

# BYLAWS OF THE COUNTY OF LOS ANGELES PROBATION OVERSIGHT COMMISSION

Accepted by the POC on March 11, 2021

## **CHAPTER 1. GENERAL PROVISIONS**

**SECTION 1. Applicability.** These rules shall apply to the Los Angeles Probation Oversight Commission ("Commission") and are adopted pursuant to the authority vested in the Commission by Los Angeles County Code, Section 3.80.120., and the Commission's Handbook.

**SECTION 2. Amending the Bylaws.** Any rule contained herein may be amended, repealed, or adopted at any time by a two-thirds vote of the Commission, provided, however, such action shall not affect any pending matter.

**SECTION 3. Suspending the Bylaws.** Except as provided otherwise herein, any rule contained herein may be temporarily suspended by unanimous consent of the Commission.

**SECTION 4. Conflicts.** An amendment, repeal, adoption, or temporary suspension of any rule contained herein cannot result in a violation of the standards governing the conduct of the Commission as prescribed in the Commission Handbook and Los Angeles County Code, Chapter 3.80.

**SECTION 5. Robert's Rules.** The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and the Commission Handbook. Failure to follow the parliamentary rules of procedures as prescribed in Robert's Rules of Order Newly Revised shall not invalidate any action taken by the Commission.

## **CHAPTER 2. MEETINGS**

**SECTION 1. Regular Meeting Time and Location.** The regular meetings of the Commission shall be held on the \_\_\_\_\_ of each and every month, commencing at the hour of \_\_\_\_\_, on a virtual platform and/or at the Kenneth Hahn Hall of Administration, 500 W. Temple Street, Los Angeles, CA 90012, unless (a) rescheduled, relocated, or cancelled by the Chairperson or Vice Chairperson, or (b) the Commission adopts an alternate schedule, which schedule shall be posted on the Commission's website and electronically distributed to the public via the Commission's mailing list.

**SECTION 2. Special Meetings.** Special meetings of the Commission may be called by the Chairperson or Vice Chairperson in the manner provided by State law. The agenda for the special meeting shall specify the time and place of the meeting and the business to be transacted at such meeting, and no other business shall be considered at that meeting. The Executive Director shall provide notice of special meetings to all members of the Commission and the public as required by State law.

**SECTION 3. Annual Meeting.** The Commission shall hold an annual organizational meeting at its regular meeting in January of each year as required by Los Angeles County Code, Section 3.80.060.

**SECTION 4. Quorum.** A majority of the membership of the Commission constitutes a quorum for the transaction of business. The abstention or recusal of a member who is nonetheless present for discussion and voting on an item shall not affect the presence of a quorum, unless otherwise provided by law.

**SECTION 5. Absence of Quorum.** In the absence of quorum, the members of the Commission ("Commissioners") present shall adjourn the meeting until the same hour on the next succeeding day, to the next regularly scheduled Commission meeting date, or to a time and place specified in the order of adjournment. If all Commissioners are absent, Commission staff may adjourn the meeting to a stated time and place in accordance with Section 54955 of the Government Code.

### **CHAPTER 3. DEBATE AND VOTING**

**SECTION 1. Motions and Seconds.** Each motion made by any Commissioner shall require a second. Motions and seconds may be made by any Commissioner, including the Chairperson.

**SECTION 2. Friendly Amendments.** Friendly amendments intended to improve a motion do not require a separate vote by the Commission provided the amendment is accepted by the maker of said motion.

**SECTION 3. Majority Vote.** No act of the Commission shall be valid or binding unless a majority of all the members present and voting concurs therein.

**SECTION 4. Roll Call.** The roll need not be called in voting upon a motion except when requested by a member or required by law. If roll is not called, in the absence of an objection, the Chairperson may order the motion unanimously approved. When the roll is called on any motion, any Commissioner present who does not vote in an audible voice shall be recorded as "aye."

### **CHAPTER 4. OFFICERS**

**SECTION 1. Officers.** The Commission shall be presided over by a Chairperson, a Vice Chairperson, and a Secretary, to be elected from amongst the Commissioners, pursuant to Los Angeles County Code, Section 3.80.130.

**SECTION 2. Election of Officers.** The Commissioners shall elect the Chairperson, Vice Chairperson, and Secretary, by a majority vote, at each annual meeting, pursuant to Los Angeles County Code, Section 3.80.130. Nominations for Chairperson and Vice Chairperson should be made at the Commission meeting prior to the annual meeting. Commissioners may nominate themselves or others. The agenda for the annual meeting shall list those Commissioners who have accepted nominations for the positions of Chairperson and Vice Chairperson. A Commissioner elected as Chairperson, Vice Chairperson, or Secretary serves until the next Annual Meeting and, at the conclusion of the term, may be re-elected by a majority of the Commission members. The Chairperson may only serve for two full consecutive terms.

**SECTION 3. Officer Vacancies.** In the event of a vacancy in the office of the Chairperson, the Vice Chairperson shall serve as Chairperson for the remainder of the term. If the Vice Chairperson is unable to serve, the members of the Commission shall elect, by majority vote, another member of the Commission to serve as Chairperson until the end of the term. In the event of a vacancy in the office of Vice Chairperson or Secretary, the members of the Commission shall elect, by majority vote, another member of the Commission to serve as Vice Chairperson or Secretary until the end of the term.

