CALIFORNIA SEX OFFENDER MANAGEMENT BOARD (CASOMB) BYLAWS

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Adopted: [DATE]
Sacramento, California

CALIFORNIA SEX OFFENDER MANAGEMENT BOARD (CASOMB) BYLAWS

ARTICLE I — NAME AND AUTHORITY

Section 1. Name

1.1 This body shall be known as the California Sex Offender Management Board (CASOMB).

Section 2. Authority

2.1 CASOMB is established pursuant to California Penal Code § 9000 et seq. and operates as a state body subject to the Bagley-Keene Open Meeting Act (Gov. Code § 11120 et seq.).

ARTICLE II — PURPOSE AND DUTIES

Section 1. Purpose

The purpose of CASOMB is to:
1.1 Advise the Governor and Legislature on sex offender management policies and practices; addressing issues, concerns, and problems related to the community management of sex offenders
1.2 Promote public safety through development and implementation of evidence-based practices
1.3 Oversee standards for treatment, supervision, and risk assessment
1.4 Decrease sexual victimization and increase community safety

Section 2. Duties

CASOM BOARD shall:
2.1 Develop and update research informed standards for sex offender management
2.2 Review and recommend research informed policies and legislation
2.3 Publish reports and guidelines on evidenced based treatment, standards for
2.4 Polygraph Examiners, and methods to enhance victim safety, promote supervised persons rehabilitation, and prevent future sexual harm
2.5 Facilitate collaboration among criminal justice and behavioral health agencies

CASOMB STAFF:

2.6 Support the Board's facilitation and development of sound policy.

2.7 Create procedures for the implementation of policies ratified by the Board.

2.8 Ensure that there are mechanisms for transparency and participation by key stakeholders and members of the public.

ARTICLE III — MEMBERSHIP

Section 1. Composition

1.1 Membership shall be defined by statute and include representatives from:
- 1.11 Law enforcement
- 1.12 Judiciary
- 1.13 Probation and parole
- 1.14 Victim advocacy
- 1.15 Mental health and treatment providers

Section 2. Terms

2.1 Members shall serve terms as specified in statute or appointing authority.
- 2.11 Relinquishment of Appointment: Members are appointed to represent a designated profession, agency, membership or population. Members leaving their designated profession, agency, membership or population, and therefore no longer meeting the criteria by which they were appointed to the Board shall relinquish their appointment effective the date they no longer hold that position.
- 2.12 Temporary Absence: Board members who wish to continue serving in their role may request, in writing, permission from the Executive Committee for a temporary absence of no longer than six months.

Section 3. Vacancies

3.1 Vacancies shall be filled by the original appointing authority.

ARTICLE IV — OFFICERS

Section 1. Officers

1.1 Officers shall include:

- 1.11 Chair
- 1.12 Vice Chair

Section 2. Election

2.1 Officers shall be elected by a majority vote of members present.

Section 3. Duties

3.1 Chair:

- 3.11 Presides over meetings
- 3.12 Sets agendas with staff
- 3.13 Signing appropriate documents and correspondence
- 3.14 Calling special meetings as necessary
- 3.15 Enforcing ethics and conflict of interest provisions of these by-laws
- 3.16 Speaking to the public and media on behalf of the Board; the Chair may delegate this duty to another as needed
- 3.17 The Board Coordinator shall also be authorized to speak on behalf of the Board, and shall be the preferred media contact person
- 3.18 Remind Board members at each Board meeting of conflict-of-interest policy and the need to disclose any conflicts and recuse themselves as appropriate
- 3.19 and such other duties as designated by these bylaws.

3.2 Vice Chair: Acts in absence of Chair

- 3.21 Shall be the same as those of the Chair, when the Chair is absent or has a conflict of interest on any matter taken up by the Board.
- 3.22 When the Vice Chair is serving in the role of Chair this shall be documented in meeting minutes.

ARTICLE V — MEETINGS

Section 1. Regular Meetings

1.1 CASOMB shall meet at least six (6) times per year, every other month, or as determined by the Chair. Notice shall be supplied to Board members of the date, time and location of the meeting at least seven (7) days in advance of the meeting being posted to the CASOMB website, per Bagley Keene Open Meeting Act requirements.

