

# WAKE COUNTY JUVENILE CRIME PREVENTION COUNCIL



## BY-LAWS

**Article I Name and Purpose**

- Section 1 The name of the Council shall be the Wake County Juvenile Crime Prevention Council (JCPC).
- Section 2 The JCPC operates under the of North Carolina General Statute, Chapter 143B, Article 13, Part 3(f) (N.C.G.S. 143B §§ 845-852 (Juvenile Crime Prevention Councils)) and the North Carolina Department of Public Safety (DPS) policies and procedures.
- Section 3 The purpose of the JCPC shall be to:
- A. Review biennially the needs of juveniles in Wake County who are at risk of delinquency or who have been adjudicated undisciplined or delinquent, evaluate the resources available to address those needs, and develop strategies to address unmet needs.
  - B. Fund direct services to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through the study of juvenile risk/needs data as well as other community data.
  - C. 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.
  - D. Fund direct services 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.
  - E. 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 of Public Safety, Division of Juvenile Justice and (DJJ).
  - F. Evaluate each funded program as a condition of continued funding.
  - G. Increase public awareness of the causes of delinquency and of strategies to reduce the problem.

**Article II Operational Functions**

- Section 1 The JCPC will work cooperatively with the Department of Public Safety (DPS), Wake County government departments, Wake County municipalities, non-profit organizations and the Wake County Public School System to strategically plan and implement delinquency prevention programs and community-based alternatives to detention and Youth Development Centers.
- Section 2 The JCPC will conduct annual evaluations of the available services, service needs and gaps in services within Wake County.
- Section 3 The JCPC will present an annual plan to the Wake County Board of Commissioners with

funding recommendations and additional information as necessary.

- Section 4 The JCPC will develop and publish a request for proposals for services to address the needs identified in the annual plan.
- Section 5 On an ongoing basis JCPC will monitor and evaluate the performance of programs who received JCPC funds and are currently operating under a program agreement with DPS and Wake County.
- Section 6 The JCPC shall operate based on a fiscal year beginning July 1 and concluding June 30.

### **Article III Membership**

- Section 1 Members shall be appointed by the Wake County Board of Commissioners. Each appointment shall be for two-year terms. Members may be re-appointed for additional terms at the discretion of the Wake County Board of Commissioners.
- Section 2 Membership shall be consistent with N.C.G.S. 143B §§ 845-852 and comply with the Wake County Board of Commissioners Policy and Procedures for Advisory Board and Committee Appointments (W.C.P&P) as applicable.
- Section 3 Members must remain in good standing by meeting attendance standards as established by W.C.P&P. Members may be removed for reasons including, but not limited to: failure to attend 75% of scheduled meeting; violation of conflict of interest requirements; violation of confidentiality requirements.

### **Article IV Officers**

Section 1 JCPC Officers shall include a Chairperson, Vice-Chairperson, Secretary and Treasurer.

Section 2 Officer Duties:

A. **Chair:** Shall preside over all meetings with a set agenda and shall decide all matters of order and procedures subject to these Bylaws; has the authority to appoint committee members and subcommittees as necessary to conduct business of The Council; responsible for the submission of the annual report to the County Commission, JCPC Certification and other fiscal/funding documents per direction of DPS. The Chair represents The Council before the County Commissioners and other agencies and community groups. The Chair shall be elected by the membership at its final meeting of the fiscal year.

B. **Vice Chair:** Shall serve as acting Chair in the absence of the Chair and as such shall have the same power and duties as the Chair when presiding. The Vice-Chair shall be elected by the membership at its final meeting of the fiscal year.

C. **Secretary:** Shall assist the Chair/Vice-Chair regarding the organization and planning of meetings for The Council; takes minutes for all of The Council proceedings and makes them available to The Council members by the next scheduled meeting; records all resolutions and votes taken in matters; sends notices regarding meetings as requested by the Chair/Vice-Chair; keeps an accurate and current membership list, takes roll and determines a quorum for all meetings of the general membership.

