified, developed and provided for the children and youth of the County, particularly services which relate to curtailing from or diversion of youth out of the Juvenile Justice System.

Section 270 of the Welfare and Institutions Code – Probation Officers: In reference to Section 270 of the Welfare and Institutions Code, in Santa Cruz County, the Juvenile Court Judge along with the Superior Court Bench appoints the Chief Probation Officer. The Chief Probation Officer in turn hires the probation staff.

### **ARTICLE III**

#### **Members**

- Section 1     Membership on the commission shall be composed of not fewer than fifteen (15) citizens. The Juvenile Court Judge and Chief Probation Officer shall serve as Ex Officio members.
- Section 2     Five (5) at-large members of the Commission shall be appointed by the Presiding Judge of the Superior Court with the concurrence of the Judge of the Juvenile Court. Recommendations of the Presiding Judge for at-large membership on the Commission may be made by Commission members. Ten (10) members, residents of Santa Cruz County shall be nominated by the Board of Supervisors. Each Supervisor shall nominate two (2) persons who may reside within that Supervisor's District. Two or more of the members shall be between the age of 14 and 21 years of age. Referrals for consideration and review by the Commission and the Presiding Judge may be made by community groups, elected or appointed public officials and individual citizens. The Commission shall be representative of the ethnic makeup of the County and shall maintain representation from geographic areas.
- Section 3     Appointments shall be for a term of four (4) years, in accordance with Santa Cruz County Code Section 2.38100. The Youth Commissioner is eligible for reappointment as an adult member upon reaching the age of 18, providing a vacancy exists at the end of his/her appointed term. Whenever any vacancy occurs for any reason other than the expiration of a term of office, the succeeding appointee shall hold office for the unexpired term of his/her predecessor. A Commissioner wishing to serve additional term(s)

shall notify the Commission Chair and the Supervising Judge of the Juvenile Court and complete the appointment process.

- Section 4 Each person appointed shall appear before the appointing judge or his/her designee and qualify by taking an oath to perform faithfully the duties as a member of the Commission. The qualifications of each member shall be entered in the Juvenile Court record.
- Section 5 Any member desiring to resign from the Commission shall submit his/her resignation in writing to the Juvenile Court Judge with copies to the Chairperson of the Commission.
- Section 6 Attendance of members shall be taken and recorded in the Minutes at all called Commission meetings. Any Commissioner who accumulates three (3) unexcused absences from called meetings during the calendar year shall be referred to the Juvenile Court Judge.
- Section 7 All public appeals, applications, complaints, and other communications concerning the business of the Commission shall be referred to the Chairperson of the Commission for investigation and report to the full Commission. Press or media release(s) of information on behalf of the Commission shall be issued only by the Chairperson of the Commission or his/her designee. Nothing in this section shall be construed to prevent Commissioners from expressing themselves as individuals, but such action should, where appropriate, include a disclaimer that such expression is made in an individual capacity and not as an official statement for the Commission.

#### **ARTICLE IV**

##### **Officers**

- Section 1 The officers of the Commission shall be the Chairperson, the Vice-Chairperson and Secretary. Officers of the Commission shall serve one (1) year terms, being elected by a majority vote of the Commissioners at the annual meeting in May or as so designated.
- Section 2 Nomination(s) for the Chairperson, Vice-Chairperson, and Secretary offices shall be made by Commissioners and shall be made at the annual meeting in May or as so designated, or upon vacancy of the office.
- Section 3 No Member shall hold more than one office at a time and no member shall be eligible to serve more than two (2) full consecutive years in the same office.
- Section 4 In the event of a vacancy in the office of Chairperson, Vice-Chairperson, or Secretary by death, resignation, or otherwise; the Commission shall immediately select a successor to the vacant office to fill the vacancy for the remainder of the normal term of office.

- Section 5     The Chairperson or designee shall be the official spokesperson for the Commission. Individual members acting in their own individual capacities have no authority to commit the Commission to any policy determination or course of action unless the Commission had previously authorized or subsequently ratified such act by an individual member of the Commission.

## **ARTICLE V**

### **Meetings**

- Section 1     The regular Meeting of the Commission shall be held once each month unless otherwise ordered by the Chairperson. These meetings are open to the public and comply with the Brown Act.
- Section 2     The location of meetings shall be at the discretion of the Commission. A schedule of meeting times, dates and places shall be announced by the Commission.
- Section 3     Special meetings may be called by the Chairperson. Special meetings of the Commission are open to the public and may be called at any time and at any place within the County of Santa Cruz.

## **ARTICLE VI**

### **Administration**

- Section 1     Business of the Commission shall be decided by a quorum and a majority vote. A quorum consists of one more than half of the members of the Commission. The ayes and noes shall be taken and recorded in the minutes. Abstentions shall be recorded as such. If there is no quorum, all discussion will be considered informal and no motions shall be considered.
- Section 2     The Chairperson shall preside at all meetings of the Commission at which he/she is present. The Chairperson shall perform such duties and exercise such power as usually pertain to the office of Chairperson, and also have such addition powers as may be granted by the Commission.
- Section 3     The Vice-Chairperson shall preside at all meetings of the Commission in the absence of the Chairperson, and shall perform such other duties as may be enjoined upon him/her by the Commission. In the case of the absence of the chairperson or if there be a vacancy in the office of Chairperson, all powers and duties of that office shall devolve upon the Vice-Chairperson, who shall continue to exercise such powers and duties until the Chairperson returns or the vacancy is filled.
- Section 4     In case of the absence, disability, or refusal to act of the Chairperson and the Vice-Chairperson at any meeting of the Commission when a quorum is present, as determined by the Secretary by roll call, the members present

may elect, by majority vote of the members voting, a Chairperson pro tem for that meeting.

- Section 5     Agenda preparation is the responsibility of the Chair and the Secretary, or their designee. Any Commissioner may submit agenda items.
- Section 6     Request for non-Commissioners to discuss a matter before the Commission should be received 10 days prior to the meeting date.
- Section 7     Written requests or an oral petition concerning a minor's welfare shall be presented at the meeting of the Commission. The Supervising Judge of the Juvenile Court shall have the power to issue subpoenas requiring attendance and testimony of witnesses as well as production of documents at a specified hearing. The Commission shall take measures to preserve the confidentiality of personal information relating to individual juveniles.
- Section 8     The Commission may establish special or ad hoc committees of its membership to perform task force functions on any matter within the jurisdiction of said Commission. Such Committees will then set meeting times(s) and location(s), define its task, and submit its findings in writing to the Commission.

## **ARTICLE VII**

### **Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order shall guide the Commission in all matters in which said rules are applicable and in which said rules are not inconsistent with these Bylaws and any special rules of order that the Commission may adopt.

## **ARTICLE VIII**

### **Release of Information**

Notice of meetings of the Commission will be as provided by the Brown Act. Press or media releases of information on behalf of the Commission shall be issued by the Chairperson of the Commission or his/her designee.

## **ARTICLE IX**

### **Amendment of Bylaws**

These Bylaws can be amended at any regular meeting of the Commission by a two-thirds (2/3rds) vote of a quorum, providing that the amendment has been submitted in writing at the previous regular meeting of the Commission and is named on the agenda as a subject for discussion.

Ratified by the Santa Cruz County Juvenile Justice and Delinquency Prevention Commission on December 8, 2005.