



**CONSOLIDATED POLICIES AND PROCEDURES
OF THE
CONTRA COSTA COUNTY
JUVENILE JUSTICE
AND
DELINQUENCY PREVENTION COMMISSIONS**

The policies and procedures of the Juvenile Justice and Delinquency Prevention Commissions serve as a guide and set of enduring practices, standards, and actions that all commissioners are expected to understand and follow when conducting themselves. The policies and procedures are a 'living document' that will endeavor to codify policies and procedures as they become standardized or institutionalized in their application. They may be amended as needed upon a majority vote of the Commission. They apply equally to either the Juvenile Justice Commission or the Delinquency Prevention Commission except where they are inherently inapplicable, such as inspection protocols. They are meant to supplement or explicate matters addressed in the Bylaws of the Commissions and, if in conflict, shall be an inferior source relative to the Bylaws which shall be the primary authoritative source of guidance except that the various federal and state laws shall be preeminent.

SECTION I STANDARDS OF CONDUCT BY COMMISSIONERS, ADVISORS, AND EMERITUS MEMBERS

Professionalism and Consequences of Misconduct

Commissioners, advisors, and emeritus members are required to exhibit a high degree of professionalism while conducting Commission business or representing the Commissions. Commissioners may be removed from their position upon a finding of good cause by the Presiding Judge of the Superior Court with the concurrence of the Presiding Judge of the Juvenile Court. Some example of good cause for removal may be found in cases of misconduct such as excessive absenteeism from the Commission, violation of oath, conflict of interest, commission of a criminal act, or violation of any of the forgoing standards of conduct.

Confidential Information

Recognizing that all Juvenile Court matters are confidential, each member shall hold all personally identifiable information relating to minors in strict confidence. No commissioner shall violate any ethical or legal duty regarding confidential information received as part of their association with the Juvenile Justice and Delinquency Prevention Commissions.

Conflicts of Interest

No commissioner shall participate where a conflict of interest exists or where a reasonable person would perceive a conflict of interest. Instances such as receiving gifts, services, participating in matters where commissioners have a personal or professional interest, or where an acquaintance or relative is involved are some

examples of a conflict of interest. All commissioners are expected to exercise good judgment, have a duty to disclose, and must recuse themselves if there is a direct or indirect conflict of interest of the appearance thereof. Commissioners who violate these precepts are subject to removal per the procedures outlined above.

SECTION II ANNUAL PLANNING

At a special meeting held between May and June of each year the Commission shall formulate its goals and objectives for the subsequent fiscal year which begins in July of the same calendar year (*Bylaws §6.3*). Thereafter, each committee and subcommittee shall develop annual goals and specific objectives in support of the Commission's overall annual goals. Chairpersons of the various subcommittees shall present these goals and objectives for discussion and agreement at the annual June meeting.

SECTION III NOMINATIONS, RECRUITMENT, AND TRAINING

Nominations for Emeritus Commissioners or Advisors to the Commission

Any voting Commissioner may nominate individuals for *Emeritus Commissioner* or *Advisor to the Commission* positions (*Bylaws §2.7*). This is the sole process for nominating said positions. The nomination shall include the name of the individual, the reason for the nomination, and the proposed effective date of service. The nominee shall be given to the chair of Membership subcommittee who shall then place the nomination on the agenda of the next Commission meeting whose agenda is still open. It shall be considered approved based on a simple majority vote by the Commission and subsequently forwarded by the Chair of the Membership Committee with carbon copy to the Chair of the Commission to the Presiding Judge of the Juvenile Court for her/his approval. Once approval has been obtained, the date of service will begin with the next Commission meeting during which the Commissioner must be duly sworn before performing any duties of the Commission.

Recruitment of Commissioners

The announcement for Juvenile Justice and Delinquency Prevention Commissioners will remain open. All applications must be submitted electronically or by paper application to the Commission in care of the Secretary and/or via the Commission website. All members may nominate individuals for Commission positions as well.

Processing of Applications

All applications will be forwarded to the Membership subcommittee chair as soon as received by the Probation Secretary. If there are no vacancies, a standardized form letter will be sent to the applicant and applicants will be encouraged to reapply when vacancies occur.

Review of Applicants

Once one or more vacancies are known, the Probation Secretary will forward all available applications to all Membership subcommittee members for review and approval for interview(s). A majority of subcommittee members may agree not to interview any candidate who lacks basic qualifications or if there are more candidates than vacancies.