NOTE: The JCPC may approve JCPC Administrative funds to support this position and

when doing so, a Secretary will not be an elected Officer of The Council in order to comply with statute of council members not being compensated.

D. **Treasurer:** Shall execute the appropriate business affairs as directed by the JCPC. Shall be accountable to The Council and DPS for the expenditures of the JCPC administrative funds; submits all fiscal reports to DPS by the established due dates to include Third Quarter Accounting, Final Accounting and Program Agreement Revisions, as needed, throughout the year.

NOTE: The JCPC may rely on the County Manager's designee to fulfill the responsibilities of the Treasurer, when doing so the Treasurer will not be an elected Officer of the Council.

Section 3 JCPC Officers shall be elected for one (1) fiscal year term and may succeed themselves.

Section 4 JCPC Officers terms will be based on the fiscal year beginning July 1 and concluding June 30.

## **Article V Meetings**

Section 1 The JCPC shall meet, at least six (6) times a year, but may meet more regularly at the discretion of the chair.

Section 2 Written or electronic notification of regular meetings shall be made at least five (5) days prior to the meeting by the chairperson or his/her designee.

Section 3 The Chair may call special meetings of the JCPC provided notification is given by telephone or in writing three (3) days in advance.

Section 4 Minutes shall be taken at every meeting and distributed to members prior to the time of the next regular meeting.

Section 5 All meetings shall be open to the public.

Section 6 No official business can be enacted unless a majority of JCPC appointed members are present at a meeting. A majority of JCPC members will constitute a quorum.

Section 7 Meetings may be held in-person or virtual at the discretion of the Chair. Members may participate at in-person meetings virtually. Virtual participation shall qualify as actual attendance for W.C.P&P purposes.

Section 8 Member participation in committee meetings shall qualify as attendance in JCPC meetings for W.C.P&P purposes.

## **Article VI Committees**

Section 1 Standing Committees

A. **Executive Committee:** is made up of the JCPC Officers, chairs of standing committees, the Chief Court Counselor (or their designee), and other members from the Council as appointed by the Chair; plans Council functions; sets the agenda for Council meetings; and conducts other business on behalf of the Council at the direction of

Chair/Vice Chair. The Executive Committee is authorized to make decisions on behalf of the Council, that would ordinarily be decided at a regularly scheduled meeting, when time is of the essence.

B. **Funding Committee:** is responsible for developing and publishing a request for proposals (RFP) to provide programmatic services to youth in the County. **This committee will lead program scoring,** RFP interviews, funding deliberations and reporting back to the board the funding recommendations made in deliberations for a final full-board vote.

C. **Data and Bi-annual Plan Committee:** The purpose of this committee is to complete the JCPC Bi-annual Planning process that begins with a collaborative assessment of multiple data sources. Upon completion of data review this committee shall prepare and present a draft biennial plan to the council for approval and final submission to the Wake County Board of County Commissioners.

D. **Program Support and Accountability Committee:** The purpose of this committee is to review and monitor JCPC funded programs to ensure quality programming, performance, and accountability. Activities include quarterly monitoring and six-month site visits of funded programs, providing information and referrals to agencies for strengthening their programs and contributing to the JCPC's Comprehensive Biennial Plan. This committee works closely with the funding committee in developing the Request for Proposals (RFP), establishing criteria for rating the proposals, and facilitating the funding allocation process.

E. **Community Relations Committee:** The purpose of this committee is to increase public awareness of the causes of juvenile delinquency, youth gang activity, risk and protective factors related to both, as well as strategies to reduce the problem. Activities include contributing to the JCPC's Comprehensive Biennial Plan, sharing resource information and developing strategies for communicating with the community, such as brochures, information on the JCPC website, and forums or other events as needed

F. **Racial Equity Committee:** The purpose of this committee is to increase awareness about racial disparities in juvenile justice, identify strategies to reduce the problem, and assure that racial equity is considered during all phases of the funding process. This committee works closely with the Data and Bi-annual Plan, Program Support and Accountability, and Community Relations Committees. Activities include gathering data from various sources to identify areas where racial disparity impacts juvenile delinquency; identifying and organizing racial equity training for the JCPC members and JCPC funded programs; providing information to the public about racial equity issues in the juvenile justice system.

