

**JUVENILE JUSTICE STATE ADVISORY GROUP – YOUTH JUSTICE
COUNCIL BYLAWS**

ARTICLE 1: NAME AND AUTHORITY

SECTION 1.1

The name of Montana’s juvenile justice State Advisory Group, authorized in Section 223 of the Juvenile Justice and Delinquency Prevention Reauthorization 2018, as amended, (hereinafter known as the “Act”) and established by Executive Order shall be the “Youth Justice Advisory Council” (hereinafter known as the juvenile justice “State Advisory Group” (SAG).

SECTION 1.2

Section 223(a) (3) of the Act requires each state to establish an advisory group, appointed by the Chief Executive of the State. Montana’s juvenile justice State Advisory Group, the Youth Justice Advisory Council, participates in the development and review of the State’s juvenile justice plan prior to submission of the plan to the Board of Crime Control for final action, and develops and reviews yearly updates of the plan.

ARTICLE 2: GOVERNANCE

SECTION 2.1

Robert’s Rules of Order Newly Revised Edition shall govern the meetings of Montana’s juvenile justice State Advisory Group in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that the SAG may adopt.

SECTION 2.2

The Chairperson shall communicate all SAG member needs to the Executive Director to ensure all SAG needs are met with assistance from the Montana Board of Crime Control staff. These needs include, but are not limited to: meeting organization, development of formal agendas, recording of all formal meetings, dissemination of documents, maintenance of records, and travel assistance.

ARTICLE 3: MEETINGS

SECTION 3.1

There shall be a quarterly meeting of this Montana's juvenile justice State Advisory Group to be held in Helena, Montana. The date of each quarterly meeting shall be set at the last quarterly meeting of a calendar year for the following calendar year. Revision to a date or location of a scheduled meeting may be approved by a majority of the SAG present at a preceding meeting. Meetings may be held by audio or video conference.

Public notice and an agenda of all quarterly meetings shall be posted on the Montana Board of Crime Control website at least 48 hours in advance of each meeting.

SECTION 3.2

A special meeting of the juvenile justice State Advisory Group may be called at any time by the SAG Chairperson, the Executive Committee, or upon written request of at least five SAG members. Such special SAG meetings shall be held at a time and place to be designated by the Chairperson as appropriate. SAG members shall be notified by email at least 48 hours in advance of the meeting. The purpose of the special meeting shall be specified in the notice. Public notice and an agenda of all special meetings shall be posted on the Montana Board of Crime Control website at least 48 hours in advance of each special meeting.

SECTION 3.3

State Advisory Group members shall submit agenda items for quarterly meetings to the Chairperson within 14 days prior to the quarterly meeting. The Executive Director or designated staff shall mail or e-mail the meeting agenda to each SAG member at least seven days prior to each quarterly meeting.

SECTION 3.4

A quorum for each meeting shall consist of a majority of the SAG members. The SAG may conduct official business only during such times that a quorum is present.

ARTICLE 4: MEMBERSHIP

SECTION 4.1

The SAG shall consist of not less than 15 and not more than 18 persons who have training, experience, or special knowledge concerning adolescent development, the prevention and

treatment of juvenile delinquency, administration of juvenile justice, or reduction of juvenile delinquency.

The appointees to the juvenile justice State Advisory Group shall include:

1. At least one locally elected official representing general purpose local government;
2. Representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
3. Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities, recreation, and youth services;
4. Representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
5. Volunteers who work with delinquent youth or youth at risk of delinquency;
6. Representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;
7. Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;
8. Persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;
9. Representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and
10. For a State in which one or more Indian Tribes are located, an Indian tribal representative (if such representative is available) or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities.

A majority of members (including the Chairperson) shall not be full-time employees of the Federal, State, or local government.

At least one-fifth of members shall be under the age of 28 at the time of appointment.

At least three members must have been or are currently under the jurisdiction of the juvenile justice system, or if not feasible and in appropriate circumstances, who is the

parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system.

SECTION 4.2

Members shall serve 4-year terms. A member who no longer represents a particular category due to termination of his/her tenure of office or employment may be replaced by appointment of the Governor to complete the term of the terminated member.

SECTION 4.3

The Chairperson of the SAG shall advise the Governor concerning any member of the SAG who is absent from three consecutive meetings of the SAG without justification as determined by the Chairperson. A member who is unable to attend a meeting should notify the Chairperson and Executive Director before the meeting. The Governor for cause may remove SAG members.

SECTION 4.4

Compensation for SAG members is governed by 2-15-122 (5), MCA:

- (a) Each member is entitled to be paid an amount not to exceed \$50 for each day in which each member is actually and necessarily engaged in the performance of SAG duties.
- (b) A member who is a full-time salaried officer or employee of this state or of a political subdivision of this state may not be compensated for their service as members.
- (c) All members shall be reimbursed for expenses incurred, according to State travel policies, while in the performance of SAG duties.

