

**BYLAWS
of the
EL PASO COUNTY JUVENILE COMMUNITY REVIEW BOARD**

ARTICLE I

NAME AND PRINCIPAL OFFICE

Section 1. Name.

The name of the entity shall be the El Paso County Juvenile Community Review Board, hereinafter referred to as the "Board."

Section 2. Principal Office.

The principal office of the Board shall be El Paso County Community Services Department, 2002 Creek Crossing, Colorado Springs, CO 80905.

ARTICLE II

PURPOSE

The purposes of the Board shall be as follows:

1. Carry out the intent and purposes of the Board of County Commissioners of El Paso County as memorialized in Resolution No. 87-268, General 72, dated September 17, 1987, which Resolution concerns the establishment of the Juvenile Community Review Board under the Criminal Justice Advisory Board's Community Corrections Committee in order to review community placements of juveniles under commitment to the Colorado Department of Human Services, Division of Youth Corrections ("DYC").
2. Act as a functional juvenile community review board pursuant to §19-2-210, Colorado Revised Statutes.
3. Encourage state and local government cooperation regarding adjudicated children who, while committed to the legal custody of the DYC, are deemed appropriate for residential community placement.
4. Provide for a system which protects public safety and furthers the best interest of the child.
5. Provide procedures for the implementation of state and local government cooperation.
6. Provide coordination among courts, DYC, the Colorado Department of Public Safety and other criminal justice agencies, community services, business, labor, education,

local government and other appropriate agencies in establishing and furthering the goals of local juvenile community corrections.

ARTICLE III

POWERS, RIGHTS AND DUTIES

Section 1. Powers.

It is intended in accordance with the foregoing that the primary functions of the Board shall be governmental in character. All privileges, immunities, defenses or other protections from liability which pertain to El Paso County boards, divisions, officers, employees or agents shall pertain to this Board, both as a Board and as individual members.

Section 2. Rights.

The Board may exercise on behalf of El Paso County the following rights:

1. Approve placement of children committed to the custody of DYC to be placed into a residential community placement or a work/school release placement in the County.
2. Receive notification of any placement of a child under the jurisdiction of the Juvenile Parole Board prior to or at the time of placement.
3. The opportunity to present written testimony and/or provide oral testimony with Parole Board approval, to the Juvenile Parole Board upon notification from the Parole Board that a juvenile is being considered for parole. The juvenile's name, place and time of the juvenile's hearing is provided by the District Attorney.

Section 3. Duties.

The duties of the Board shall include the following:

1. Establish procedures and criteria for reviewing and approving juvenile residential community placements in El Paso County.
2. Review the case file of the juvenile within fifteen days of the scheduled receipt of that file and make a decision regarding residential community placement, taking into consideration the results of the objective risk assessment by DYC, the needs of the child and the criteria established by the Juvenile Community Review Board based on the interests of the community.
3. Withhold as confidential all names, addresses and information regarding a juvenile reviewed by the Board and not disclose any information except to such Board or its designees without express written permission of the juvenile and the legal custodian.

4. All juvenile offender records and similar records made or obtained by the Board shall be maintained in accordance with County procedures and policies. As to those records, the Board shall respect all rights of privacy of individuals as required by the laws and regulations related thereto and it shall obtain any necessary consent prior to disclosure of any information contained in such records.
5. Additional duties of the Board shall include, but not be limited to, providing annual reports to the El Paso County Board of County Commissioners.

ARTICLE IV

FISCAL YEAR

Section 1. The fiscal year of the Board shall coincide with the calendar year.

ARTICLE V

BOARD MEMBERS

Section 1. Composition.

The Board shall have at least ten (10) regular members, including but not limited to the following:

1. El Paso County Department of Human Services representative
2. A local school district representative
3. A local law enforcement agency representative
4. Judicial district probation department representative
5. 4th Judicial District Attorney's Office representative
6. 4th Judicial District Public Defender representative
7. 4th Judicial District Bar Association representative
8. Division of Youth Corrections representative
9. Two (2) private citizens

Section 2. Selection.

Members and alternates of the Board representing agencies 1. through 8. shall become so by virtue of their appointments by the Chief Executive Officer of the respective agency. Citizen members shall be appointed by the Board of County Commissioners of El Paso County. Citizen members will have no alternate. When vacancies occur notice shall be given to the member agency, or in the case of citizen members, to the Board of County Commissioners. Such notice shall be given within seven (7) days of its becoming known to the Board.

Section 3. Term.

The citizen volunteer Board members shall serve for terms of three (3) years. Such members serve at the pleasure of the Board of County Commissioners and may be removed for cause or without cause.

