

**MECKLENBURG COUNTY
JUVENILE CRIME PREVENTION COUNCIL**

BYLAWS

Adopted on: August 23, 2011

I. Purpose: The Juvenile Crime Prevention Council (JCPC) is the Mecklenburg County planning body appointed by the Mecklenburg Board of County Commissioners (BOCC) and charged by the North Carolina General Assembly to plan, organize, and evaluate locally-based programs designed to prevent and mitigate juvenile delinquency in Mecklenburg County. (§ 143B-543 - 544). In accomplishing these purposes, the JCPC shall serve in an advisory capacity to the BOCC and shall operate under the auspices of the BOCC in all respects.

II. Duties: As provided by NC law, the duties of the JCPC shall include, but are not limited to the following: (§ 143B-549)

- A. On an annual basis:
 - 1. Review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs, focusing in particular on assessing the needs of juveniles in Mecklenburg County who are at risk or who have been associated with gangs or gang activity;
 - 2. Develop and advertise a request for proposal process for funds originating through the North Carolina Department of Juvenile Justice and Delinquency Prevention (DJJDP);
 - 3. Submit for approval a written plan of action for the expenditure of juvenile sanction and prevention funds to the BOCC; and
 - 4. Ensure that appropriate intermediate dispositional options are available and prioritize funding for dispositions of intermediate and community-level sanctions for court-adjudicated juveniles under minimum standards adopted by the DJJDP;

- B. And, on an on-going basis:

1. Assess the needs of juveniles in the community, evaluate the adequacy of resources available to meet those needs, and develop strategies to address unmet needs;
2. Monitor the performance of juvenile services and programs in the community;
3. Monitor each funded program as a condition of continued funding;
4. Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments;
5. Increase public awareness of strategies to reduce delinquency and the causes of delinquency;
6. Ensure that appropriate intermediate dispositional options are available and prioritize funding for dispositions of intermediate and community-level sanctions for court-adjudicated juveniles;
7. Plan for the establishment of a permanent funding stream for delinquency prevention services; and
8. Provide funds for services for treatment, counseling, or habilitation/rehabilitation for juveniles and their families. These services may include court-ordered parenting responsibility classes.

In order to accomplish these duties, except for the chairperson, each member of the JCPC shall serve on at least one Standing Committee (as described in Section VI, B).

III. Composition of the Juvenile Crime Prevention Council:

- A. Number and Composition: The JCPC shall consist of not more than 26 members appointed by the BOCC and should include, if possible, the following, as provided by (§ 143B-544:

1. The local school superintendent, or that person's designee;
2. A chief of police in the county;
3. The local sheriff, or that person's designee;
4. The district attorney, or that person's designee;
5. The chief court counselor, or that person's designee;
6. The director of the area mental health, developmental disabilities, and substance abuse authority, or that person's designee;
7. The director of the county department of social services, or consolidated human services agency, or that person's designee;
8. The county manager, or that person's designee;
9. A substance abuse professional;
10. A member of the faith community;
11. A county commissioner;

12. Two persons under the age of 18 years, one of whom is a member of the State Youth Council;
13. A juvenile defense attorney;
14. The chief district court judge, or a judge designated by the chief district court judge;
15. A member of the business community;
16. The local health director, or that person's designee;
17. A representative from the United Way or other nonprofit agency;
18. A representative of a local parks and recreation program; and
19. Up to seven members of the public to be appointed by the board of commissioners of a county.

JCPC membership may be modified as necessary to ensure that the members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members.

- B. Terms: Each member shall serve for a term of two years and members may be recommended by the Nominating Committee for reappointment by the BOCC . (§ 143B-543 & 545). Terms shall commence on July 1.
- C. Attendance Requirements: Members must remain in good standing by meeting attendance standards as established by BOCC policy, “Procedures for Advisory Board Appointments.”
- D. Vacancies and Removal: Appointments to fill vacancies shall be for the remainder of the former member’s term. Members shall be removed for malfeasance or nonfeasance (including failure to follow attendance standards) as determined by the BOCC. (§ 143B-546)

IV. Meetings of the Juvenile Crime Prevention Council:

- A. Regular Meetings: The JCPC shall hold meetings at least bi-monthly on the fourth Tuesday, unless otherwise approved by the JCPC. All meetings

shall be open to the public. All business will be transacted at JCPC meetings.