The subcommittee may exercise its discretion in conducting interviews until there are either sufficient applicants or sufficient vacancies to warrant the conduct of

interviews, or both conditions occur. Prospective commissioners should be strongly encouraged to attend at least one Commission meeting before finalizing their candidacy.

The Commission can, by majority vote, require the Membership subcommittee to conduct interviews and use due diligence in forwarding qualified applicants to the Presiding Judge of the Juvenile Court for his or her consideration for appointment.

Selection of Interview Dates

The Membership subcommittee chairperson shall contact all subcommittee members via phone or email to discuss applicants and identify available dates for interviews.

Scheduling of Interviews

The subcommittee chairperson shall contact the Probation Secretary to: contact applicants for interview; reserve conference room, and make packets with copies of applications and blank questionnaires for interviewees/interviewers.

Conduct of Interviews

At least three members of the Membership subcommittee (including chairperson) shall conduct interviews. Standard interview questions will be reviewed annually and revised as necessary. The Membership subcommittee chairperson will collect all interview session materials. Candidates who receive a majority vote of approval from the interviewers shall be forwarded to the Commission as a body of the whole for concurrence or rejection of the candidate per the process *infra*.

Obtaining Approval of Nominated Candidates

The Membership subcommittee chairperson will present candidates' names with acceptance/rejection recommendations to the full Juvenile Justice/Delinquency Prevention Commission at the next regularly scheduled meeting. If approved by a simple majority of those present during a meeting where a quorum is present, the candidate will be forwarded as a recommended new commissioner to the Probation Secretary along with complete interview session materials. The chairperson of the Membership subcommittee will then forward applications for all recommended candidates to the Presiding Judge of the Juvenile Court for review and final approval. Should the Judge have any questions regarding the nominated candidates, those concerns will be forwarded to the chairperson of Membership subcommittee. The chairperson will ensure all questions are answered, obtain final approval or rejection from the Judge, and notify all members of Membership subcommittee of his/her final decisions. The chairperson will also notify standing commissioners of newly approved commissioners via email or at the next meeting.

Notifying Candidates of the Status of their Application

Once decisions by the Judge have been obtained, the Secretary will send acceptance/rejection letters signed by the chairperson of the Membership subcommittee (in-person or via the Secretary) using a standardized format to all candidates. The letter of appointment will include an invitation to attend the next scheduled full Commission monthly meeting and, if appropriate, a request that each new commissioner-designate attend a pre (or post if necessary) meeting with the Membership subcommittee or Commission chairperson. The chairperson of the Membership committee may also contact the new commissioners-designate welcoming them and encouraging them to attend the next meeting and a brief review of the orientation process.

Oath and Introduction

Each person appointed shall appear before the appointing judge or his/her designee and qualify by taking an oath to faithfully perform the duties of a member of the Commission. The qualification of each member shall be entered in the records of the Commission. The Probation Secretary will request a judge be present at the next meeting in order to greet and administer the oath of office for new commissioner(s). All related paperwork will be provided by the Probation Secretary at the time of taking the oath. If a judge is not available within a reasonable period of time, the Membership subcommittee chairperson will schedule time with the judge to ensure the new member receive the oath of office.

Provision of Name Badges and Business Cards

The Probation Secretary will ensure name badges and business cards are provided to new commissioner(s) in a timely manner.

Provision of Juvenile Justice/Delinquency Prevention Commissioner Handbooks

The Secretary will provide a manual for each new commissioner at the time of their attendance at their first monthly meeting. Manuals will be updated annually, or as needed, by the Membership subcommittee.

Orientation and Training

Orientation will be provided for each new commissioner within six months of taking the oath. Training will be provided via one-on-one or group sessions (either in-person or via phone) by an orientation coordinator or his/her designee. If there is more than one new commissioner then new commissioners may receive orientation via a group orientation session.

Orientation Coordinator Responsibilities

The orientation coordinator shall: 1) communicate with each new member to welcome and brief on upcoming orientation protocols/procedures/timelines immediately after new commissioner has taken oath; 2) assign each new commissioner a mentor within 30 days of taking the oath; and 3) provide orientation for new commissioners to include an overview of Commission history; roles and responsibilities; review of inspection policies; protocols and forms; committees; mentor roles within 30 days of taking oath.

Mentor Responsibilities

Each commissioner shall be assigned a mentor who shall, at a minimum: 1) ensure the new commissioner(s) visits juvenile hall and the Orin Allen Ranch to become familiar with facilities and operations within the first year after taking the oath; and 2) ensure each new commissioner(s) has opportunity to observe/participate in an inspection from scheduling through final report submission within 180 days of taking the oath.

