



BUILDING COMMUNITY POWER IN YOUTH JUSTICE REFORM:

**The Brown Act & Juvenile Justice
Realignment in California**

INTRODUCTION



In 2020, California enacted Senate Bill 823 (SB 823), a landmark law that mandated the closing of the state’s juvenile prisons and established a new public health approach to juvenile justice to be administered by the counties.¹

Under SB 823, there is now a new statewide Office of Youth and Community Restoration (OYCR) within the California Health & Human Services Agency to provide state-level leadership and evaluate the effectiveness of local programs serving youth realigned to the counties.² SB 823 also created a new state funding stream—the Juvenile Justice Realignment Block Grant program—to support the expansion of county-based services for youth.³

This toolkit focuses on the new county “Realignment Subcommittee” created by SB 823.⁴ The Realignment Subcommittee is a local planning subcommittee of the county’s multiagency juvenile justice coordinating council, and all counties are required to have a Realignment Subcommittee to be eligible for the new state funding provided through the Juvenile Justice Realignment Block Grant (JJRBG) program.⁵ The job of the Realignment Subcommittee is to develop the county’s plan for how these state funds will be spent to support the realigned youth population.⁶

Below is an overview of the Brown Act’s open meeting requirements and a description of how the public meeting requirements under the Brown Act apply to the county Realignment Subcommittees.



This resource explains how public meeting laws under the Brown Act apply to local juvenile justice decision-making and planning bodies, and in particular to the realignment process in California. The Brown Act laws protect the community’s right to participate in important juvenile justice decision making currently taking place in each county across the state. This resource is intended both for members of the public and for members of local Realignment Subcommittees to understand the public meeting requirements under the Brown Act.*

*The information provided in this resource does not, and is not intended to, constitute legal advice; instead, all information, content, and materials are for general informational purposes only.

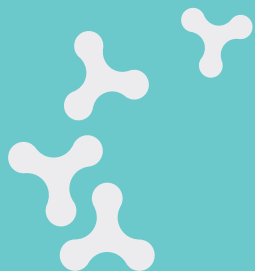


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REALIGNMENT SUBCOMMITTEES & THE BROWN ACT



WHAT IS THE BROWN ACT?

The Brown Act is the set of state laws that guarantee the public’s right to attend and participate in meetings of local “legislative bodies.” Such public bodies are created to aid in the conduct of the people’s business, and it is the intent of the Brown Act that their actions and deliberations be conducted openly.⁷

As we explain below, there is a specific definition of what constitutes a legislative body, but one way to understand them is that they are official decision-making groups. This does not mean that they have to have the final decision on an issue, just that they make decisions and take actions as a group. Sometimes a legislative body is just an initial planning group or a group that comes together to give advice on a topic to another body. The main idea is that wherever you see a group coming together on a particular issue or set of issues related to local government policies, it is a good idea to consider whether the Brown Act applies.

WHEN DOES THE BROWN ACT APPLY?

The Brown Act applies to all meetings of any “legislative body” of a “local agency.”⁸

The Act defines “local agency” broadly to include any county, city, town, school district, municipal corporation, district, political subdivision, or “any board, commission or agency thereof, or other local public agency.”⁹

The Act gives several definitions of a “legislative body,” including:

- ▶ The governing body of a local agency.¹⁰ For example, the Board of Supervisors is the governing body of a county.
- ▶ Any local body that was created by state or federal statute.¹¹ For example, if there was a state law that required counties to have a planning group to advise parks departments on where to

create more green space, then that planning group would be a legislative body because it is established by state statute to serve a local agency (a county).

- ▶ Any commission, committee, board, or other body of a local agency.¹² Such committees are considered legislative bodies under the law regardless of whether they are “permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body.”¹³ An example of this would be if a board of supervisors established a committee to advise on where the county should invest in new green space. That committee would be covered by the Brown Act because it is a committee of a local agency (the board of supervisors).

The definition of “legislative body” even includes purely advisory committees that are made up solely of a subset of a legislative body. Such an advisory committee is still a legislative body under the law whenever it operates as a standing committee with either: a) continuing subject matter jurisdiction, or b) a fixed meeting schedule.¹⁴ For instance, boards of supervisors often create committees on which some number of their members sit, such as a public protection committee, to provide advice to the larger board on issues in that area. This sort of committee would be covered by the Brown Act because it is a subset of a legislative body that covers a set issues area or subject matter.

DOES THE BROWN ACT APPLY TO COUNTY REALIGNMENT SUBCOMMITTEES?

Yes, a Realignment Subcommittee is a legislative body that must comply with the Brown Act.