- B. Special Meetings: The Chairperson or a majority of the JCPC members may call a special meeting at any time, provided each member of the JCPC receives notice of the time and location of the meeting and the items to be discussed at least six hours before the special meeting. Only the items of business contained in the special meeting notice may be transacted at a special meeting.
- C. Quorum: A majority of the actual membership shall constitute a quorum. (§ 143B-547)
- D. Participation at Meetings: Members must be physically present at a JCPC meeting in order to be counted in attendance or to vote. Members may not vote by proxy. Members may be counted in attendance and participate in committee meetings by telephone or other audio-visual means.
- E. Agenda: An agenda shall be prepared for all meetings and each member shall receive a copy of the agenda by the close of the business day preceding the meeting. When possible, supporting materials shall be included with the agenda. Items may be placed on the agenda by any member of the JCPC. Agenda items must be received by the Chair and the designated JCPC County Manager's office liaison at least three working days before the meeting. The agenda shall be available for public inspection. After the agenda is adopted, items may be added only

by a majority vote of those present at the meeting. The Chairperson shall establish the order of business on the agenda.

- E. Public Address to the JCPC: Any individual or group who wishes to address the JCPC shall make a request to the Chairperson to be included on the agenda. Such requests shall be granted at the discretion of the Chairperson, who may establish appropriate time limits.
 - F. Minutes: The Secretary shall record and keep minutes of all meetings of the JCPC. Attendance shall be included in the minutes.
 - G. Procedure: The JCPC shall abide by *Robert's Rules of Order, Revised (10th edition)* for procedural matters, unless otherwise determined by a majority of the JCPC. Should there be a disagreement regarding a procedural matter, the Chairperson shall consult with the NCDJJ consultant. No member of the JCPC may act as Parliamentarian.
 - H. Voting: The Chairperson shall vote only when his/her vote will affect the result.
- V. Officers:**
- A. Officers of the JCPC: The officers of the JCPC shall consist of a Chairperson, Vice-Chairperson, and Secretary. The officers of the JCPC shall be elected or reappointed by majority vote of the membership of the JCPC to one-year terms at the May or June meeting. (§ 143B-544)
 - B. Term: Officers elected at the May or June meeting assume their offices effective on July 1. Officers may not serve more than three consecutive terms in the same office.

- C. Member Vacancies and Removal from Office: BOCC appointments to fill member vacancies shall be for the remainder of the former member's term. Any officer elected or appointed by the JCPC may be removed by majority vote of the members. If an officer is removed, the JCPC will elect a replacement to fill the remainder of the term at the next meeting. (§ 143B-546)
- D. Duties of the Chairperson: The Chairperson shall preside at all meetings of the JCPC, serve as Chair of the Executive Committee, appoint members of all committees and perform such other duties as may be prescribed by the JCPC. The Chairperson shall establish and distribute the agenda and determine the order of business at each meeting. The Chairperson shall also ensure that conflicts of interest are appropriately addressed and shall appoint the members of all Standing and Ad Hoc Committees. The Chairperson shall not serve as the chair of any Standing or other committee established by the JCPC.
- E. Duties of the Vice-Chairperson: In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Vice-Chairperson shall perform other duties as assigned by the Chairperson. The Vice-Chairperson shall perform the duties of the Secretary in the absence of the Secretary.
- F. Duties of the Secretary: The Secretary shall record and keep the minutes of all JCPC meetings and shall perform other duties as prescribed by the JCPC.

