

***BY-LAWS of the INMATE FAMILY COUNCIL
CALIPATRIA STATE PRISON
December 1, 2012***

**ARTICLE I
ORGANIZATION NAME**

SECTION 1: NAME OF THE ORGANIZATION

The name of the organization is the Inmate Family Council (the "IFC"). The IFC is independent of the Statewide Family Council (the "SFC").

**ARTICLE II
PURPOSE**

SECTION 1: MISSION STATEMENT

The California Department of Corrections and Rehabilitation (the "CDCR") and the IFC are jointly committed to work together to support connections between inmates and their families through improved communication, shared information, issue identification, and problem resolution.

SECTION 2: SCOPE

The IFC's work shall encompass local institutional issues regarding the application of the rules, regulations, policies and practices that affect inmate-family relationships.

**ARTICLE III
MEMBERSHIP**

SECTION 1: Membership Qualifications

The IFC shall be comprised of individuals who meet the qualifications below:

- A. Be approved visitors at the institution.
- B. Have a close, personal relationship or familial relationship with an inmate at the institution.
- C. Visit the institution at least 4 times per year.
- D. Work cooperatively and professionally with others on the IFC and institutional staff.
- E. Regularly attend IFC meetings and participate in IFC conference calls.

SECTION 2: Membership Applications

A. Availability of Applications

- 1. The institution and the IFC will work together to ensure that visitors are aware of the existence of the IFC and are aware of the ability to submit an application for IFC membership.
- 2. Applications shall be made available to interested parties in the visiting processing center or can be obtained from an IFC member.

B. Submission of Applications

1. Completed applications shall be submitted directly to the IFC. They can be submitted directly to any IFC member by mail, e-mail, or in-person or submitted by depositing in the locked IFC suggestion box in the main visiting center.
2. In the event the IFC becomes inactive at the institution, completed applications shall be submitted directly to the Warden.

C. Confidentiality of Applications

1. Applications will be viewed by IFC members, the Warden and his staff, and with other individuals and/or entities as required by applicable regulations or laws.
2. Except as otherwise stated, the IFC will endeavor to keep information in applications confidential although it cannot guarantee confidentiality.
3. All applications will be destroyed after six (6) months of an applicant's notice of non-selection or at the termination of selected applicants' tenure on the IFC.

SECTION 3: APPOINTMENT/SELECTION

A. Selection Process

1. If the IFC is currently established, new IFC members will be selected as follows:
 - a. In accordance with the composition criteria as set forth in Article III, Section 4.
 - b. In accordance with the vacancy criteria as set forth in Article III, Section 8.
 - c. New IFC members will be selected by a majority vote of IFC members.
 - d. Current members of the IFC whose term is expiring may reapply for membership based on Membership Term as set forth in ARTICLE III, Section 6. However, the member cannot vote on applications while his/her reapplication is pending.
 - e. The IFC shall submit the names of any newly elected members to the Warden for confirmation. The Warden has discretion to confirm or deny the membership application of a newly elected IFC member.
2. For the reestablishment of an inactive IFC, the selection of new members shall be made by the Warden from the pool of submitted applicants.

B. Notification

Applicants shall receive written notification of their selection, or non-selection, in an expeditious manner.

C. Re-application

An applicant may reapply for membership one (1) year after the date of non-selection.

SECTION 4: COMPOSITION

- A. The goal of the IFC is to have, to the extent possible, representation from each area/facility of the institution.
- B. All efforts shall be made to ensure the IFC composition reflects the diversity of the inmate population.
- C. The IFC shall have no more than ten (10) members.
- D. All yards shall have no more than two (2) members.

SECTION 5: VOLUNTARY PARTICIPATION

- A. Participation in the IFC is strictly voluntary.
- B. All members of the IFC agree to work within the guidelines of the CDCR rules, regulations, and policies. Failure to do so could result in disciplinary action, up to, and including, removal from the IFC.

The By-Laws have been approved by the Warden, submitted to the Director, Division of Adult Institutions, CDCR, and supersede all previous versions.

- C. Anything discussed in IFC meetings or obtained in the course of being an IFC member is considered **CONFIDENTIAL**. Confidential information is not to be shared, or discussed, with anyone other than between IFC members, the Warden, or the Warden's designated staff unless required by applicable law, regulations, or to report misconduct.

SECTION 6: MEMBERSHIP TERM

- A. The term for each member shall be two (2) years.
- B. Members may serve more than two (2) years if reelected.
- C. Members shall not serve more than two (2) consecutive terms, unless a membership opening exists on the member's visiting yard, and no other qualified candidates from that yard have submitted an application for membership. In that case, the current member may re-apply for an additional membership term as set forth in Article III; Section 1.
- D. Current officers will serve out their terms. As terms expire, officers may be re-nominated if they meet the qualifications for membership as set forth in ARTICLE III; Section 1.