The Realignment Subcommittee qualifies as a legislative body in multiple ways. First, it is created by state statute to serve a “local agency,” i.e. the county.¹⁵ State law requires counties to establish Realignment Subcommittees in order to receive JJRBG funding. Welf. & Inst. Code § 1995(a) states, “[t]o be eligible for funding described in Section 1991, a county shall create a subcommittee of the multiagency juvenile justice coordinating council.” State law also dictates the membership composition of the subcommittee.¹⁶



The Realignment Subcommittee is also a committee created by the county to serve as a subcommittee of the county's multiagency "Juvenile Justice Coordinating Council" (JJCC), which is itself a local legislative body created by state statute.¹⁷ Therefore the Realignment Subcommittee is a legislative body because it is a committee of a local agency (either the county or the JJCC) and it is created by a formal action of a legislative body (either the county board of supervisors or JJCC).

Under either definition of a legislative body, the Realignment Subcommittee satisfies the legal standard and must comply with all applicable public meeting requirements set out in the Brown Act.

DOES THE BROWN ACT APPLY TO A REALIGNMENT SUBCOMMITTEE THAT IS MADE UP ONLY OF MEMBERS OF THE JUVENILE JUSTICE COORDINATING COUNCIL?

In some counties, the Realignment Subcommittee members may all be members of the county's local multiagency Juvenile Justice Coordinating Council (JJCC).¹⁸ In these counties, the Realignment Subcommittee would be a subset of the JJCC, which is itself a legislative body (as explained above).

A Realignment Subcommittee that is solely comprised of a subset of the JJCC must still comply with the Brown Act. As described above, the Brown Act makes an exception for some types of "advisory committees" that are made up solely of members of a legislative body, but not enough members to establish a quorum of that body. For instance, a five-member board of supervisors might make a two-member advisory committee to review a proposal and advise the entire board. However, the advisory committee exception will not apply if: 1) there are additional members on the advisory group who are not part of the legislative body, such as experts added to the committee with supervisors; 2) the advisory committee has ongoing subject matter jurisdiction, such as members of a board of supervisors being tasked with reviewing all proposals related to healthcare; or 3) a meeting schedule fixed by "ordinance, resolution, or formal action," such as a board of supervisors issuing a resolution to have two members review certain matters annually or every Tuesday at 1pm.

Even if the Realignment Subcommittee is solely a subset of the JJCC, it will not meet the "advisory committee" exception to the Brown Act because it has continuing subject matter jurisdiction over the county's Realignment plan, which must be submitted to the state every year and revised at least every third year. Moreover, in most counties this exception will not apply because the Realignment Subcommittee will be made up of members other than just the legislative body that created it (board of supervisors or JJCC).¹⁹



POSTING & MEETING REQUIREMENTS

The core requirement of the Brown Act is that Realignment Subcommittees, as legislative bodies, must conduct their business through open meetings that are accessible to the public.²⁰

HOW DOES THE BROWN ACT DEFINE A MEETING?

A meeting is any congregation of a majority of the members of the legislative body, in this case the Realignment Subcommittee, at the same time and location in order to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Realignment Subcommittee.²¹

WHAT IS THE SUBJECT MATTER OF THE REALIGNMENT SUBCOMMITTEE?

The subject matter of the subcommittee is the development of the county's Realignment plan.²² The Realignment Plan describes the facilities, programs, placements, services, and reentry strategies that are needed to provide adequate rehabilitation and supervision for the “target population” under the law.²³ The “target population” is defined as youth who were eligible for DJJ commitment prior to its closure, and all youth adjudicated for either a Welfare and Institutions Code § 707(b) offense or a sex-related offense listed in Penal Code §290.008.²⁴

In order for counties to receive state Juvenile Justice Realignment Block Grant funding, they were required to file their first plan with the Office of Youth and Community Restoration by January 1, 2022, and going forward counties must file by May 1 every following year. To continue receiving funding, Realignment Subcommittees must at a minimum convene to consider the plan every third year and submit their most recent plan.

