

SEXUAL ASSAULT VICTIM SERVICES
STATE ADVISORY COMMITTEE
BYLAWS

Article I: Name

This organization shall be known as the California State Advisory Committee on Sexual Assault Victim Services (The "Committee").

Article II: Authority, Powers and Responsibilities

Section 1: Authority and Powers

The Committee is empowered to act as the Advisory Committee on sexual assault victim services pursuant to Article 3 and 4, Chapter 1 of the Title 5, Part 4 of the California Penal Code (Section 13836 and following). Unless otherwise specified, "Committee" shall mean the full Advisory Committee as set forth herein.

Section 2: Responsibilities

- (a) The Committee shall review criteria for awarding grants of state funds to local sexual assault victim/survivor counseling centers in the State of California and shall select the recipients of such grants before any funds are allocated. Such grants will be in the form of assistance contracts which shall be awarded and administered by the California Office of Emergency Services (CAL OES), subject to compliance with that Office's technical requirements.
- (b) The Committee shall ensure the State funds provided to establish centers shall be utilized when possible to expand programs and shall not be expended to reduce fiscal support from public or private sources. The Centers shall maintain quarterly and final fiscal reports in a form prescribed by CAL OES.
- (c) The Committee shall recommend as a priority to fund centers which are operated in close geographical, organizational, or operational proximity to medical treatment facilities.
- (d) The Committee shall review a course of training for district attorneys in the investigation and prosecution of sexual assault cases. The course shall include training in the unique emotional trauma experienced by victims/survivors of sexual assault.
- (e) The Committee shall encourage the establishment of sexual assault prosecution units in district attorneys' offices throughout the state.
- (f) In its discretion, the Committee shall advise the State Legislature, the CAL OES and other state and local agencies and authorities, by inquiring into, considering and making recommendations on any matter relating to services for victims/survivors of sexual assault crimes, and the relationship of such victims/survivors with the criminal justice system.
- (g) The Executive Committee may approve the designation of three representatives, one each to represent rape crisis centers, one to represent child sexual abuse treatment programs and one to represent youth exploitation/homeless,

including human trafficking, commercial exploitation and homelessness programs to provide input and advice to the Committee. The individual appointed to the Committee by the California Commission on the Status of Women to represent rape crisis centers (pursuant to Penal Code Section 13836) shall assist the Executive Committee in the designation of the representative of rape crisis centers. These designees shall be proposed from CAL OES funded Child Sexual Exploitation and Child Sexual Abuse Treatment Programs and from a professional organization representing rape crisis centers.

Article III: Offices

Section 1: Principal Office

The principal office of the Committee for the transaction of business is located at the California Office of Emergency Services in (*Sacramento County*), California.

Article IV: Members

Section 1: Membership

- (a) The Committee shall consist of 11 members. Five shall be appointed by the CAL OES, and shall include three district attorneys or assistant or deputy district attorneys, one representative of a law enforcement agency and one public defender or assistant or deputy public defender of a county. Six shall be public members appointed by the Commission on the Status of Women and shall include one representative of a sexual assault victim counselling center and one medical professional experienced in dealing with sexual assault trauma victims/survivors.
- (b) The Committee members shall represent the points of view of diverse ethnic and language groups.
- (c) Membership shall be terminated upon written resignation, delivered to the member's respective appointing authority personally, electronically, or by United States mail, such membership to terminate when the resignation is received.
- (d) The Chair shall request the appropriate appointing authority to replace any member who shall have missed three (3) consecutive regular meetings or two-thirds of the Committee's regularly called meetings within any calendar year, except where absence is the result of illness or injury or where unavoidable due to extreme and extraordinary circumstances which could not be avoided through careful planning.

Section 2: Vacancies

Vacancies in Committee membership shall be filled in accordance with Penal Code Section 13836.1.

Section 3: Compensation of Members

Members of the Committee and members of the auxiliary bodies created by the Committee shall serve without compensation except that they shall be allowed and paid their actual and necessary expenses incurred in the performance of their duties. Travel and per diem expenses and other expenses shall be reimbursed in accordance with State regulations and subject to Committee approval. Persons

requested by the Chair to appear before meetings of the Committee and its Subcommittees may be reimbursed for expenses necessarily incurred in fulfilling such requests.

Section 4: Restriction Regarding Interested Members

- (a) No member of the Committee shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant cooperative agreement, claim, controversy, or other particular matter in which the member may have a financial interest. This includes circumstances where, to the member's knowledge, the member or his or her immediate family, partners, organization, other than a public agency, in which the member is serving as an officer, director, trustee, or employee has a financial interest, or in which the member is negotiating for or has any arrangement concerning prospective employment.
- (b) In addition to complying with all other laws and regulations to conflict of interest, members of the Committee shall avoid any action which might result in, or create the appearance of:
 - (1) Using the official position for private gain;
 - (2) Giving preferential treatment to any person;
 - (3) Losing complete independence or impartiality;
 - (4) Making an official decision outside of official channels; or
 - (5) Affecting adversely the confidence of the public in the integrity of the Government, the Committee, or the Program.