SECTION IV ATTENDANCE AND PARTICIPATION*Commission Meetings*

Commissioners are expected to attend all meetings, however, when unable to attend, commissioners shall contact the Chairperson of the Commission via email or telephone in a timely manner regarding the date and reason for non-attendance. The Chairperson shall determine if the absence is excusable. If a commissioner has non-

excused absences from three consecutive meetings, his/her status may be reviewed by the Membership subcommittee or the Commission as a whole. Additionally, if a commissioner misses five of the regular meetings during any 12-month period the Membership subcommittee shall request a review of his/her status and may recommend that a replacement be appointed subject to a majority vote of the Commission (*Bylaws* §§2.9,2.11-12). The Commissions' Bylaws circumscribe the process for removal of a sitting commissioner and must be followed to effect such as removal (*Bylaws* §2.13).

Hearings, Inspections, Subcommittee Meetings, and Special Events

Commissioners are expected to attend all meetings, however when unable to attend, commissioner shall contact the appropriate commissioner in charge of the event via email and/or telephone in a timely manner regarding the date and reason for non-attendance.

Participation on Inspections, committees

Each member is expected to participate as a regional team member on at least one scheduled juvenile institution inspection and one scheduled jail or lock-up inspection during each fiscal year, and to actively serve on at least one subcommittees and *ad hoc* subcommittees. Internal and external affairs committee chairs, usually filled by Commission co-chairs, are not required to serve on subcommittees.

Leave of Absence

For good cause, a leave of absence may be granted to a commissioner at the discretion of the Chairperson of the Commission after consultation with the chairperson of the Membership subcommittee (*Bylaws* §2.10). A leave of absence can be for any length of time from three months to one year. Under highly extenuating circumstances such as ongoing medical reasons, leaves can be extended beyond one year.

There is no required format for requesting a leave but it should be put in writing or electronic medium and at a minimum the commissioner should articulate the reason for the leave of absence and the approximate expected duration. Reasons for a leave of absence include but are not limited to pregnancy/childbirth; work sabbatical, secondment, or detail; or medical necessity. This procedure in no way requires disclosure of protected personal health information of the commissioner or their immediate family; instead, an assertion of a serious medical condition and the affected person will suffice. The Chairperson shall respond to the request in writing or through electronic medium directly to the requesting commissioner with their approval or denial.

Resignation

A commissioner may resign at any time he/she feels they are unable to perform duties as commissioner. The resignation should be in writing and include the following: name and date of resignation (*Bylaws* §2.8). The reason for resignation is voluntary. The resignation should be addressed to the Chairperson of the Commission and be emailed or mailed, followed by a call to the Chairperson. Resignations will be shared with Commission at the next monthly meeting.

SECTION V LIAISONS

Roles and Responsibilities

Each commissioner shall be the primary contact(s) for each liaison entity and may provide updates at Commission meetings as needed (*Bylaws §3.2*). Each entity should have at least one seasoned and one new commissioner assigned who should meet with their agency or organization at least twice a year in order to: 1) develop a clearer idea of their work with and or for youth; 2) maintain current knowledge about issues or concerns affecting youth in our community; 3) to ensure appropriate management and safety of youth involved with the entity; and 4) to enhance our working relationships by becoming involved in activities or events.

Rationale

Each of the organizations/agencies listed plays a major role in working with youth in Contra Costa County. By working more closely with these entities, the Commission may assist in expanding or enhancing services for incarcerated youth or those at risk of being incarcerated.

Current List of Organizations and Agencies

County Board of Education, County Children and Family Services, Juvenile Courts, Delta Project, County Health Services, Probation Department, and various Police Departments.

SECTION VI INSPECTIONS AND INSPECTION PROCEDURES

Roles and Responsibilities

The following inspection policies and procedures are a guide for all required inspections (juvenile hall, the Orin Allen Ranch, police departments, group homes, juvenile courts and BART stations). Inspection teams are organized by geographic regions within the county: West, East, Central/South. The respective teams shall be responsible for conducting all required inspections within their region. As resource requirements dictate, the chairperson of the Inspections subcommittee may assign inspections outside the region in order to better distribute and balance the workload across regions.

Jurisdiction and Requirements for Inspections

Per section 209(b) of the California Welfare and Institutions Code, a judge of the juvenile court shall conduct an annual inspection, either in person or through a delegated member of the appropriate county juvenile justice commission, of any law enforcement facility that contains a lockup for adults which, in the preceding year, was used for the secure detention of any minor. By practice, the Contra Costa County Juvenile Justice Commission conducts annual inspection of any of these facilities relying principally on the data provided by the Board of State and Community Corrections as to which adult lockups were used for secure detention.