Section 2 The JCPC Chair (or Executive Committee) shall appoint the Chairs of the standing committees. The JCPC Chair shall appoint ad hoc committees, as necessary, for the operation of the JCPC and may appoint members to serve on standing or ad hoc committees.

Section 3 All JCPC members will be expected to serve on one or more standing committee.

Section 4 All JCPC members, except for the Chief District Court Judge (or their designee) and the Chief Court Counselor (or their designee), shall participate in the Program & Accountability

Committee by serving as a liaison for one of the JCPC funded programs. Members must begin service as a liaison by the second year of their first 2-year term.

Section 5 All JCPC members will be expected to review and evaluate program applications for funding using the evaluation tool provided by the Funding Committee.

## Article VII Rules of Procedure

Section 1 All meetings of the JCPC shall be conducted in accordance with Robert's Rules of Order, the latest edition thereof.

Section 2 No member of the JCPC shall cast a vote on the provision of services or allocation of funds which would provide direct or indirect benefit to that member. This includes JCPC members who are on the Boards of Directors, are paid or volunteer staff, or are the family of staff or board members of service providers or potential recipients of grants. The member shall not participate in the JCPC's discussion of the matter except to disclose facts and to respond to questions. The member shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting. *(This provision applies to participation in voting on matters that relate to the organization to which the member may have some connection. It does not prohibit the member from voting or participating in discussion of other agencies.)*

## Article VIII Conflicts of Interest

Section 1 Juvenile Crime Prevention Council (JCPC) members are public officers. N.C. Gen. Stat. § 14-234 requires that:

1. No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law;

2. A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract; and

3. No public officer or employee may solicit or receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

Accordingly, no JCPC member or managing staff may receive directly or indirectly, any funds disbursed from the State of North Carolina, except for duly, authorized staff compensation and benefits, and reimbursement for expenses actually incurred in connection with the Council's business and in accordance with final approved grant agreements.

WHEREAS, Wake County JCPC desires to require its members to avoid conflicts of interest or the appearance of impropriety in the disbursement of DPS JCPC State funds;

PROVIDED, no member of the JCPC shall be deemed to benefit directly or indirectly from any contract or grant funded in whole or in part by State funds if he/she receives only the salary or stipend due to him/her in the normal course of employment with, or service to, said JCPC.

FURTHERMORE, said JCPC has written conflict of interest policies and reporting procedures applicable to members who have any interest or any authority regarding the resources of JCPC. These policies have been communicated to members and full disclosure has been provided for any possible appearance of conflict of interest that may exist.

JCPC members shall not use their official affiliation with the JCPC to secure preferential treatment for any juvenile. JCPC members shall not use confidential information regarding juveniles or their families, JCPC agencies or other JCPC members for personal gain or benefit. JCPC members must disclose in writing, by submitting the JCPC Conflict of Interest Disclosure Form for JCPC Members (Form DPS 13 001c), a (potential) conflict of interest when the council member:

1. Is related to a program staff member;
2. Is related to another JCPC member;
3. Has/may have personal, financial, professional, and/or political gain at the expense or benefit of the JCPC, other than the benefit of therapeutic intervention for the juveniles and families served by JCPC funded programs;
4. Or a JCPC member's family member participates in activities of, is a member of, or is an employee of a business entity that may be viewed as having direct or indirect influence over the JCPC's business;
5. Or a JCPC member's family member may be viewed as having direct or indirect financial gain from personal or business investments/interest in real property held by that council member;
6. Received honorarium or other compensation outside of the scope of employment and operations that creates or appears to create bias;
7. Secured employment with a competing applicant for JCPC funding; and
8. Has a relationship other than professional with a JCPC funded program or applicant for funding, or any staff member or volunteer working for the program/applicant.