VI. Committees:

A. Executive Committee:

1. Duties: The Executive Committee may act and exercise all of the authority of the JCPC (except for funding decisions) to the extent such action may be necessary.
2. Composition: The Executive Committee shall consist of the officers of the JCPC as well as the Chairpersons of the four Standing Committees (as described in Section VI B).
3. Minutes: The Executive Committee shall keep minutes of its proceedings and provide them to the JCPC.

B. Standing Committees:

Each member of the JCPC except for the Chairperson shall serve on at least one Standing Committee. Appointments to the Standing Committees and designation of committee chairs are made by the Chairperson of the JCPC, with strong consideration given to each member's preference. The Chairperson may reassign JCPC members to Standing Committees as is necessary. The Chair of each Standing Committee shall assure that minutes of committee proceedings and attendance are kept and report their proceedings to the JCPC. In order for a Standing Committee to take action, a quorum of the Standing Committee's membership must be present.

1. Nominating Committee: The Nominating Committee is responsible for identifying and recommending candidates to the

BOCC to fill vacancies on the JCPC and for coordinating the election of officers. The Nominating Committee will report to the JCPC impending term expirations and reappointments at the May meeting. At least three members of the JCPC will be assigned to the Nominating Committee.

2. Risk and Needs Assessment Committee: The Risk and Needs Assessment Committee is responsible for reviewing data on juvenile delinquency in Mecklenburg County, for identifying unmet program and service needs, and for recommending funding priorities to the JCPC. At least three members of the JCPC will be assigned to the Risk and Needs Assessment Committee.
3. Monitoring Committee: The Monitoring committee is responsible for reviewing each funded program annually for program performance and the degree to which the program operation is consistent with the program agreement. As part of the assessment process, the Monitoring Committee will assure that periodic onsite inspections of funded programs are conducted. At least five members of the JCPC will be assigned to the Monitoring Committee.
4. Funding Committee: The Funding Committee is responsible for reviewing all Requests for Proposals (RFPs) and Program Agreements and making recommendations for funding to the full Council. The Funding Committee also provides technical

assistance to applicants prior to any presentation to the JCPC. At least five members of the JCPC will be assigned to the Funding Committee.

- C. Additional Committees: The JCPC, by resolution of a majority of the membership, may create Additional Committees, which will have functions and responsibilities as provided in such resolution. The Chairperson shall appoint the membership of any Additional Committees. No Additional Committees will have fewer than three members. Other guidelines for Standing Committees shall apply to any Additional Committees created by the JCPC, unless otherwise indicated in the resolution establishing the committee.

- E. Ad Hoc Committees: The JCPC may create Ad Hoc Committees as necessary to explore short-term issues or conduct special projects that are outside the purview of another committee. . The guidelines for Standing Committees will apply to any Ad Hoc Committee.

- F. Prohibitions:
 - 1. No committee shall be empowered to make funding determinations.
 - 2. No JCPC member may serve on more than two Standing Committees and one Additional or Ad Hoc Committee.

VII. Miscellaneous Provisions:

- A. Confidentiality must be maintained. No juvenile receiving services from the Department may be identified during a meeting.
- B. No JCPC member (other than the Chairperson or Vice-Chairperson) is authorized to represent the JCPC without prior authorization from the JCPC.
- C. No member of the JCPC shall receive compensation for service, but may receive a per diem in such amount as may be established by the board of county commissioners. (§ 143B-548)
- D. A council member must disclose in writing the existence, nature and extent of any potential or actual conflict of interest (using the “Conflict of Interest Disclosure Form for JCPCs,” *Form DJJDP13 001c*) to the JCPC Chairperson, the County Finance Officer, and the County Manager as soon as the conflict becomes known. Additionally, any member with a conflict is not permitted to participate in any funding discussions/decisions.
- E. These bylaws may be amended or repealed and new bylaws may be adopted by the affirmative vote of majority of the membership in office at any regular or special meeting of the JCPC. Any proposed changes to bylaws (including repeal or adoption of new bylaws) must be brought before the JCPC at least one meeting prior to the meeting in which the vote will be taken.