SECTION 7: RESIGNATIONS

Any member wishing to resign from the IFC shall submit a letter of resignation to the IFC Chairperson and the Warden.

SECTION 8: VACANCIES

- A. Vacancies may result from a number of reasons including, but not limited to, a member's death, written resignation, expiration of term, removal for cause, unexcused absence, or transfer of inmate. The IFC shall attempt to fill any vacancy within sixty (60) days, upon written notification of a vacancy.
- B. Appointments to fill a member vacancy shall be made for a new two (2) year term.
- C. Appointments to fill an officer vacancy shall be for the remainder of the unexpired term. If such appointment is for less than six (6) months, the member shall be eligible for a regular term.

SECTION 9: LEAVE OF ABSENCE/REMOVAL OF IFC MEMBERS

- A. Loss of Visiting Privileges
1. In the event a member loses visiting privileges, the member must notify the IFC Chairperson within forty-eight (48) hours. Failure to notify the IFC Chairperson will result in an automatic removal of membership from the IFC. Exceptions may be considered, based on unusual and/or extraordinary circumstances.
 2. Upon loss of visiting privileges, the member will immediately be placed on a leave of absence ("LOA") by the IFC pending an investigation by the institution.
 - a. If the institution restores the IFC member's visiting privileges, the IFC member will resume serving out his/her membership term.
 - b. If the IFC member's term expired during the LOA, he/she may re-apply for an additional membership term as set forth in Article III; Sections 1 and 6.
 3. If the institution finds cause for the loss of visiting privileges or their investigation continues beyond six (6) months, the IFC member will automatically be removed as a member of the IFC. Exceptions may be considered, based on unusual and/or extraordinary circumstances.
 4. While on a LOA, the IFC member has none of the privileges or responsibilities of IFC membership.
- B. Removal
1. The Warden may, with notice, remove an IFC member for any reason including, but not limited to:

- a. Suspension or termination from visiting or for any behavior which jeopardizes the safety and security of the institution, staff, inmates, or visitors.
 - b. Unprofessional or disruptive behavior that directly impacts the IFC and /or interferes with legitimate IFC business.
2. The IFC, by majority vote of members, may remove a member for any of the following reasons:
- a. Failure to regularly attend the internal IFC meeting held directly before the scheduled IFC Warden’s meeting, or
 - b. “Extended non-participation”. Extended non-participation is defined as failure to attend and participate in two (2) consecutive meetings, either excused or unexcused. “Unexcused absence” is defined as an absence without notification or good cause. Notification shall be to the IFC Chairperson at least twenty-four (24) hours prior to the scheduled meeting when possible.
 - c. Upon a determination by a majority of IFC members that the member no longer meets the qualifications for membership as set forth in ARTICLE III, Section 1.

C. Notification

- 1. The IFC Chairperson shall notify the Warden when a member is removed.
- 2. Members shall receive written notification of their LOA or removal in an expeditious manner.
- 3. A member may reapply one (1) year after the date of removal.

D. Appeal

Any member removed from the IFC may appeal the removal to the Warden.

SECTION 9: REPRESENTATION OF IFC

- A. No individual member shall represent the IFC, either in writing or verbally without majority consent of IFC members.
- B. In communications with outside entities, the IFC shall not purport to represent CDCR’s position on any matter without the Warden’s written approval.

SECTION 10: CDCR REPRESENTATION

- A. The Warden is the CDCR representative at meetings with the IFC and shall invite additional representatives as required per agenda items with due consideration to IFC requests.
- B. If there is a Family Service Coordinator at the institution, he/she shall be required to attend meetings for the IFC if the meeting takes place on his/her regularly scheduled workday.
- C. Visiting Lieutenant or Visiting Sergeant shall attend IFC meetings.

**ARTICLE IV
OFFICERS**

SECTION 1: DESIGNATED OFFICERS

IFC members shall elect by majority vote, for a period of one (1) year; a Chair, a Vice-Chair and a Secretary. Elections for the Officers shall be held annually. The Chairperson will notify the Warden in writing of the names of new officers.

SECTION 2: QUALIFICATIONS

Any member may serve as an officer of the Council.

The By-Laws have been approved by the Warden, submitted to the Director, Division of Adult Institutions, CDCR, and supersede all previous versions.