Under section 229 of the California Welfare and Institutions Code it shall be the duty of a juvenile justice commission to inquire into the administration of the juvenile court law in the county in which the Commission serves. For this purpose the Commission shall have access to all publicly administered institutions authorized or whose use is authorized situated in the county and shall inspect such institutions no less frequently than once a year, and may hold hearings.

Further, the county juvenile justice commission must annually inspect any jail or lockup within the county which in the preceding calendar year was used for confinement for more than 24 hours of any minor. It shall report the results of such inspection together with its recommendations based thereon, in writing, to the juvenile court and to Board of State and Community Corrections. For the purposes of understanding which facilities fall into the category of confinement, the Commission interprets secure detention facility to mean:

1. any public or private residential facility which includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody
- AND,
2. in the preceding year a minor was locked in any room or locked to any fixture
(*Bylaws §3.1*)

Inspections List and Assignments

The Inspection subcommittee is responsible for developing the annual inspection spreadsheet listing each facility due to be visited during the fiscal year and an appropriate target date based on the date of the previous inspection. The Inspection subcommittee is also responsible for ensuring that commissioners perform their assigned inspections and reporting the progress to the Commission of completed inspections in June and November each year or more frequently as needed.

Group Home Inspection Cycle

Group homes are to be inspected bi-annually.

Size of Inspection Teams

All inspections are to be conducted by no less than two commissioners. Large facilities (juvenile hall or the Orin Allen Ranch) are limited to a total of no more than five commissioners. At least one commissioner on the team should be designated as the *lead* inspector.

Procedures for Scheduling an Inspection

The *lead inspector's* first responsibility will be to contact the other assigned team members to determine availability. Following agreement on a time and date, the lead will then contact the facility to finalize a date and time. Within two to three weeks prior to scheduled inspection date, the lead inspector will then contact the Probation Secretary (925-313-4188) to provide information regarding the scheduled inspection to include: the name of the facility and the facility person in charge of the inspection, the address, and the proposed date and time of the inspection. The Probation Secretary will then send a letter of confirmation and a copy of the appropriate inspection form to the facility person or persons. A copy of the letter and a copy of the prior inspection will be sent to all inspection team members.

Role of the Probation Secretary Relating to Inspections

The Probation Secretary is the Commission's record-keeper. Responsibilities include:

- a) Maintaining all correspondence and files related to inspections
- b) Informing inspection team of date of receipt of complete inspection report from facility
- c) Maintaining and updating a spreadsheet capturing pertinent timeline information as inspection activities occur
- d) Sending a copy of the completed inspection report to the inspected facility

- e) Providing blank electronic copies of inspection forms to all commissioners upon request and to facilities mailing them prior to scheduled inspections.
- f) Provide a previously completed inspection report to the inspecting Commissioners.

Conduct of Inspection

On the scheduled date, the inspection team will conduct the inspection. The inspection should not commence unless at least two commissioners are present to ensure proper witnessing of the findings and to help ensure the neutrality of any findings.

Critical Deficiency Findings Reporting Procedures

After completion of any inspection that has critical findings of non-compliance, significant concerns related to the safety, security, health, or welfare of the facility or any persons in its care or custody or its staff, the agency or facility shall be told in writing within five business days of such findings after consultation with the chairperson of the inspection sub-committee and internal affairs committee and/or the Commission Chairperson.

The agency or facility will then have 30 calendar days to submit a response and action plan to address the findings. The Commission shall timely re-inspect the facility no later than six months from the original inspection to see if the critical findings have been addressed and shall notify the full Commission and the Presiding Judge of the Juvenile Court of their findings; the mechanism for doing this is to add an addendum to the original inspection report commenting on whether the re-inspection evidenced that the critical finding has been satisfactorily ameliorated or not.

After the expiration of the 30-day response period or the receipt of the response and action plan, whichever comes first, the Commission may hale all associated agencies involved with the issue or facility before it at a regularly scheduled meeting of the Commission to discuss its concerns and how the issue will be resolved. In cases of contumacy by the facility, the Commission may, by majority vote, request that the Presiding Judge of the Juvenile Court compel the appearance of any person before the Commission to help resolve the deficiency (*Bylaws §8.1*).