Section 2 Disclosure of any conflict of interest is mandated by statute.

The Chair shall:

1. Initiate annual review of all conflict of interest disclosures and compare JCPC actions taken as a result of the disclosure to the JCPC's bylaws; and
2. Ensure all new and existing council members receive the DPS Conflict of Interest Disclosure Form for JCPCs (Form DJJ 13 001c) and are made aware of the JCPC's conflict of interest policy, which states:

*The purpose of disclosure of financial and personal interests (business, professional, or political) of JCPC members is to avoid conflicts of interest, potential conflicts of*

*interest and the appearance of conflicts of interest between the member's private interest and his/her public duties. It is critical to this process that JCPC members examine, evaluate, and disclose those personal and financial interests that may pose a real or potential conflict of interest. Each JCPC member must take an active, thorough, and conscientious role in the disclosure and review process, including having a complete knowledge of how the JCPC member's private interests (business, professional, or political) might impact his/her position or duties on the council. JCPC members have an affirmative duty to provide any and all information that a reasonable person would conclude is necessary to disclose any conflict of interest, potential conflict of interest, or the appearance of a conflict of interest between the member's public and private interests; however the disclosure, review, and evaluation process is not intended to result in the disclosure of unnecessary or irrelevant personal information.*

*Therefore, personal relationships that may inappropriately influence (bias) or appear to influence actions must be disclosed. Conflict means a conflict or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust, including a Juvenile Crime Prevention Council member.*

*Failure to disclose any conflicts of interest, potential conflicts of interest and the appearance of conflicts of interest within the JCPC may result in the DPS cessation of any further State funds.*

- Section 3 To comply with this mandate and with DPS JCPC Policy (1 Operations: JCPC Operations), the Wake County Juvenile Crime Prevention Council adopts the use of the DPS JCPC Conflict of Interest Disclosure Form for JCPC Members (Form DPS 13 001c Conflict of Interest Disclosure Form for JCPC Members).
- Section 4 Any action taken by The Council in response to a conflict of interest being disclosed by a JCPC member shall be recorded in the minutes of the meeting.

#### **Article IX Funding and Review:**

Consistent with DPS JCPC Policies, The Council adopts the following procedures for program funding:

- Section 1 Funding Requests:
1. Will be reviewed by the Funding Committee; and
  2. Will be evaluated according to whether they meet the needs as identified in the biennial risk and needs data, the advertised Request for Proposals (RFP), as well as the amount of funding requested.
- Section 2 Funding Decisions
1. Applicants shall be notified of the funding decision, in writing, within ten (10) business days of the funding decision
  2. Notifications shall include comments supporting the funding decision
- Section 3 Applicants
- May request, in writing to the JCPC Chair, the funding process protocol followed by the JCPC within five (5) business days of receiving the funding notification. Requests will be reviewed by the Funding Committee and presented to The Council at the next scheduled JCPC meeting following receipt of the request. The

JCPC Chair or the Funding Committee Chair will respond to the applicant, in writing, within ten (10) business days following the JCPC meeting.

**Article X Amendments**

Section 1 Changes to the Bylaws must be approved by a quorum present at a JCPC meeting.

Section 2 Amendments are permissible at any time but must be brought before The Council at least one meeting prior in which the vote will be taken.

**Article XI By-Laws Adoption**

These Bylaws shall become effective immediately upon approval of a majority vote by The Council.

Amended Bylaws respectfully submitted to The Council for review on this date: August 20, 2020.

Adopted as amended as of this date: September 17, 2020 .

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Signature: Eric Johnson, Chair  
Wake County Juvenile Crime Prevention Council

1<sup>st</sup> amendment to include the Racial Equity Committee submitted to The Council for review on this date: November 12, 2020.

Adopted as amended as of this date: January 21, 2021.

 March 26, 2021  
Signature: Eric Johnson, Chair  
Wake County Juvenile Crime Prevention Council