Article V: Meetings

Section 1: Regular Meetings

Members shall meet regularly and no less than a minimum of three times each fiscal year, at times and places designated by the Chair of the Committee after consultation with the CAL OES.

Section 2: Special Meetings

Special meetings of the Committee may be called at any time by the Chair of the Committee after consultation with the CAL OES.

Section 3: Location of Meetings

Meetings may be held at different places in the State of California as determined by the Chair after consultation with the CAL OES

Section 4: Public Meetings

Public notice of meetings shall be given, except as may be provided by law, all meetings of the Committee and its Subcommittees shall be open to the public and accessible to all persons.

Section 5: Conduct of Meetings

- (a) Meetings shall be conducted in accordance with applicable law, these bylaws and Bagley Keene Opening Meeting Act.

- (b) Meetings shall be presided over by the Chair, or if absent, by the Vice-Chair, or, in the absence of both, by the Member-at-Large. In the absence of all three, a temporary Chair chosen by a majority of the members present shall preside.
- (c) Minutes will be taken at all Committee and Executive Committee meetings.

Article VI: Quorum for Meetings and Voting

Section 1: Quorum

- (a) A quorum of the Committee for meeting shall consist of a majority of the currently appointed members. Except as set forth in Subdivision (b), in the event of the absence of a quorum, if five Committee members are present and/or on the phone, such member shall constitute an ad hoc committee which may vote to recommend actions to be taken by the full Committee, or in its absence, as provided in these bylaws, the Executive Committee.
- (b) The members present and/or on the phone at a duly called or held meeting at which a quorum is initially present may continue to do business notwithstanding loss of a quorum at the meeting; provided that any action thereafter taken must be approved by that number of votes which would equal a majority of the required quorum for such meetings.

Section 2: Voting

- (a) Decisions shall be made by majority vote of those present. Voting shall be by voice vote except where a majority of those present decide that a particular vote shall be by secret ballot.
- (b) Members of the Committee shall not be allowed to vote or act by proxy.
- (c) The restrictions on proxy representation apply only to voting. Members of the Committee may designate a representative in the event the authorized member is unable to attend. The representative is entitled to participate, but not vote at Committee meetings. The presence of a representative is not the equivalent of the presence of a member with reference to termination for absences specified in Article IV, Section 2 of these bylaws.

Article VII: Officers, Member-at-Large and Duties

Section 1: Designation of Officers

The officers of the Committee shall be the Chair and Vice-Chair. The Chair and Vice-Chair shall represent the different appointing powers.

Section 2: Election and Term of Office of the Chair and Vice-Chair and Appointment of Member-At-Large

The Chair and Vice-Chair shall be elected from among the members of the Committee, and shall serve at the pleasure of the Committee. A Member-at-Large shall be appointed by the Chair from among the members of the Committee and shall serve at the pleasure of the Chair.

Section 3: Duties of the Chair

The Chair shall preside over all meetings of the Committee, and perform such additional duties as requested by the Committee and normally executed by a Chair.

The Chair shall appoint such subcommittees as are necessary to carry out the powers, duties and mission of the Committee, and shall designate the Chairpersons of each such subcommittee. All such subcommittees shall serve at the pleasure of the Chair.

Section 4: Duties of Vice-Chair

In the absence of the Chair, the Vice-Chair shall preside at meetings and perform such additional duties as are required by the Committee and necessitated by the absence of the Chair.

Section 5: Duties of Member-At-Large

The Member-at-Large shall serve on the Executive committee and shall conduct Committee meetings in the absence of both the Chair and the Vice-Chair.

Section 6: Officer Vacancy

In the event a vacancy occurs in the office of Chair or Vice-Chair, the membership of the committee shall elect a successor at the next regular or special meeting.

Article VIII: Subcommittees

Section 1: Executive Committee

The Executive committee shall be comprised of the elected officers of the Committee and the member-at-large. The Executive Committee shall be authorized to act in place of the full committee on an emergency, interim basis provided its actions are consistent with the policies set forth by the full committee. An "emergency" shall be deemed to exist when no full Committee meeting is to be held within four weeks.

Section 2: Establishment of Subcommittees

The Committee may create subcommittees as it deems necessary for the efficient and effective performance of its duties, and shall specify the responsibility and authority of each such committee. These subcommittees may include as members persons who are not Member of the Committee. These subcommittees shall act in an advisory capacity and shall be clearly titled as "Advisory Subcommittees".

Section 3: Establishment of a Technical Advisory Committee on Sexual Assault Victim Counseling Centers as a Standing Committee.

