

# Bylaws Template

Each Board, Commission, and Committee created by Board of Supervisors' action shall have by-laws that include the elements listed in this template. If local, State, or Federal authority requires additional elements that do not appear in this template, or if local, State, or Federal authority necessitate the modification of elements that appear in this template, then that authority shall control and the bylaws shall deviate from this template. By-laws should serve as "rules" for internal administration and management of each Board, Commission, and Committee.

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## Bylaws Template

### BYLAWS TEMPLATE

#### BOARDS, COMMISSIONS, COMMITTEES CREATED BY ACTION OF BOARD OF SUPERVISORS

##### **ARTICLE I. Orange County Criminal Justice Coordinating Council**

- A. The name of this organization shall be Orange County Criminal Justice Coordinating Council, hereinafter referred to as "OCCJCC"
- B. Effective August 2022, the official location and mailing address of the OCCJCC shall be:  
County Administration North (CAN)  
601 N Ross Street, 5<sup>th</sup> Floor  
Santa Ana, CA 92701-4062

##### **ARTICLE II. Establishment of Orange County Criminal Justice Coordinating Council**

This organization was created and authorized by the Board of Supervisors in November of 1994, Resolution 94-1243. On February 6, 2001, the Board of Supervisors rescinded Resolution 94-1243 and re-established and reorganized the OCCJCC by Resolution 2001-38.

##### **ARTICLE III. Purpose and Functions**

- A. The purpose of the OCCJCC is to work with the County to improve public safety on behalf of Orange County residents, through greater inter-agency communication, coordination and collaboration regarding law enforcement and administration of justice issues. This will be accomplished by:
  - 1. Improved utilization of resources and balance within the Criminal Justice system.
  - 2. Improved synergy of ideas and expertise among Criminal Justice professionals.
  - 3. Improved public confidence in the Orange County Criminal Justice system.
- B. In accordance with Resolution 2001-38, the OCCJCC is an advisory body and may not operate outside of its designated purposes. The functions of the OCCJCC are as follows:
  - 1. Provide balance and an equal voice to all members throughout the decision-making process.
  - 2. Provide an airing and resolving of differences of opinion regarding plans and programs between Criminal Justice Stakeholders.
  - 3. Recommend policies.  
The OCCJCC **shall not** have authority to:
    - 1. Adopt policies.
    - 2. Review or approve individual agency or department staffing.
    - 3. Review or approve agency or department budgets.
    - 4. Mandate a course of management services by any agency or department or direct agency or department work.

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### ARTICLE IV: Appointment and Membership

#### A. Membership of the OCCJCC is to be composed as follows:

Along with two members of the Board of Supervisors, appointed by the Board of Supervisors, that serve as Co-Chairs the members shall include the following:

- i. Presiding Judge, Superior Court
- ii. Presiding Judge, Juvenile Court
- iii. District Attorney
- iv. Public Defender
- v. Chief Probation Officer
- vi. Sheriff-Coroner
- vii. Large City Police Chief (over 100,000 population) appointed by Co-Chairs
- viii. Small City Police Chief (under 100,000 population) appointed by Co-Chairs
- ix. County Executive Officer
  1. These 11 members shall comprise the OCCJCC.
    - a. Other criminal justice stakeholders may be invited to participate at the discretion of the Co-Chairs.
    - b. The 11 members will serve as voting members.
    - c. All other participants will not be voting members.

#### B. Length of OCCJCC Membership

1. The membership term for all individuals, except the Board of Supervisors Co-Chairs, shall be concurrent with their term of office as Presiding Judge (Superior and Juvenile Court), District Attorney, Public Defender, Chief Probation Officer, Sheriff-Coroner, Large and Small City Police Chief, and County Executive Officer.

### ARTICLE V. OCCJCC Officers

#### A. OCCJCC officers shall consist of:

1. The Co-Chairs
2. The Co-Chairs shall preside at meetings, call special meetings, decide points of order, announce all business, entertain motions, put motions to vote, announce vote results, appoint and may remove committee Chairpersons, and represent the OCCJCC at public functions.
3. No person, except a member of the Board of Supervisors, may serve as Chair of a Board Commission and Committee for more than three consecutive terms.
4. No person, except a member of the Board of Supervisors, may serve simultaneously as Chair for two or more Board, Commission and Committees.

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### **ARTICLE VI. Duties of Members**

- A. Members shall attend meetings of the OCCJCC and of committees to which they are appointed.
- B. Regular attendance by all OCCJCC members is essential so that the OCCJCC can discharge its duties. If the primary representative cannot attend, a designated alternative, who may act on behalf of the primary representative, may attend in their absence.
- C. Members shall notify the Clerk of the OCCJCC of any expected absence for a meeting by 5:00 p.m. of the day before a regularly scheduled OCCJCC meeting,
- D. In the performance of its responsibilities, the OCCJCC shall not engage in nor employ any unlawfully discriminatory practices in the provision of services or benefits, assignment of accommodations, treatment, employment of personnel or in any other respect on the basis of sex, race, color, ethnicity, national origin, ancestry, religion, age, marital status, medical condition, sexual orientation, physical or mental disability or any other protected group in accordance with the requirements of all applicable County, state, or federal laws.
- E. Members of the OCCJCC shall comply with the County Equal Employment Opportunity and Anti-Harassment Policy and Procedures.
- F. Members of the OCCJCC shall comply with County Code of Ethics.

