

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 12-026

Approve an amendment to the bylaws of)
the Community Restorative Justice)
Commission.....)

WHEREAS the County of Monterey Board of Supervisors established the Community Restorative Justice Commission (CRJC) on September 26, 2000 to provide a more comprehensive and integrated approach to delinquency prevention and crime response, under the principles of Restorative Justice for long term healing, restoration and prevention;

WHEREAS the Community Restorative Justice Commission adopted its membership on February 23, 2009 and the Board of Supervisors approved them on April 14, 2009;

WHEREAS the Community Restorative Justice Commission recommends changing the member title from "Correctional Representative" to "State Correctional Representative" and adding a "Local Correctional Representative";

WHEREAS the Community Restorative Justice Commission is recommending the approval of a new member to its membership, increasing it from 18 to 19;

NOW, THEREFORE, BE IT RESOLVED that Board approves the Community Restorative Justice Commission amended bylaws dated December 19, 2011.

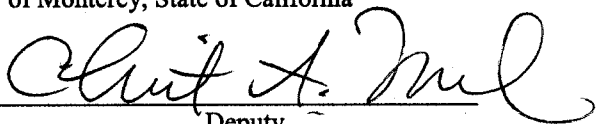
PASSED AND ADOPTED on this 7th day of February, 2012, upon the motion of Supervisor Parker, seconded by Supervisor Armenta and carried by those members present, by the following vote, to-wit:

AYES: Supervisors Armenta, Supervisor Calcagno, Salinas, Potter and Parker
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on February 7, 2012.

Dated: February 9, 2012

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By 
Deputy

**BYLAWS OF THE
Community Restorative Justice Commission**

**ARTICLE I
NAME OF ORGANIZATION**

Section 1.1: The organization shall be known as the Community Restorative Justice Commission (or CRJC).

**ARTICLE II
AUTHORITY**

Section 2.1 The Community Restorative Justice Commission was duly established by the Monterey County Board of Supervisors by resolution 00-364 at its regularly scheduled meeting on September 26, 2000.

**ARTICLE III
MISSION STATEMENT**

Section 3.1: The Community Restorative Justice Commission strives to balance the legitimate needs of the victims, community and offenders. The commission sets policy and makes recommendations for restorative justice programs. These successful programs will enhance community protection and develop empathy and competency in the offender. They will also direct accountability of the offender to the victim and victimized community moving toward restoration and healing.

**ARTICLE IV
PURPOSE**

Section 4.1: The Community Restorative Justice Commission shall oversee community education on restorative justice issues and shall review and evaluate the restorative justice needs, services, facilities and special concerns. In addition, the commission shall oversee the partnership between probation, law enforcement, the judiciary and Restorative Justice Partners, the community based non-profit corporation established to implement restorative justice in Monterey County.

Section 4.2: The Community Restorative Justice Commission shall make recommendations to the Probation Department and Law Enforcement, the District Attorney's Office, the Public Defender's Office, Board of Supervisors and the Superior Court for the successful implementation of restorative justice principals.

Section 4.3: The Community Restorative Justice Commission shall not be organized for the benefit or private gain of any individual. The purpose of the Community Restorative Justice Commission is to represent Monterey

County in all matters pertaining to restorative justice programs, and to promote a positive atmosphere between county residents the County of Monterey.

- Section 4.4: Members of the Community Restorative Justice Commission are not representatives for any resident within the County of Monterey in regard to any business dealings as agents representing the County of Monterey; members are representatives of the Community Restorative Justice Commission, and as such, they are to involve themselves in the business and scope of responsibilities accorded the members of the Community Restorative Justice Commission.
- Section 4.5: The Community Restorative Justice Commission shall at all times promote events, activities and programs for the purpose of benefiting the residents of the County of Monterey.
- Section 4.6: The Community Restorative Justice Commission shall be a non-commercial, non-denominational and a non-political organization.

ARTICLE V COMPOSITION OF THE COMMUNITY RESTORATIVE JUSTICE COMMISSION

- Section 5.1: Membership on the Community Restorative Justice Commission shall be open to all adults and minors living within the County of Monterey. The membership shall be as specified in the Board of Supervisor's resolution attached as Appendix A.
- Section 5.2: Members of the Community Restorative Justice Commission will provide leadership for the benefit of all residents within the County of Monterey.

ARTICLE VI OFFICERS

- Section 6.1: The officers of the Community Restorative Justice Commission shall be a Chairperson and such others as the Community Restorative Justice Commission may deem necessary.
- Section 6.2: Duties of the Chairperson: The Chairperson shall preside at all meetings of the Community Restorative Justice Commission, sign all necessary reports and process other communications of the Community Restorative Justice Commission. The Chairperson shall perform all other duties as may be prescribed by the Community Restorative Justice Commission from time to time.

Section 6.3: In the event the Chairperson is unable to perform the duties listed in Section 4.2, the Chairperson may designate another member of the Commission to temporarily act in his or her place.

Section 6.4: The Chief Probation Officer may designate a staff member who shall maintain an accurate record of the meetings for the Community Restorative Justice Commission.

ARTICLE VII ELECTION OF OFFICERS

Section 7.1: An election must be held each January for the office of Chairperson and such other officers as the Commission may deem necessary.

Section 7.2: An officer may serve no more than two consecutive terms in the same position.