JCPC BYLAWS: APPENDIX

Part 6. Juvenile Crime Prevention Councils.

§ 143B-543. Legislative intent.

It is the intent of the General Assembly to prevent juveniles who are at risk from becoming delinquent. The primary intent of this Part is to develop community-based alternatives to youth development centers and to provide community-based delinquency, substance abuse, and gang prevention strategies and programs. Additionally, it is the intent of the General Assembly to provide noninstitutional dispositional alternatives that will protect the community and the juveniles.

These programs and services shall be planned and organized at the community level and developed in partnership with the State. These planning efforts shall include appropriate representation from local government, local public and private agencies serving juveniles and their families, local business leaders, citizens with an interest in youth problems, youth representatives, and others as may be appropriate in a particular community. The planning bodies at the local level shall be the Juvenile Crime Prevention Councils. (1998-202, s. 1(b); 2000-137, s. 1(b); 2001-95, s. 5; 2008-56, s. 2.)

§ 143B-544. Creation; method of appointment; membership; chair and vice-chair.

(a) As a prerequisite for a county receiving funding for juvenile court services and delinquency prevention programs, the board of commissioners of a county shall appoint a Juvenile Crime Prevention Council. Each County Council is a continuation of the corresponding Council created under G.S. 147-33.61. The County Council shall consist of not more than 26 members and should include, if possible, the following:

- (1) The local school superintendent, or that person's designee;
- (2) A chief of police in the county;
- (3) The local sheriff, or that person's designee;
- (4) The district attorney, or that person's designee;
- (5) The chief court counselor, or that person's designee;
- (6) The director of the area mental health, developmental disabilities, and substance abuse authority, or that person's designee;
- (7) The director of the county department of social services, or consolidated human services agency, or that person's designee;
- (8) The county manager, or that person's designee;
- (9) A substance abuse professional;
- (10) A member of the faith community;
- (11) A county commissioner;
- (12) Two persons under the age of 18 years, one of whom is a member of the State Youth Council;
- (13) A juvenile defense attorney;
- (14) The chief district court judge, or a judge designated by the chief district court judge;
- (15) A member of the business community;
- (16) The local health director, or that person's designee;
- (17) A representative from the United Way or other nonprofit agency;
- (18) A representative of a local parks and recreation program; and

- (19) Up to seven members of the public to be appointed by the board of commissioners of a county.

The board of commissioners of a county shall modify the County Council's membership as necessary to ensure that the members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members.

(b) Two or more counties may establish a multicounty Juvenile Crime Prevention Council under subsection (a) of this section. The membership shall be representative of each participating county.

(c) The members of the County Council shall elect annually the chair and vice-chair. (1998-202, s. 1(b); 2000-137, s. 1(b); 2001-199, s. 1.)

§ 143B-545. Terms of appointment.

Each member of a County Council shall serve for a term of two years, except for initial terms as provided in this section. Each member's term is a continuation of that member's term under G.S. 147-33.62. Members may be reappointed. The initial terms of appointment began January 1, 1999. In order to provide for staggered terms, persons appointed for the positions designated in subdivisions (9), (10), (12), (15), (17), and (18) of G.S. 143B-544(a) were appointed for an initial term ending on June 30, 2000. The initial term of the second member added to each County Council pursuant to G.S. 143B-544(a)(12) shall begin on July 1, 2001, and end on June 30, 2002. After the initial terms, persons appointed for the positions designated in subdivisions (9), (10), (12), (15), (17), and (18) of G.S. 143B-544(a) shall be appointed for two-year terms, beginning on July 1. All other persons appointed to the Council were appointed for an initial term ending on June 30, 2001, and, after those initial terms, persons shall be appointed for two-year terms beginning on July 1. (1998-202, s. 1(b); 1999-423, s. 15; 2000-137, s. 1(b); 2001-199, s. 2.)

§ 143B-546. Vacancies; removal.