Section 2. Special and Emergency Meetings

2.1 Special meetings may be called by the Chair or majority of members, and must adhere to the Bagley Keen Open Meeting Act (see section II 3(b) Holding a Special Meeting- 2024 Bagley-Keene Act Open Meeting Act Guide)

2.2 Emergency meetings may be called by the Chair or majority of members and must adhere to the Bagley Keen Open Meeting Act (see section II 3(c) Calling an Emergency Meeting- 2024 Bagley-Keene Act Open Meeting Act Guide)

Section 3. Open Meetings

3.1 All meetings shall comply with the Bagley-Keene Open Meeting Act, including:

- 3.11 Public notice and agenda posting (minimum 10 days in advance) (see section II-Open Meeting Procedures- 2024 Bagley-Keene Act Open Meeting Act Guide)
- 3.12 Opportunity for public comment (See Section II B. Rights of the public at an open Meeting 2024 Bagley-Keene Act Open Meeting Act Guide)
- 3.13 All Board meetings and Subcommittee meetings shall encourage participation from the public throughout the policy creation process, and prior to ratification of any policy.

Section 4. Teleconferencing

4.1 Subcommittee Meetings may be conducted via teleconference in accordance with the Bagley Keen Open meeting Act (see II C-Teleconference Meetings- 2024 Bagley-Keene Act Open Meeting Act Guide)

ARTICLE VI — QUORUM AND VOTING

Section 1. Quorum

1.1 The minimum number of Board or committee members required to be present so that the decisions and proceedings are valid.

1.2 A quorum is determined by 50% of appointed members, plus one member.

1.3 If a quorum is not present at the scheduled time of the meeting, business may be provisionally transacted, to be ratified upon the establishment of a quorum.

1.4 If following the declaration of a quorum, one or more appointed Board or subcommittee members leave, no longer establishing a present majority, the quorum is lost.

1.5 Should a Board member leave for the remainder of a meeting before it has adjourned, then the Board member shall inform the Chair or a Board staff for the record.

1.6 If a quorum is not present at the scheduled time of the meeting, business may be provisionally transacted, to be ratified upon the establishment of a quorum.

1.7 If a quorum is not determined after a period determined by the Chair, then the meeting shall be adjourned.

Section 2. Voting

2.1 Actions shall require a majority vote of members present.

2.2 Board members abstaining from voting, do not impact the establishment of quorum, and are not counted in the vote.

2.3 Board members with a conflict of interest to a project, paper, or policy shall abstain from voting on the agenda item in question.

2.31 Examples of conflict of interest: see Conflict of Interest section

2.4 A Board member shall abstain from voting when it has been determined by the Board member or by a vote of the remaining Board members that they have a conflict of interest, or appearance of conflict of interest,

2.5 Board Members will be given subcommittee authored documents 30 days prior to review, discussion, and vote.

2.51 Board members shall only vote on documents if they have read and prepared for discussion at the scheduled Board meeting.

2.6 Board members may not vote by proxy.

2.7 The Board shall cast their vote verbally.

2.8 The Chair and Vice Chair shall vote on all motions before the Board.

2.9 Any publication that is officially authored by CASOMB is the intellectual property of the board and may not be used for any other purpose without board approval.

ARTICLE VII — COMMITTEES

Section 1. Standing Committees

1.1 Decision making Subcommittees:

1.11 The Complaints Subcommittee

The Complaints subcommittee makes determinations regarding filed and investigated Complaints. See CASOMB Complaints Procedure (CASOMB Complaint Procedure)

1.12 Steering Subcommittee

1.2 Non-Decision-Making Subcommittees

1.21 Certification Subcommittee
1.22 Education and Media Subcommittee
1.23 Juvenile Subcommittee
1.24 Polygraph Subcommittee
1.25 Sexually Violent Predator (SVP) Subcommittee
1.26 Human Sex Trafficking Subcommittee
1.27 Community Reintegration Subcommittee
1.28 Tiered Registration Subcommittee
1.29 Research Subcommittee

Section 2. Ad Hoc Committees

2.1 The Chair may establish ad hoc committees as needed.

Section 3. Compliance

3.1 All committees with decision-making authority shall comply with Bagley-Keene Open-Meeting Act.

Section 4. Voting and Development of Consensus within Non-Decision-Making Subcommittees

4.1 The subcommittees will work to develop consensus on issues under consideration by the Board.
4.2 When a consensus is reached, the consensus decision will be noted in the meeting minutes for the record.
4.3 All subcommittee projects will need to be brought before the Board and receive a formal majority vote, when quorum is established, to be ratified or authored by the Board.
4.4 Board members who abstain from a vote, do not impact the establishment of quorum, and are not counted in the vote.