Section 7.3: A Special election for the replacement of an officer shall take place at the first meeting following either the officer's resignation/incapacity or the termination of the term of the person holding office.

Section 7.4: No member may hold more than one office during the term of that office.

ARTICLE VIII COMMITTEES

Section 8.1: Committees and Sub-Committees may be created from time to time by action of the officers and members of the Community Restorative Justice Commission; upon completion of its assignment, a committee or sub-committee shall automatically terminate. Committees and subcommittees shall be composed of members totaling less than a quorum.

Section 8.2: A committee and sub-committee shall hold any number of meetings necessary to accomplish its assigned purpose.

Section 8.3: The composition of a committee or sub-committee formed to address external work may include as members persons who are not members of the Community Restorative Justice Commission.

Section 8.4: At least one member of the Community Restorative Justice Commission will be a member of each committee or sub-committee.

ARTICLE IX MEETINGS OF THE COMMUNITY RESTORATIVE JUSTICE COMMISSION

- Section 9.1: Regular meetings of the Community Restorative Justice Commission shall be held once a month at a place and time to be decided by the Commission.
- Section 9.2: The Community Restorative Justice Commission shall adhere to the Brown Act (California Government Code Sec. 54950 et seq.)
- Section 9.3: A quorum for the transaction of business of the Community Restorative Justice Commission shall consist of a majority of the filled membership positions. Alternatively, a quorum may consist of six members if the six members separately represent one of the following categories: Chief Probation Officer; a member of the board of supervisors; at least one but not more than three victims of crime; at least one law enforcement representative; at least one but not more than two from the faith, business, education or non-profit community.
- Section 9.4: Either the chairperson or other officer or a majority of the membership may call for a special meeting by complying with the notice requirements of Government Code Section 54956.

ARTICLE X TERMINATION OF MEMBERSHIP

- Section 10.1: If a member ceases to live within the County of Monterey, his/her membership on the Community Restorative Justice Commission will automatically terminate.
- Section 10.2: Resignations or termination of membership will become official at the regular meeting following the acceptance of resignations, or the notification of termination.
- Section 10.3: Regular attendance by members is important to the success of the Commission. When a member has three consecutive unexcused absences, the Commission will place the matter on the next agenda for a majority vote whether to recommend to the appointing authority that the member be removed. An excused absence includes any notification by a member to an officer of the commission or to commission staff in advance of a meeting that the member will not be able to attend. Excused absences will be noted in the minutes for the meeting.
- Section 10.4: If the Commission finds by majority vote that willful misconduct by a member is likely to bring discredit on the Commission, the Commission will recommend to the appointing authority that the member be removed.

**ARTICLE XI
VOTING PROCESS**

Section 11.1: Each member of the Community Restorative Justice Commission present at a meeting will have one vote. No proxies or absentee votes are allowed except that the Commission may designate an alternate for the student member. A member who is an elected official, the Chief Probation Officer or the Public Defender may designate a representative to participate and vote at meetings if he/she is unable to attend.

Section 11.2: The Community Restorative Justice Commission and its committees and subcommittees will operate in accordance with restorative principles and strive to reach consensus in making decisions.

**ARTICLE XII
MINUTES OF MEETINGS**

Section 12.1: The activities of each meeting will be recorded in writing and sent to Commissioners at least seven days prior to the next regular meeting.

**ARTICLE XIII
AMENDMENTS**

Section 13.1: These bylaws may be amended at any official meeting by majority vote.

Section 13.2: The Commission will review and revise these bylaws as needed at least every two years.

Exhibit A

COMMUNITY RESTORATIVE JUSTICE COMMISSION

Membership

The Community Restorative Justice Commission shall consist of the Chief Probation Officer or his/her designee, the District Attorney or his/her designee, the Public Defender or his/her designee and 15 members appointed by the Board of Supervisors, plus one member of the Board.

To establish broad-based community representation on the Commission, the Members will include:

- One resident of Monterey County who has been a victim of crime, to be appointed by each Supervisor
- One state correctional professional
- One local correctional professional
- A member of the Monterey County Chief Law Enforcement Officers' Association
- The mayor of a city in Monterey County
- One student attending a college, university or a Monterey County high school.
- A person who has personal experience with the criminal justice system
- A member of the faith community
- A business person
- An educator
- An official of a non-profit organization concerned with law enforcement and Victims' rights

Exhibit A

Terms

The Board shall designate eight of the fourteen members it appoints to serve an initial two-year term. The remaining seven appointees shall serve three-year terms. Subsequent appointments shall be for three-year terms. The Chief Probation Officer shall serve as long as he/she holds that office. The District Attorney shall serve as long as he/she holds that office. The Public Defender shall serve as long as he/she holds that office. The Board of Supervisors member shall serve a three-year term.

Function

The Commission shall oversee community education on restorative justice issues and shall review and evaluate the restorative justice needs, services, facilities and special concerns. In addition, the Commission shall oversee the partnership between probation, law enforcement, the judiciary, and Restorative Justice Partners, the community based non-profit corporation established to implement restorative justice in Monterey County.

The Commission shall make recommendations to the Probation Department and Law Enforcement, the District Attorney's Office, the Public Defender's Office, and the Superior Court for the successful implementation of restorative justice principles.

The Commission shall submit an annual report to the Board of Supervisors.