

BYLAWS OF THE NEVADA JUVENILE JUSTICE OVERSIGHT COMMISSION

Article I Name/Name Change

Section 1.1. Name.

The Juvenile Justice Oversight Commission (JJOC) is established pursuant to Governor Brian Sandoval's Executive Order of 2017 reflecting the intent of Assembly Bill 472 (section 4) passed during the 79th Session of the Nevada Legislature 2017. The bill is attached for reference. The Commission represents all three branches of government and participants represent the local and state governments, our Nevada tribal community, and youth community.

Article II Mission/Duties and Powers/ Role/ Organizational Support/ Place of Business

Section 2.1. Mission.

The Commission provides a forum that will examine the laws, policies and programs affecting children, youth and families and encourage the public to advocate for effective services throughout the State.

Section 2.2. Powers.

The Commission shall have the power to perform any and all acts necessary and proper and convenient to accomplish the purposes of Assembly Bill 472 (AB472) of the 79th Session of the Nevada Legislature 2017.

The Commission shall manage its property and business and exercise all powers permitted under Federal, State law and Executive Order.

Section 2.3. Role.

The Commission shall operate as the advisory board for all planning, administrative and funding functions of AB 472 and the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDPDA) as amended hereinafter referred to as the "Act," and shall make sub-grants for planning or for the improvement of the juvenile justice system consistent with the intent of applicable Federal and State legislation.

The Commission serves as an official advisor of the Governor regarding matters of significance relating to juvenile justice at the State and Local level.

Section 2.4. Organization Support.

The State of Nevada through the Division of Child and Family Services (DCFS) is designated to ensure that sufficient staff is provided pursuant to the requirements of the Act and to carry out the purposes of Executive Order of 2017.

- (A) DCFS shall facilitate and supervise the preparations and administration of the Commission meetings and subcommittees to include the State Plan submitted pursuant to the Act.
- (B) DCFS shall serve as fiscal agent of the Commission.

Section 2.5. Place of Business.

The Commission may have such place or places of business as the purposes of the Commission might require, and as Commissioners may, from time to time, appoint. It is the intent of the Commission Co-Chairs to hold the JJOC meetings throughout Nevada to ensure all county and state perspectives are represented.

Article III
Responsibilities/Nevada Juvenile Justice Administration

Section 3.1. Responsibilities.

Commission responsibilities are outlined in AB 472 (2017) and generally include the following:

- (A) The Commission shall perform all duties imposed on it by Federal, State law and by Executive Order of the Governor of Nevada.
- (B) Overall responsibility to develop and approve the requirements as outlined of AB472 (2017)
- (C) On a regular basis provide information and recommendations to the Governor and the Legislature as prescribed by AB472 (attached).

Section 3.2. Nevada Juvenile Justice Administration.

Nevada juvenile justice administration is a shared responsibility between state and county agencies. The Commission is committed to assisting all of the agencies in their respective roles to ensure maximum cooperation and effectiveness.

The Commission is comprised of individuals with the experience to understand what roles should be performed by what agencies for maximum cooperation and effectiveness to occur.

Article IV
**Membership/Appointment-Vacancies/Term of Office/
Resignation/Compensation/Conflict of Interest**

Section 4.1. Membership.

The Commission shall consist of 25 Governor appointees as outlined in Section 4 of AB472 (2017). Appointed Commission members are voting members. There are advisory members however they are not voting members for the purposes of achieving a

quorum. A quorum is a majority of the voting members. Decisions made by the Commission must be made by majority vote of Commission members.

Section 4.2. Appointment-Vacancies.

Persons appointed to the Commission may appear before the Governor or his/her authorized representative(s) and shall qualify by taking an oath of office to faithfully perform the duties of a member of the Commission.

In case of a vacancy on the Commission through death, resignation, disqualification, removal, or other cause, the Governor with the advice of the Commission shall be requested to fill the vacancy.

Section 4.3. Term of Office.