Section 4. Meeting Attendance.

A vacancy on the Board shall occur when any regular member shall fail to be present at three (3) consecutive meetings of the Board or at eight (8) regular meetings during the calendar year, unless such absence is formally excused by a majority of the voting members present. A member must contact the staff to the Board prior to the meeting in which they are requesting an excused absence. It shall be likewise for an alternate member on those occasions when that alternate is notified by a regular member of any impending absence at a meeting by the regular and the alternate does not attend.

Section 5. Compensation.

No Board member shall receive, or be lawfully entitled to receive, any pecuniary profit from the operations of the Board and in no event and under no circumstances shall any part of the assets of the Board, if any, whether principal, income or accumulations, be paid as salary or compensation to, or be distributed to, or inure to the benefit of, any of the Board members or their successors, or any person or his heirs or personal representatives who shall contribute any money or other property to the Board; provided, however, (a) that reasonable compensation may be paid to any agent or employee of the Board for services rendered in effecting one or more of the purposes of the Board, and (b) that any Board member may, from time to time, be reimbursed for his or her actual or reasonable expenses incurred in connection with the administration of the affairs of the Board.

ARTICLE VI

OFFICERS

Section 1. Number and type.

Officers of the Board shall consist of a Chair and a Vice Chair. All officers shall be taken from regular members.

Section 2. Term.

Officers shall serve for a term of one year.

Section 3. Selection.

Selection of officers shall be made by the Board at the regular meeting in February of each year where a simple majority of those voting shall elect the officers for the next calendar year.

Section 4. Vacancies.

Officer vacancies due to termination or resignation shall be filled by a majority vote of the Board at the first regular meeting following the vacancy. The newly elected officer shall serve in that office only for the remainder of the term but shall be eligible to then run for a full term in said office.

Section 5. Duties.

Duties of the officers shall be as follows:

1. The Chair shall preside at all meetings of the Board, appoint chairs of all committees, serve as an ex-officio member of all committees, sign appropriate documents for DYC, perform other duties designated by the Board, and serve as the official spokesperson for the Board.
2. The Vice Chair shall perform such duties as the Chair and/or the Board may designate and shall perform the duties of the Chair in his or her absence.

Section 6. Administrative Staff.

The El Paso County Community Services Department, Community Outreach Division is the unit of county government responsible for administering and carrying out the directions of the Juvenile Community Review Board for the review and approval of offenders into the contracted community facilities.

ARTICLE VII

MEETINGS

Section 1. Schedule

1. The Board shall meet as needed to perform their functions, but no less than once per month. The time and place of regular and committee meetings of the Board shall be communicated to its members at least seven (7) days prior to such meetings. Special meetings shall require at least forty-eight (48) hours prior notification.
2. If necessary to comply with the requirements of §19-2-210, C.R.S., the Chair may call a second regular meeting in any given month, as set forth above.
3. Regular meetings may be cancelled by the Chair upon consultation with staff upon showing that there is no official business to be conducted.
4. The Chair may call a special meeting which may be held at a time other than the regular meetings. Notice of such meetings shall be provided to Board members at least forty-eight (48) hours in advance.

Section 2. Agendas.

1. Agendas for regular meetings and minutes of the prior meeting shall be distributed to the Board at least seven (7) days prior to the meeting.
2. Agendas distributed to the Board shall include the names and dates of birth of the juveniles being considered for community placement. Agendas posted publicly shall not include such information.

Section 3. Notice.

Notice of all regular and special Board meetings shall be posted in compliance with Colorado Open Meeting Law C.R.S. §24-6-401, *et seq.*

Section 4. Quorum.

A quorum for conducting business at any regular meeting shall be a simple majority of the membership of the Board.

Section 5. Voting.

1. Only members or alternates may vote. Each agency and appointed citizen is entitled to one (1) vote.
2. A simple majority voting to accept a placement will constitute an acceptance.
3. A tie vote will constitute a rejection.
4. Proxy ballots or votes will not be permitted. Members may not submit ballots prior to the meeting and must attend the meeting in order to vote.

ARTICLE VIII

COMMITTEES

Section 1. The Chair may appoint ad hoc committees to deal with specific issues or actions.

Section 2. Standing Committees may be established by a majority vote of the Board.

ARTICLE IX

AMENDMENTS

Proposed amendments to these By-laws may be made by a two-thirds affirmative vote of the entire Board, after a proposed amendment has received one (1) reading at a regularly scheduled Board meeting. Proposed amendments shall be distributed to Board members at least ten (10)

days preceding the meeting at which the first reading will take place. Any amendment to the By-laws must be approved by the Board of County Commissioners.