### **ARTICLE VII. Committees and Subcommittees**

- A. The OCCJCC is permitted to create and operate Ad-Hoc and/or Subcommittees of less than a quorum of the members as deemed necessary by the members. Proposed Ad-Hoc or Subcommittee appointment; roles/responsibilities/authority will be determined by the OCCJCC voting members.

### **ARTICLE VIII. Meetings and Actions**

- A. All OCCJCC meetings shall be open, public and noticed in conformance with the provisions of the Ralph M. Brown Act, California Government Code section 54950 et seq., as amended and held at a location within Orange County, California that satisfies the access requirements of the Americans with Disabilities Act.
- B. Regular meetings shall occur monthly on the third Friday of the month, beginning with January, at 9:00 a.m. at the County Administration South (CAS) building in the County Conference Center A. The OCCJCC Co-Chairs may present and adopt an alternate calendar for the year at either the last regular meeting of the prior year or the first meeting of the new year.
- C. Any OCCJCC member may submit Agenda Items to the Co-Chairs for consideration.
- D. Special meetings of the OCCJCC may be called by either of the Co-Chairs, upon written request, specifying the general nature of the business proposed. Notice of a special meeting shall:

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1. Be delivered to members personally, by mail or electronically, and must be received no later than 24 hours in advance of the meeting.
2. State the business to be considered and whether alternative technological means may be used such as telephone or video conferencing, as technological resource availability permits and as permissible by the Ralph M. Brown Act.

### E. Quorum Requirements

1. Quorum requirements are as follows:
  - a. General Meetings: A simple majority of the members of the OCCJCC shall constitute a quorum for the transaction of business at any meeting of members.

### F. Voting Majority: Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the OCCJCC, except as otherwise provided by these Bylaws, Rules of Procedure, Policies and Procedures, as applicable.

1. Members choosing to abstain from voting on specific actions will not affect majority requirements. Abstentions are considered a “non-vote” – neither a vote in the affirmative nor in the negative. However, for an action to be passed, a majority of the quorum casting votes must vote in the affirmative.

### G. Voting by Proxy: Members of the Board and the County Executive Officer who serve as OCCJCC members may designate a substitute to attend the OCCJCC meeting on their behalf and vote on any action item. The designated alternates discussed in Article VI, Section B. may attend on the member’s behalf and vote on any action item.

- a. Decisions and recommendations shall be reached through majority voting, which is defined as a majority of the quorum members present.
- b. The OCCJCC shall use parliamentary procedures to conduct business.

### H. Minutes: The Clerk of the OCCJCC shall prepare and publish the minutes for each meeting of the OCCJCC on the website.

## **ARTICLE IX. Authority**

- A. Parliamentary Authority: The Co-Chairs shall preside and manage OCCJCC meetings using parliamentary procedure consistent with these bylaws, any special rules of order the OCCJCC may adopt, and any applicable County, state, and federal law.

## **ARTICLE X. Conflict of Interest**

- A. Members of the OCCJCC shall abstain from voting on any issue in which they may be personally interested to avoid a conflict of interest in accordance with County, state, and federal laws and shall refrain from engaging in any behavior that conflicts with the best interest of the County.
- B. Members of the OCCJCC shall not vote nor attempt to influence any other OCCJCC member on a matter under consideration by the OCCJCC or any of its committees or subcommittees:

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1. Regarding the provision of services by such member (or by an entity that such member represents); or
  2. That would provide direct financial benefit to such member or the immediate family of such member; or
  3. Engage in any other activity constituting a conflict of interest under County, state, or federal law.
- C. If a question arises as to whether a conflict exists that may prevent a member from voting, the Co-Chairs or their designees may consult with designated County staff to assist them in making that determination.

### **ARTICLE XI. Adoption and Amendment of Bylaws**

- A. Adoption: An affirmative vote of at least 50%+1 of those voting, a quorum being present, shall be required to recommend these Bylaws for Board of Supervisors approval. These Bylaws become effective upon approval by the Board of Supervisors.
- B. Amendments:
1. Any member of the OCCJCC may propose amendments to these Bylaws.
  2. Proposed amendments shall be submitted in writing and made available to each member of the OCCJCC no less than fourteen days prior to consideration before a vote can be taken.
  3. All bylaws amendments must be approved by a simple majority of the members of the OCJCC and a majority vote of the Board of Supervisors.

### **ARTICLE XII. Severability**

Should any part term, portion or provision of these Bylaws be determined to be in conflict with any law or otherwise unenforceable or ineffectual, the remaining parts, terms, portions or provisions shall be deemed severable and their validity shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the provisions that the members intended to enact in the first instance.

### **ARTICLE XII. Staffing Support**

Staff support from County Executive Office including all Clerk duties, shall be provided to support the OCCJCC in conjunction with the work of the OCCJCC.