**SECTION 4. Duties of Chairperson.** The Chairperson shall preside at all meetings of the Commission and shall conduct the business of the Commission in accordance with these bylaws, the Commission Handbook, and Los Angeles County Code, Chapter 3.79. The Chairperson shall preserve order and decorum and shall decide all questions of order subject to the action of the majority of the Commission.

**SECTION 5. Duties of Vice Chairperson.** In the absence, or inability to act, of the Chairperson at a Commission meeting, the Vice Chairperson shall preside at the meeting and conduct the business of the Commission in accordance with the same rules and regulations prescribed to the Chairperson. If both the Chairperson and the Vice Chairperson are absent from a meeting, the members of the Commission present may select a Chair Pro Tem by a majority vote.

## **CHAPTER 5. DUTIES OF COMMISSIONERS**

**SECTION 1. Attendance.** Commissioners shall attend all Commission meetings and meetings of any subcommittees of which they are members. Commissioners are expected to arrive on time and prepared for the meetings and must notify Commission staff if they are unable to attend a meeting or are unable to arrive on time.

**SECTION 2. Participation and Public Input.** Commissioners are expected to participate in Commission discussions and provide their input and expertise. Commissioners should also strive to seek input from the communities they represent and share those viewpoints with the Commission as appropriate.

## **CHAPTER 6. VACANCIES**

**SECTION 1. Supervisorial-Appointees.** If one of the five Commissioners appointed directly by a member of the Board of Supervisors vacates their position due to events other than the normal end of the Commissioner's term, the Supervisor from that district will appoint a replacement in accordance with Section 3.80.080 for the remainder of the term. At the end of the vacated term, the newly appointed Commissioner will be eligible to serve two consecutive four-year terms.

**SECTION 2. At-Large Commissioners.** If one of the four At-Large Commissioners vacates their position due to events other than the normal end of the Commissioner's term, the Commission will nominate a replacement in accordance with the process set forth in Section 3.80.080, taking into consideration the factors listed in Section 3.80.080 Section C. The nominee must be approved by the Board of Supervisors, and on approval will be appointed for the remainder of the vacated term. At the end of the vacated term, the newly appointed Commissioner will be eligible to serve two consecutive four-year terms.

## **CHAPTER 7. SUBCOMMITTEES**

**SECTION 1. Subcommittees.** The Commission may, by majority vote, establish subcommittees, either standing or ad-hoc, as necessary to carry out its work. The membership of a subcommittee will not constitute a quorum of the full Commission, and members will be appointed by the Chairperson unless this rule is suspended by a two-thirds vote prior to appointment and the Commission as a whole votes to enact a different appointment process.

**SECTION 2. Subcommittee Actions.** No action may be taken by a subcommittee including, but not limited to, making recommendations to the full Commission, except by a majority vote of the members of the subcommittee present and voting.

## **CHAPTER 8. PUBLIC PARTICIPATION**

**SECTION 1. Public Comment.** Members of the public may address the Commission on a particular agenda item or during the public comment section of the agenda by submitting a written request to Commission staff. A person requesting to address the Commission will be allowed a total of two minutes per item. A person giving public comment in a language other than English will be allowed double the amount of time to account for translation. The Chairperson may, in their sole discretion, subject to action by a majority of the Commission, choose to limit or expand public testimony as necessary to ensure the Commission's ability to conduct its business in a reasonably efficient manner, however the amount of time will be consistent for all speakers on an agenda item.

**SECTION 2. Code of Conduct.** Members of the public in attendance at Commission meetings must govern themselves in accordance with the Commission's Code of Conduct, which reads as follows:

- a. Speakers must cease speaking immediately when their time has ended;
- b. Public comment on agenda items must relate to the subject matter of that item;
- c. General public comment is limited to subjects within the jurisdiction of the Commission;
- d. Public comment does not include the right to engage in dialogue with the Commission members or staff;
- e. Speakers should remain respectful of the Commission and refrain from uttering, writing, or displaying personal, threatening, derogatory, demeaning or other abusive statements toward the Commission, any member thereof, staff or other persons;
- f. Members of the audience should be respectful of the views expressed by speakers, staff, and Commissioners and not clap, cheer, whistle, or otherwise disrupt the orderly conduct of the meeting;
- g. A person engaging in conduct that disrupts the meeting is subject to removal from the Commission meeting as described in Section 4, below.

**SECTION 3. Signs.** Any member of the public who brings signs, posters, or other large objects to the meeting must not block the view of other members of the audience and may be asked to relocate as necessary.

**SECTION 4. Disruptive Conduct; Removal from Meeting Room.** In accordance with Government Code section 54957.9, at the discretion of the Chairperson or upon majority vote of the Commission, the Chairperson may order the removal of any individual who is willfully disrupting the meeting so as to prevent the Commission from accomplishing its business in a reasonably efficient manner. This includes, but is not limited to, any of the following acts of disruptive conduct:

- a. Disorderly, contemptuous or insolent behavior toward the Commission or any member thereof, tending to interrupt the due and orderly course of a meeting;

- b. A breach of the peace, boisterous conduct, or violent disturbance, tending to interrupt the due and orderly course of a meeting;
- c. Disobedience of any lawful order of the Chairperson, which shall include an order to be seated or to refrain from addressing the Commission; and
- d. Any other unlawful interference with the due and orderly course of a meeting

If order cannot be restored by the removal of said individual(s), the Commission may order the meeting room cleared and continue in closed session.