Commissioners shall be appointed for a term of 2 years and may be reappointed for additional 2-year terms (Section 4(4)). Commissioners appointed to fill an unexpired term shall serve until the expiration date of that term or until a successor is appointed. Commissioners shall hold office at the pleasure of the Governor.

Section 4.4. Resignation.

All Commissioners shall have the right to resign from the Commission. All such resignations, giving thirty days notice, shall be addressed to and forwarded to the Governor with a copy to the Co-Chairs of the Commission.

Section 4.5. Compensation.

Commissioners shall not be entitled to compensation for their services but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally (Section 4(5)).

Section 4.6. Conflict of Interest.

Commissioners shall comply with the appropriate sections of Nevada's Conflict of Interest Law as amended. Commissioners shall not participate in the approval, disapproval or recommendation of any application, grant, contract, or any other matter in which they have a financial or other beneficial interest. Commissioners shall avoid any action, which might adversely affect the confidence of the public in the integrity of the Commission or the Commission's programs.

Article V
Meetings/Definition/Quorum/Regular/Special/Attendance/
Business/Minutes/Voting

Section 5.1. Definition.

All public bodies including the Commission exist to aid in the people's business. It is the intent that Commission actions and deliberations be taken openly in compliance with Nevada's Open Meeting Law as amended.

(A) A meeting is defined as a gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which

the public body has supervision, control, jurisdiction or advisory power.
(B) A quorum for any business where Commissioner votes are to be cast is defined as a simple majority of the constituent membership of the Commission. This does not include Advisory Members.

Section 5.2. **Regular Meetings.**

The Commission shall meet on the second Friday of each month at such places as may be determined by the Commission. This schedule may change upon the majority vote of the Commissioners. All Commissioners shall be given written notice no less than ten (10) days prior to such meeting and said notice shall state the time and place of the meeting and the agenda all in accordance with the Nevada Open Meeting Law as amended. If an effort to be environmentally friendly, all meeting materials can be found at http://dcfs.nv.gov/Programs/JJ_OC/2018_Agendas_and_Minutes/. Materials may be made available in hard copy upon request.

Section 5.3. **Special Meetings.**

Special meetings of the Commission shall be held whenever called by the Co-Chairs of the Commission or by ten (10) or more Commissioners upon their written request. The purpose of the meeting shall be stated in the call. The Nevada Open Meeting Law as amended shall govern such special meetings.

Commissioners shall be given notice of each special meeting of the Commission by mail, by telephone, by fax, or by other electronic means ten (10) days prior.

Section 5.4. **Attendance.**

Commissioners who are absent without prior permission of the Co-Chairs for two consecutive Commission meetings or who miss three or more Commission meetings in a single year regardless of cause shall be in violation of this attendance policy. In recognition of travel time and scheduled, attendance may take the form of in person or via conference call. Following the first unauthorized absence, the Co-Chairs shall advise the Commissioner in writing of the attendance policy, an attempt to resolve any difficulties that the Commissioner may be experiencing with attendance, prior to the next scheduled meeting. In the event a Commissioner misses a second consecutive meeting without authorization, or is absent for three consecutive meetings within one year for any cause, the Co-Chairs may request the Governor remove a Commissioner for non-attendance. The request for removal shall include a request that the Governor appoint a replacement to the Commission.

Section 5.5. **Business.**

Unless otherwise indicated in the notice thereof, any and all business may be transacted at any monthly or special meeting of the Commission. Nevada Open Meeting Law as amended governs the preparation and content of all Commission agendas. Failure to adhere to agenda requirements will result in an Open Meeting Law violation.

Section 5.6. **Minutes.**

Nevada Public Records Law as amended requires written minutes be kept by the Commission of each meeting held regardless of whether the meeting was open or closed to the public. Nevada Public Records Law as amended governs the preparation and content of all minutes.

Section 5.7. **Voting.**

Each Commissioner shall be entitled to one vote in any matter of general business before the Commission.