ARTICLE 5: OFFICERS AND MINUTES

SECTION 5.1

A Chairperson shall be appointed by the Governor and shall perform the duties assigned by the Governor's Executive Order and such other duties under these rules and the parliamentary authority which are not in conflict with the Governor's Executive Order or the State and Federal laws. The Chairperson shall not be a full-time employee of the Federal, State, or local government.

If the Governor appoints a Chairperson who is someone other than a SAG member, the Chairperson shall serve as an ex-officio, non-voting member of the SAG.

A Vice Chairperson must be elected by and from the membership of the SAG to serve in the absence, inability, or resignation of the Chairperson. The juvenile justice State Advisory Group shall elect in March of each even year the Vice-Chairperson who shall serve a two-year term until the next election. A Vice-Chairperson may serve more than one consecutive term, subject only to the elective process of the SAG.

SECTION 5.2

The Chairperson's general duties or the Vice-Chairperson's general duties in the Chairperson's absence are as follows:

- a. to open each meeting at the designated time by taking the Chair, calling the members to order, declaring that a quorum is present and that the SAG may conduct its official business;
- b. to announce the business before the SAG in the order in which it is to be acted upon;
- c. to recognize members entitled to the floor;
- d. to state and to put to vote all questions that are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
- e. to assist in the expediting of business in every way compatible with the rights of the membership;
- f. to enforce on all occasions the observance of order and decorum among members;
- g. to inform the assembly, when necessary, on a point of order or practice pertinent to pending business;
- h. to authenticate, by his or her signature, where necessary, all the acts, orders and proceedings of the SAG declaring its will, and in all things obeying its commands; and
- i. to appoint a pro-tem chair if both the chair and vice-chair are unavailable.

SECTION 5.3

The Chairperson shall require all formal SAG meetings are recorded and minutes kept according to Robert's Rules of Order and Montana Open Meetings Law.

ARTICLE 6: VOTING

SECTION 6.1

Each member of the juvenile justice State Advisory Group is entitled to one vote in the business of the SAG. Members may vote in person or by audio or video conferencing during the meeting. Proxy voting is not permitted. If the Chairperson deems it inexpedient

to call a special meeting, the Chairperson may call for a vote of the membership and submit a question to the membership by audio or video conferencing for discussion and vote.

SECTION 6.2

As a member of the juvenile justice State Advisory Group, the Chairperson is entitled to vote on all issues if he or she so chooses; however, the Chairperson must vote when, without his or her vote, the votes of the members have produced a tie. He or she may vote with the minority when it will produce a tie vote, thus causing the motion to fail.

SECTION 6.3

Any motion requires for its adoption a majority of members of the SAG present and voting at a meeting, except where a larger vote is required in these bylaws.

SECTION 6.4

Per MCA 2-2-105, when a member of the SAG is required to take official action on a matter as to which the member has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the member's influence, benefit, or detriment in regard to the matter, the SAG member shall disclose the interest creating the conflict prior to participating in the official action.

ARTICLE 7: OBJECTIVES AND DUTIES

The juvenile justice State Advisory Group shall:

1. Submit every two years to the Governor a report including recommendations on matters relating to its functions, including State compliance with the requirements of the Act;
2. Review and make recommendations to the Board for approval or disapproval of all juvenile justice and delinquency prevention subgrant applications;
3. Monitor state compliance with the four core requirements; Deinstitutionalization of Status Offenders (DSO), Removal, Separation, and Racial and Ethnic Disparities (RED) of Section 223 (a) of the Act;
4. Develop more effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency and improvement of the juvenile justice system;
5. Review the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the State plan;
6. Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system and state, local, and private agencies on juvenile

- justice issues in order to better coordinate services and to efficiently utilize available resources; and
7. Assist with comprehensive statewide prevention activities.

ARTICLE 8: JUVENILE JUSTICE STATE ADVISORY GROUP APPEAL POLICY

The SAG shall follow Article 8: Board of Crime Control Appeal policy as outlined in the Board of Crime Control Bylaws

ARTICLE 9: CREATION OF COMMITTEES

SECTION 9.1

The juvenile justice State Advisory Group may create Standing Committees and Special Committees.