SECTION 3: OFFICER'S RESPONSIBILITIES (Including, but not limited to)

- Chairperson: Call meetings.
Schedule meetings of the IFC with the Warden and the Warden's designees.
Prepare and submit meeting agendas for IFC meetings to the Warden at least ten (10) business days in advance of a scheduled meeting.
Preside over the meetings – chair the meetings.
Notify the Warden, in writing, of the selection of new members and new officers.
Coordinate all written and electronic communication with the IFC and/or the Warden.
- Vice-Chairperson: Perform the duties of the Chairperson in his/her absence, or as requested.
Assist the Chairperson in his/her responsibilities.
Assume the responsibilities of the Chairperson in his/her absence.
Coordinate social media sites.
Coordinate donation drives.
Act as a liaison with outside vendors, as appropriate.
- Secretary: Take and retain minutes of internal IFC meetings.
Take and retain minutes of IFC meetings with the Warden.
Submit IFC meeting minutes to the Warden's office for signature approval.
Ensure approved minutes of IFC meetings with the Warden are posted on the IFC bulletin boards.
Maintain IFC bulletin boards.
Maintain member and officer rosters and update information on members.
Track member and officer election and expiration dates.
Notify Chairperson 60-days prior to the end of any member or officer term.
Create election ballots and communicate voting procedures.
Maintain passwords and security questions for email and social media sites.

SECTION 4: MEMBERS' RESPONSIBILITY

- A. All IFC members shall attend scheduled IFC meetings. If unable to attend a scheduled meeting, notice shall be provided to the IFC Chairperson twenty-four (24) hours prior to the meeting, whenever possible.
- B. Work cooperatively and professionally with others on the IFC and institutional staff.
- C. Provide notice to the Chairperson and to the Warden when individual circumstances make a member ineligible or unable to continue service on the IFC.
- D. Use the meetings between the IFC and the Warden to address issues of wide application to inmates and their families and friends and refrain from discussing any issues unique to individuals.
- E. Anything discussed in IFC meetings or obtained in the course of being an IFC member is considered **CONFIDENTIAL**. Confidential information is not to be shared, or discussed, with anyone other than between IFC members, the Warden, or the Warden's designated staff unless required by applicable law, regulations, or to report misconduct.

ARTICLE V MEETINGS

SECTION 1: MEETINGS

All meetings are closed to anyone other than IFC members, the Warden, and the Warden's staff. Others, including speakers and special guests, must attain prior approval from the IFC Chairperson and the Warden before attending a meeting.

SECTION 2: FREQUENCY/ TIME AND LOCATION

- A. The IFC and the Warden shall hold a joint meeting no less than every sixty (60) days, unless mutually agreed upon by the institution and the IFC.
- B. The time and date of the IFC meetings shall be determined by mutual agreement between the IFC and the Warden.
- C. If either the Chairperson or the Warden needs to cancel a scheduled meeting, notification is to be given to the other party at least twenty-four (24) hours in advance, when possible.

SECTION 3: AGENDA

- A. The agenda shall be prepared by the Chair, with input from IFC members, and submitted to the Warden and IFC at least ten (10) days prior to a scheduled meeting.
- B. The agenda is to address issues of wide application to inmates and their families and friends.
- C. The approved agenda shall be distributed by the Warden.

SECTION 4: QUORUM

- A. There is no quorum required for IFC meeting to proceed.
- B. A quorum is defined as half plus one of the total members present is required for:
 - 1. Officer and new member elections
 - 2. Removal and reappointment of Officers and members

SECTION 5: VOTING

- A. All members have the right to vote unless the vote is regarding their removal or reelection. In that case, the member must recuse himself/herself from voting.
- B. Members may cast a vote in person, or via absentee ballot.
- C. The IFC secretary will be responsible for creating ballots and communicating voting procedures.
- D. Tie breaker: In the event of a tie, the following tie breaker rules will be in effect:
 - 1. Removal and reappointment of members: IFC Officers will cast a new and deciding vote.
 - 2. Removal and reappointment of Officers: The other two (2) Officers, plus the most senior IFC member, will cast a new and deciding vote.

SECTION 6: INSTITUTION REPRESENTATION

If the Warden cannot attend the IFC meeting, the Chairperson shall be contacted and given the option of continuing or rescheduling the meeting. Other institutional staff will attend upon the direction of the Warden as needed per the agenda items.

SECTION 7: GUESTS

With the Warden's prior approval, the IFC Chairperson may invite up to three (3) guests to any regularly scheduled meeting.

ARTICLE VI
IFC / INSTITUTIONAL COMMUNICATIONS

SECTION 1: COMMUNICATIONS

- A. Each institution will provide a bulletin board for IFC to post official IFC communications (i.e. minutes, By-Laws, vacancy notices, etc). All posted IFC notices shall be approved by the Warden's Office.
- B. Each institution shall provide the IFC a locked suggestion box in the visiting processing area.

ARTICLE VII
AMENDING BY-LAWS

- A. Any proposed By-Law change must be approved by majority vote of IFC members. The Chairperson will notify the Warden, in writing, of any proposed change to the By-Laws. Any change to the By-Laws is subject to approval by the Warden.
- B. The Warden will submit a request to change the By-Laws to the Director, Division of Adult Institutions, CDCR.