- (A) Proxy voting is not permitted as it is incompatible with the essential characteristics of a deliberative body.
- (B) Secret ballots defeat the accountability of Commissioners; they are not permitted under the Open Meeting Law as amended. The Open Meeting Law as amended is satisfied if a vote is by roll call, show of hands, or any other method whereby the way a Commissioner voted is made known to the public.
- (C) A majority vote is required to adopt a motion or to elect to office.
- (D) Advisory members are not considered voting members however are very important to the success of the JJOC.

Article VI

**Officers' Duties/Nomination-Election/Ballot-Term/
Limitations/Absence-Inability-Removal-Filling Vacancies/
Appointments/Chairperson/Vice-Chairperson-North and South/
Secretary/Treasurer**

Section 6.1. **Officers' Duties.**

The officers of the Commission shall be the two Co-Chairs, as appointed by the Governor and the Secretary, the Administrator of DCFS. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority.

Section 6.2. **Office Holding and Limitations.**

No Commissioner shall hold more than one office at a time, and no Commissioner shall be eligible to serve more than two consecutive terms in the same office.

Section 6.3. **Absence, Inability, Removal and Filling Vacancies.**

In the event of absence or inability of any officer to act, the Commission may delegate the powers or duties of such officer to any other member of the Commission in accordance with Nevada's Open Meeting Law as amended.

- (A) The Commission may remove any officer, agent or employee whenever, in its judgment, the best interests of the Commission shall be thereby served, as approved by the Governor.
- (B) Should a Commission or Advisory Member be removed or become unable to serve, the Governor will be the appointing authority.

Section 6.4. **Appointments.**

The Governor is the appointing authority for any vacancies that may arise.

Article VII
Committees/Definition/Standing-Composition/Duties
Meetings/Work Study Group

Section 7.1. **Definition.**

There are two types of subcommittees—standing and special.

- (A) Standing subcommittees have continuing existence.
- (B) Special subcommittees may cease to exist as soon as they have completed a special task or assignment.

Section 7.2. **Standing, Special Subcommittees, Appointment and Composition.**

The Co-Chairs shall appoint Commissioners to standing and special subcommittees.

- (A) Standing subcommittees are appointed by the Co-Chairs and include representatives from the Commissioners and Advisory Commission members. The number of subcommittee members must not conflict with Open Meeting Law requirements.
- (B) Special committee appointees shall be no less than three (3) Commissioners and no more than five (5) Commissioners.
- (C) Standing committee members serve a term corresponding to that of the officers or until their successors have been selected.
- (D) Standing and special committee chairpersons or the Commission Co-Chairs may call meetings in accordance with Nevada's Open Meeting Law as amended.
- (E) Standing Subcommittees are as follows:
 - (1) Risk Assessment
 - (2) Data Performance and Measurement
 - (3) Youth
 - (4) Strategic Implementation
 - (5) State Advisory Group Planning Committee

Section 7.3. **Duties.**

- (A) **Risk Assessment:** This subcommittee will select a risk and needs assessment and mental health assessment for presentation to the JJOC for vote and adoption. Deliverables for this subcommittee include 1) the selection for a risk and needs assessment, 2) the selection of a mental health screening tool, 3) the selection of a vendor to assist with training and roll out, and 4) the creation of policy and procedure related to implementation of such tools. This subcommittee will also be tasked with the requirements surrounding quality assurance and evidence-based practices.
- (B) **Data Performance and Measurement:** This subcommittee will be responsible for establishing data performance and measures from referral through closure. This subcommittee will also define recidivism and establish measures to track this throughout the state. Deliverables for this subcommittee include 1) revision of NRS/NAC62H, 2) the creation of a set of performance measures to include

definitions of points or measures, and 3) provide a definition of recidivism and methods to measure it.