Authorship of Inspection Reports

It will be at the discretion of the inspection team to determine who will contribute to the writing of the final report. All team members will participate in approving the completed final report prior to submission to the Probation Secretary. The lead inspector is responsible for ensuring all parts of the report have been completed, which may also include the team comments and recommendations sections. He/she will ensure the final report is in one continuous document file to ease electronic filing.

Timeline for Submission of Inspection Reports

Within 30 days of inspection the lead inspector will electronically send the final document to the Probation Secretary as well as other team member(s). Within 45 days of inspection the Probation Secretary send a copy of the completed inspection report to the inspected facility.

Report of Inspection Findings at Commission Meetings

The inspection team will provide a brief verbal report to the Commission at the next meeting following the submission of their completed report.

Summaries of Inspections

Written summaries of these inspections shall be completed and included in the annual report of the Juvenile Justice Commission to the Board of State and Community Corrections, the Presiding Judge of the Juvenile Court, the Chief Probation Officer, and other persons or institutions as determined by the Commissions.

SECTION VII PUBLIC, INTERGOVERNMENTAL, AND MEDIA RELATIONS*Role of the Chairperson of the Commission as Spokesperson*

The Commissions' Bylaws strictly circumscribe the topics of public, government, and media relations. The Chairperson is solely authorized to communicate policy positions once the content or position has been adopted by a majority vote of a properly constituted meeting of the Commission. This may take the form of testimony, reports, or contact with news media or having received general inquiries about the Commissions' position on a topic. News media refers to anyone representing or working for media outlets, such as television, radio, newspapers, magazines, online, and other publications. Having a single point of contact for official media contacts on behalf of the Commissions helps ensure that the Commissions present a consistent message to the public. The Chairperson, or his or her designate, is responsible for:

- Conducting and coordinating official news media relations for the Commission
- Clearing official news media releases, activities, events, and materials
- Ensuring timely release and efficient dissemination of material and information to the news media

Contact with the Media by Individual Commissioners

Contact from reporters or those seeking the Commissions' position on an issue should be referred to the Chairperson of the Commission (*Bylaws §9.1 et seq.*). Speaking to the media puts commissioners in a position of potentially being seen as representing the official viewpoint or sentiments of the Commission. Commissioners who present personal or individual views should make clear that they are presenting their personal or individual views—not the official views of the Commission—and should not be sourced as an official Commission representative authorized to speak on behalf of the Commission.

A commissioner speaking on their own behalf should not state, hint, or imply that they are speaking on behalf of the Commission. This provision includes authorship of letters to the editor and opinion columns. This policy is in no way intended to prevent or hinder the ability of commissioners to engage in the various forms of protected speech through whatever media they choose. The policy only requires that Commissioners not portray themselves or any of their comments in a way that could reasonably confuse the intended audience into thinking that the commissioner is speaking in an official capacity on behalf of the Commission.

In certain limited instances the Chairperson may delegate commissioners to speak on behalf the Commission as it relates to an area of expertise. An example might include publicity for Commission events, such as the annual awards ceremony. In these instances, the commissioner may speak only to the limited area of delegation and may not exceed the ambit of that delegation. The period of delegation does not exist in perpetuity and expires at the conclusion of the media contact or when the event ends.

SECTION VIII AGENDAS, COMMISSION MINUTES, AND RECORD-KEEPING

Agendas

The agenda for both Commission meetings will be consistently formatted. Should anyone require an addition to the standard agenda format, they should contact the Chairperson via email to request additional agenda items' inclusion on the agenda per the timeline and process prescribed in the Bylaws.

Minutes

The recording of minutes of both Commission meetings will be recorded by the Commission volunteer. The volunteer will be designated no later than the opening of the respective meeting and will record the minutes on a rotational or regular basis.

Format

Minutes will be structured in sentences and follow the agenda categories. The minutes should contain sufficient detail to capture the salient, actionable items discussed especially those that require follow-up. They should not attempt to capture all the content of the meeting in great detail, only those topics that reasonably need to be recording for documentary reasons.

Editing Process

Within one week of the meeting the minutes will be posted to a *Google* drive to solicit any editorial comments from all commissioners. The Commission volunteer will send notice to all commissioners of posting with a request for all comments within one week from the email.

Finalizing Meeting Minutes

A final version will be completed by the Commission volunteer who will also send along an electronic copy to the Probation Secretary at least three working days prior to the next scheduled Commission meeting. The Probation Secretary will make copies of the final version and the agenda for distribution at the meeting. The minutes will be approved, signed by the Chairperson and given to the Probation Department for inclusion into the official Commission paper files. At that time, the Probation Secretary will also place the final version in the official electronic Commission files.