ARTICLE VIII — PUBLIC PARTICIPATION

Section 1. Public Comment

1.1 Members of the public shall be provided with an opportunity to comment on each agenda item and on matters within the Board's jurisdiction.

Section 2. Accessibility

2.1 Meetings shall be accessible in compliance with the Americans with Disabilities Act (ADA).

ARTICLE IX — CONFLICT OF INTEREST

Section 1. Compliance

1.1 Members shall comply with (CASOMB Conflict of Interest Policy):
  - 1.11 Political Reform Act
  - 1.12 State conflict-of-interest laws

Section 2. Recusal

2.1 Members shall recuse themselves from decisions where a conflict exists.

2.1 No Board or Appointed Committee member shall accept any stipend, fee, gratuity, or other consideration of any kind or nature from any person, unit, agency or organization for the purpose of influencing a vote, decision or recommendation of a Board or Appointed Committee member or staff member on a matter before the Board or Committee

ARTICLE X — RECORDS AND TRANSPARENCY

Section 1. Minutes

1.1 Minutes shall be recorded and made publicly available.

Section 2. Records

2.1 Records shall be maintained in accordance with state law and public records requirements.

ARTICLE XI — AMENDMENTS

Section 1. Amendment Process

1.1 These bylaws may be amended by a majority vote of the Board, provided:
   1.11 Proposed amendments are included on a publicly noticed agenda
   1.12 Members receive prior written notice

ARTICLE XII — LIMITATION

Section 1. Limitation

1.1 Nothing in these bylaws shall supersede governing state or federal law. In the event of a conflict, applicable law shall control.

ARTICLE XIII — BOARD MEMBER CONDUCT AND ACCOUNTABILITY

Section 1. Standards of Conduct

Board members shall conduct themselves in a manner that:
1.1 Upholds the integrity and mission of CASOMB
1.2 Promotes respectful, professional, and civil discourse
1.3 Supports transparent and lawful decision-making
1.4 Members shall not engage in behavior that is disruptive, abusive, discriminatory, or inconsistent with the duties of public office.
1.5 Violations may result in referral to the appropriate oversight or appointing authority.

Section 2. Compliance with Law

All members shall comply with:
2.1 The Bagley-Keene Open Meeting Act
2.2 The Political Reform Act
2.3 Applicable state ethics laws and regulations
2.4 Violations may result in referral to the appropriate oversight or appointing authority.

Section 3. Meeting Conduct

3.1 During meetings, members shall:
- 3.11 Recognize the authority of the Chair to maintain order
- 3.12 Refrain from interrupting or engaging in personal attacks
- 3.13 Limit remarks to relevant agenda items

3.2 The Chair may take reasonable actions to ensure orderly conduct, including:
- 3.21 Calling a member to order
- 3.22 Limiting speaking time
- 3.23 Recessing the meeting if necessary

3.3 At all times, during the appointment to the Board, members shall conduct themselves in a professional manner and treat public, fellow Board members, and CASOMB staff with dignity and respect regardless of age, race, gender, ethnicity, religion, sexual orientation, or any other identifying class.

3.4 Failure to do so will be discussed during closed session of a Board meeting and be subject to dismissal from their appointment (See Section 6 below).

Section 4. Bias

4.1 Members shall avoid participating in matters where impartiality may be compromised

4.2 Members shall refrain from using their position for personal or professional gain

Section 5. Complaints Against Members

5.1 Complaints regarding member conduct may be submitted in writing to the Chair and the CASOM Board Coordinator

5.2 Complaints shall:
- 5.21 Be reviewed in a timely manner
- 5.22 Be handled consistently with due process and applicable law

Section 6. Corrective Action

6.1 Where appropriate, corrective actions may include:
- 6.11 Verbal or written warning
- 6.12 Removal from committee assignments

6.13 Referral to appointing authority for further action

6.2 Nothing in this section limits the authority of the appointing body to remove or discipline a member.

Section 7. Training and Acknowledgment

7.1 Members shall maintain expertise in their respective area, and maintain connection and communication with their field to ensure delivery and open communication of Board duties, concerns, and accomplishments

7.2 Complete required ethics and open meeting law training

7.4 Acknowledge receipt of these bylaws

Section 8. Protection of Public Participation

8.1 Members shall respect the rights of the public to:

8.11 Attend meetings

8.12 Provide comment without intimidation or retaliation

8.2 Retaliatory conduct against members of the public is strictly prohibited.

ADOPTION

These bylaws are hereby adopted by the California Sex Offender Management Board on [DATE].