- (C) **Youth:** This subcommittee is specifically to engage the youth commission members, their voice and experience. This subcommittee will cover various topics, including AB472 matters, but is not limited by the legislation. Deliverables for this subcommittee are recommended policy, practices or to ensure Commission efforts are practical.
 - (D) **Strategic Implementation:** This subcommittee, previously referred to as the Strategic Plan Committee, will be tasked with monitoring the strategic plan, updating the strategic plan as necessary, and continuous quality improvement related to the strategic plan. The Strategic Implementation committee will also be tasked with bringing statewide juvenile justice improvement issues to the commission as a whole.
 - (E) **State Advisory Planning Group Committee (SAG):** The SAG already exists as part of JJPDA and has been incorporated in to the JOC. Already existing roles and expectations remain in effect.
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Section 7.4. Committee Meetings.

Standing and special committee meetings will be open and public with proper notice given and in accordance with Nevada's Open Meeting Law as amended. For efficiency of meeting time, the JJOC agenda may include a consent agenda section for those items that may not require further discussion, such as regular subcommittee reports. However, at the request of voting members of the Commission consent agenda items may be pulled by the Co-Chairs for further discussion or explanation. Otherwise, consent agenda items may be voted on without discussion and as a block vote.

Section 7.5. Subcommittees.

The JJOC Subcommittees are a creation of the Commission created to efficiently address the demands of AB472 and magnify the expertise on the Commission and Advisory Members. As needed, community members may be added to the subcommittees as subject matter experts. All subcommittee co-chairs and members will adhere to Nevada law and Open Meeting Law.

Article VIII **Parliamentary Authority**

Section 8.1. Parliamentary Authority.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, Nevada Open Meeting Law as amended and any special rules of order the Commission may adopt.

Article IX **Amendment of Bylaws**

Section 9.1. **Amendment of Bylaws.**

These Bylaws may be amended at any regular meeting of the Commission by a two-thirds vote, provided that the amendment has been submitted in writing at the previous quarterly meeting.

Article X **Dissolution**

Section 10.1. **Dissolution.**

Upon dissolution of the Commission, Commissioners shall, after paying or making provision for the payment of all of the liabilities of the Commission, transfer and convey all of the assets of the Commission to DCFS.

Article XI **Savings Clause**

Section 11.1. **Savings Clause.**

Should any provision contained in these Bylaws, or any amendments thereafter, be found to be unlawful or contrary to public policy by any court of competent jurisdiction, or in any way in irreconcilable conflict with Public Law 93-415 (or any rule or regulation incidental thereto having the effect of law), or any authority having jurisdiction in such matters, said decision or ruling shall in no way be construed so as to affect any of the remaining provisions of these Bylaws or any amendments thereto.

Article XII **Nondiscriminatory Policy**

Section 12.1. **Membership and Officers.**

The Commission does not discriminate on the basis of race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to membership or election to the position of officers of the Commission.

12.2. **Admission.**

The Commission does not discriminate on the basis of race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to admission to the Commission's services.

12.3. **Equal Opportunity Employer.**

The Commission is an equal opportunity employer and does not discriminate on the basis race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to employment.

Article XIII
Miscellaneous

Section 13.1. Fiscal Year.

The fiscal year of the Commission shall be from July 1 through June 30.

Section 13.2. Seal.

The Commission shall adopt the seal of the State of Nevada to be used in all places in its matters as seals are generally used.

By These Present:

The Undersigned, organized and existing under the laws of the State of Nevada and originally approved on the 13th day of April 2018, does hereby certify that the foregoing amended and restated Bylaws, consisting of 13 articles, were duly adopted as the Bylaws of said Commission by appropriate resolution of the Commissioners of the Nevada Juvenile Justice Oversight Commission on this 9th day of November, in the year 2018.

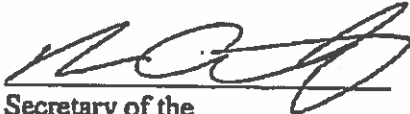
ADOPTED, REVISED AND APPROVED (v2.0) this 9th day of November 2018.



Co-Chairman of the
Nevada Juvenile Justice
Oversight Commission



Co-Chairman of the
Nevada Juvenile Justice
Oversight Commission



Secretary of the
Nevada Juvenile Justice
Oversight Commission