Appointments to fill vacancies shall be for the remainder of the former member's term.

Members shall be removed only for malfeasance or nonfeasance as determined by the board of county commissioners. (1998-202, s. 1(b); 2000-137, s. 1(b).)

§ 143B-547. Meetings; quorum.

County Councils shall meet at least bimonthly, or more often if a meeting is called by the chair.

A majority of members constitutes a quorum. (1998-202, s. 1(b); 1999-423, s. 16; 2000-137, s. 1(b).)

§ 143B-548. Compensation of members.

Members of County Councils shall receive no compensation but may receive a per diem in an amount established by the board of county commissioners. (1998-202, s. 1(b); 2000-137, s. 1(b).)

§ 143B-549. Powers and duties.

(a) Each County Council shall review annually the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or

delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs. The Council shall develop and advertise a request for proposal process and submit a written plan of action for the expenditure of juvenile sanction and prevention funds to the board of county commissioners for its approval. Upon the county's authorization, the plan shall be submitted to the Department for final approval and subsequent implementation.

(b) Each County Council shall ensure that appropriate intermediate dispositional options are available and shall prioritize funding for dispositions of intermediate and community-level sanctions for court-adjudicated juveniles under minimum standards adopted by the Department.

(c) On an ongoing basis, each County Council shall:

- (1) Assess the needs of juveniles in the community, evaluate the adequacy of resources available to meet those needs, and develop or propose ways to address unmet needs.
- (2) Evaluate the performance of juvenile services and programs in the community. The Council shall evaluate each funded program as a condition of continued funding.
- (3) Increase public awareness of the causes of delinquency and of strategies to reduce the problem.
- (4) Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments.
- (5) Provide funds for services for treatment, counseling, or rehabilitation for juveniles and their families. These services may include court-ordered parenting responsibility classes.
- (6) Plan for the establishment of a permanent funding stream for delinquency prevention services.
- (7) Develop strategies to intervene and appropriately respond to the needs of juveniles who have been associated with gang activity or who are at risk of becoming associated with gang activity.

(d) The Councils may examine the benefits of joint program development between counties within the same judicial district. (1998-202, s. 1(b); 2000-137, s. 1(b); 2008-56, s. 3.)

§ 143B-550. Funding for programs.

(a) Annually, the Department shall develop and implement a funding mechanism for programs that meet the standards developed under this Part. The Department shall ensure that the guidelines for the State and local partnership's funding process include the following requirements:

- (1) Fund effective programs. – The Department shall fund programs that it determines to be effective in preventing delinquency and recidivism. Programs that have proven to be ineffective shall not be funded.
- (2) Use a formula for the distribution of funds. – A funding formula shall be developed that ensures that even the smallest counties will be able

to provide the basic prevention and alternative services to juveniles in their communities.

- (3) Allow and encourage local flexibility. – A vital component of the State and local partnership established by this section is local flexibility to determine how best to allocate prevention and alternative funds.
- (4) Combine resources. – Counties shall be allowed and encouraged to combine resources and services.

(b) The Department shall adopt rules to implement this section. The Department shall provide technical assistance to County Councils and shall require them to evaluate all State-funded programs and services on an ongoing and regular basis.

(c) The Department of Juvenile Justice and Delinquency Prevention shall report to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety no later than March 1, 2006, and annually thereafter, on the results of the alternatives to commitment demonstration programs funded by Section 16.7 of S.L. 2004-124. The 2007 report and all annual reports thereafter shall also include projects funded by Section 16.11 of S.L. 2005-276 for the 2005-2006 fiscal year. Specifically, the report shall provide a detailed description of each of the demonstration programs, including the numbers of juveniles served, their adjudication status at the time of service, the services/treatments provided, the length of service, the total cost per juvenile, and the six- and 12-month recidivism rates for the juveniles after the termination of program services. (1998-202, s. 1(b); 2000-137, s. 1(b); 2005-276, s. 16.11(c).)