The following Standing Committees are authorized by the members of the SAG:

- a. Executive Committee
- b. Application Review Committee
 - i. Shall review all subgrant applications and make recommendations to the SAG.
 - ii. Shall consist of seven members: five members and two alternates.
- c. Disproportionate Minority Contact/Juvenile Detention Alternatives/Racial and Ethnic Disparities (DMC/JDAI/RED) Committee
 - i. Shall consist of seven members.
 - ii. A representative from the Governor's Office of Indian Affairs may serve in a non-voting ex-officio capacity.
 - iii. May include members who are not SAG members, but no less than four members must be SAG members. Non-SAG members must submit an application to the SAG Chairperson for review and approval
- d. Legislative/Mental Health Committee
- e. Tribal Outreach Committee
- f. Youth Committee

The members of these committees must be appointed by the Chairperson every two years. Additionally, the Chairperson and Vice-Chairperson of these committees must be appointed from the SAG membership by the SAG Chairperson.

SECTION 9.2

A Standing Committee is permanent in nature and composed exclusively of SAG members who are elected by the SAG, with the exception of the DMC/JDAI/RED Committee as outlined Section 9.1(c).

SECTION 9.3

Standing Committees shall meet at such times and places determined by the Committee Chairperson. Standing Committee members shall be notified by email at least 48 hours in advance of the meeting. The purpose of the Standing Committee shall be specified in the notice. Public notice and an agenda of all Standing Committee meetings shall be posted on the Montana Board of Crime Control website at least 48 hours in advance of each Standing Committee meeting.

SECTION 9.4

A Standing Committee shall review the applications for the applicable SAG subgrants and make recommendations to the full SAG regarding applications and funding prior to final Board approval as outlined in Article 7 (1).

SECTION 9.5

The SAG Chairperson may create Special Committees, and the Chairperson shall appoint all committee Chairpersons and Vice-Chairpersons. The Committees shall exercise the powers delegated to them by the SAG. Committee reports and recommendations must be submitted to the SAG Chairperson within the time prescribed and are advisory only.

SECTION 9.6

As determined by the members of the SAG, a Standing or Special Committee may consist of any number of members necessary to accomplish the designated purpose, except as specified in Section 9.1(b)(ii) and 9.1(c)(i) above.

SECTION 9.7

Except as specified in Section 9.1, the SAG shall elect Standing and Special Committee members. The SAG Chairperson shall designate the Committee Chairperson and Vice-Chairperson.

SECTION 9.8

Unless otherwise appointed to a Committee, the SAG Chairperson may serve as an ex-officio, non-voting member of any Standing or Special Committee.

All Committee members shall serve at the pleasure of the SAG Chairperson. The Chairperson may remove a member of a committee for lack of attendance and/or active participation of scheduled meetings in a 12-month period. Following the removal of a member, the Chairperson shall replace the member with another appointment.

ARTICLE 10: EXECUTIVE COMMITTEE

SECTION 10.1

The SAG authorizes an Executive Committee as a Standing Committee of the SAG. The Executive Committee is composed of the Chairperson, Vice Chairperson, Chairperson of the Disproportionate Minority Contact/Juvenile Detention Alternatives Initiative/Racial and Ethnic Disparities (DMC/JDAI/RED) Committee, and three members appointed by the Chairperson, one of which will be a youth member.

Members shall be appointed on an annual basis in March, with members to serve staggered terms of two years.

SECTION 10.2

The Executive Committee shall meet at such times and places as the Chairperson shall determine. If the Chairperson and Vice-Chairperson are absent from the meeting, the members shall choose one of their members to preside at the meeting.

SECTION 10.3

The Executive Committee may act for the SAG between meetings. However, any such action is subject to ratification by the juvenile justice State Advisory Group at the next regularly scheduled meeting and is also subject to approval by the Board.

SECTION 10.4

The Executive Committee shall, without further delegation or direction:

- a. provide assistance and support to the Executive Director to ensure the staff is compliant with Board policies and strategic decisions of the Board;
- b. assist the Chairperson in developing the agenda for the SAG's quarterly meetings;

- c. perform the initial review of any legislative action recommended by the Chairperson and provide the Executive Director with guidance concerning any legislative action recommended by the SAG;
- d. at each meeting, provide the SAG with a report of its actions and recommendations and between meetings, as necessary in its discretion, keep the SAG advised and informed by any convenient method.

ARTICLE 11: AMENDMENT

These SAG bylaws may be amended at any regular or special meeting of the Montana Board of Crime Control by two-thirds vote of the membership of the Board, provided that any proposed amendment or revision shall have been distributed to the Board members at least 30 days prior to the meeting at which they are to be acted upon.

CERTIFICATE OF ADOPTION

These by-laws, as revised, were adopted by a two-thirds vote of the membership of the Board on March 17, 2022 and are effective immediately.

Done this 17th day of March 2022.

A handwritten signature in black ink, appearing to read "Leo Dutton". The signature is written in a cursive style with a horizontal line underneath it.

Leo Dutton
Chairperson, Board of Crime Control