A Technical Advisory Committee (TAC) made up of managers of sexual assault victim counseling centers may be established as a standing committee. The purpose of the Technical Advisory Committee shall be to advise the Committee on matters pertaining to the operation of sexual assault victim counseling centers and on other subjects within its members' area of expertise. The TAC may also provide recommendation in the following areas:

- (a) Establishing eligibility criteria;
- (b) Identifying needs that are not being met throughout the state; and
- (c) Identifying service priorities.

This subcommittee shall be composed of a minimum of six managers representing

the population areas throughout California. Membership on the TAC is through appointment by CAL OES in consultation with the Committee.

Section 4: Establishment of a Technical Advisory Committee on Child Sexual Abuse or Child Exploitation as a Standing Committee.

A Technical Advisory Committee made up of multidisciplinary professionals with expertise in child sexual abuse or child exploitation issues may be established as a standing committee. The purpose of the Technical Advisory Committee shall be to advise the Committee on matters pertaining to child sexual abuse or child exploitation and on other subjects within its member's area of expertise. The TAC may also provide recommendations in the following areas:

- (a) Establishing eligibility criteria;
- (b) Identifying needs that are not being met throughout the state; and
- (c) Identifying service priorities.

This subcommittee shall be composed of a minimum of six multidisciplinary professionals with expertise in child sexual abuse or child exploitation issues representing the population areas throughout California. Membership on the TAC is through appointment by CAL OES in consultation with the Committee.

Article IX: The California Governor's Office of Emergency Services

Section 1: Role

- (a) The CAL OES shall provide all staff support for the Committee and the Executive Committee. The CAL OES may delegate this responsibility to one or more members of the CAL OES staff.
- (b) CAL OES shall award grant funds to recipients selected by the Committee and approved by the Cal OES Director. Cal OES shall administer grants of funds made under Section 13837 of the Penal Code.

Section 2: Duties and Responsibilities

- (a) In coordination with the Chair, the CAL OES or a designee shall keep all records for the Committee, prepare draft agendas for each meeting, coordinate meeting arrangements, keep minutes and apprise the Committee of all directly related Committee expenditures and the financial status of grant fund allocations on a quarterly basis.
- (b) In coordination with the Chair, the CAL OES shall be responsible for any additional staffing, planning, organizing, coordinating, and directing of those activities necessary to ensure the fulfillment of powers, duties, and mission of the Committee in accordance with State regulations.

Article X: Appeals

The Committee will adhere to and comply with the established Appeals Process of the CAL OES.

Article XI: Execution of Documents

The Committee may by resolution authorize any officer of the Committee to execute documents in the name of and on behalf of the Committee, and such authority may be general or confined to specific instances.

Article XII: Amendments

Amendments to these bylaws may be proposed by any Committee member. Proposed amendments shall be submitted in writing to all members of the Committee and will be acted upon at the next regular Committee meeting following the meeting at which the proposed amendment is presented. A two-thirds majority vote of the members present is required to adopt an amendment. An approved amendment shall be effective immediately.

Article XIII: Suspension

These bylaws may be suspended by a two-thirds vote of a quorum of the members of the Committee.

Article XIV: Effectiveness

These Bylaws shall become effective as soon as adopted by majority vote of the members present at the meeting.

As first Chair of the Committee based on a vote as herein specified, I hereby certify that the foregoing bylaws constitute the bylaws of said Committee as duly adopted January 26, 1980, by the unanimous consent of the membership of the California State Advisory Committee on Sexual Assault Victim Services.

Melinda J. Lasater, Chair

As Chair of the Committee, I hereby certify that the foregoing bylaws were amended by amendments incorporated herein and duly adopted by the membership of the California State Advisory Committee on Sexual Assault Victim Services on May 18, 1990, and constitute the bylaws of said Committee as so amended.

Donna Alyson Little, Chair

As Chair of the Committee, I hereby certify that the foregoing bylaws were amended by amendments incorporated herein and duly adopted by the membership of the California State Advisory Committee on Sexual Assault Victim Services on June 29, 1990, and constitute the bylaws of said Committee as so amended.

Donna Alyson Little, Chair

As Chair of the Committee, I hereby certify that the foregoing bylaws were amended by amendments incorporated herein and duly adopted by the membership of the California State Advisory Committee on Sexual Assault Victim Services on September 27, 1991, and constitute the bylaws of said Committee as so amended.

Kim Hunter, Chair

As Chair of the Committee, I hereby certify that the foregoing bylaws were amended by amendments incorporated herein and duly adopted by the membership of the California State Advisory Committee on Sexual Assault Victim Services on November 19, 1993, and constitute the bylaws of said Committee as so amended.

Dr. William Green, Chair

As Chair of the Committee, I hereby certify that the foregoing bylaws were amended by amendments incorporated herein and duly adopted by the membership of the California State Advisory Committee on Sexual Assault Victim Services on June 26, 2015, and constitute the bylaws of said Committee as so amended.