County Realignment Plan Requirements:

The Office of Youth and Community Restoration reviews the county plans to ensure they include all of the following elements, which are required under Welfare & Institutions Code § 1995(c):

- ▶ **Description of the target population for the respective county**, with certain demographic and other characteristics identified;
- ▶ **Description of the facilities, programs, placements, services and service providers**, supervision, and other responses that will be provided to the target population;
- ▶ **Description of how grant funds will be applied to address specified areas, including:**
 - (A) Mental health, sex offender treatment, or related behavioral or trauma-based needs;
 - (B) Support programs or services that promote the healthy adolescent development;
 - (C) Family engagement in programs;
 - (D) Reentry, including planning and linkages to support employment, housing, and continuing education;
 - (E) Evidence-based, promising, trauma-informed, and culturally responsive;
 - (F) Whether and how the plan will include services or programs for realigned youth that are provided by nongovernmental or community-based providers.
- ▶ **Detailed facility plan indicating which facilities will be used to house or confine realigned youth at varying levels of offense severity and treatment need**, and improvements to accommodate long-term commitments. This element of the plan shall also include information on how the facilities will ensure the safety and protection of youth having different ages, genders, special needs, and other relevant characteristics.
- ▶ **Description of how the plan will incentivize or facilitate the retention of realigned youth** within the jurisdiction and rehabilitative foundation of the juvenile justice system in lieu of transfers of realigned youth into the adult criminal justice system.
- ▶ **Description of any regional agreements or arrangements** to be supported by the funds;
- ▶ **Description of how data will be collected** and how outcomes will be measured to determine the results of programs and interventions supported by block grant funds.

HOW DOES A REALIGNMENT SUBCOMMITTEE MEETING HAVE TO BE POSTED OR PUBLICIZED?

The agenda must be posted at least 72 hours in advance of a meeting in a place that is easily accessible to the public. During that period, the agenda must be available 24 hours a day, any of which may fall on a weekend.

The agenda must include:

- ▶ 1. Time of meeting;
- ▶ 2. Location of meeting;
- ▶ 3. Brief, non-misleading description of each item of business;
- ▶ 4. Information on alternative ways to access the meeting and other accommodations for people with disabilities.²⁵

WHAT CAN THE REALIGNMENT SUBCOMMITTEE DISCUSS DURING MEETINGS?

The Realignment Subcommittee can only discuss items included in the agenda.

Items not on the agenda can be discussed in the following limited circumstances:

- ▶ Emergencies: when prompt action is needed due to an actual or threatened disruption of public facilities;
- ▶ Need for immediate action: this exception requires the need to take action to come to the attention of the body subsequent to the agenda being posted and only if the body did not know about the need to take action before the agenda was posted;
- ▶ Adjournment: an item may be discussed without an additional agenda posted if it appeared on the agenda of a meeting held not more than 5 days earlier;
- ▶ In response to an answer or question from the public.²⁶

WHAT ARE THE REQUIREMENTS FOR THE REALIGNMENT SUBCOMMITTEE TO TAKE AN ACTION?

The Realignment Subcommittee may only take action through an open and public meeting.²⁷ The Brown Act requires the Realignment Subcommittee to publicly report any action taken and the vote or abstention of each member present for the action.²⁸ No action may be taken by secret ballot.²⁹

Under the Brown Act, “action taken” means:

- ▶ a collective decision, a collective commitment or promise to make a positive or negative decision, or
- ▶ an actual vote by a majority of the members of the Realignment Subcommittee is made, when members are sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.³⁰

EXAMPLE

The Realignment Subcommittee circulates their agenda by email 72 hours before their meeting to the invited meeting participants.

A Brown Act violation has likely occurred because there is no universal public access to an email announcement.

EXAMPLE

The Realignment Subcommittee is considering taking an action to approve the final Realignment Plan. Some members disagree with elements of the plan and believe it should go through another round of edits before approval. Without recording any individual positions or taking an actual vote, the Chair asserts that a majority of members support approval and deems the plan approved.

A Brown Act violation has likely occurred because the vote or abstention of each member present was not recorded.



PUBLIC COMMENTS AT MEETINGS



IS THE PUBLIC ALLOWED TO COMMENT DURING MEETINGS?

The Brown Act requires that members of the public be allowed to directly address the Realignment Subcommittee as a body, either before or during consideration of each agenda item.³¹ The public can speak on any item of interest that is within the subject matter jurisdiction of the Realignment Subcommittee, which includes any aspect of the Realignment plan.

The only exception to this rule is if the issue was previously considered, the public was allowed to comment on the issue, the Realignment Subcommittee is composed of the same members, and the item has not substantially changed.³²

WHAT KINDS OF REGULATIONS CAN THE REALIGNMENT SUBCOMMITTEE PLACE ON PUBLIC COMMENTS?

The Realignment Subcommittee may impose reasonable regulations on public comments, so long as the regulations are enforced consistently without regard to the viewpoints of the speaker.³³

EXAMPLE

A member of the public who is known to criticize the actions of the Realignment Subcommittee is getting prepared to comment during their allotted time before discussion of the agenda item. Realignment Subcommittee Member A says: “We have a lengthy agenda today so today’s public comment time will be shortened from 5 minutes to 3 minutes per person.” Prior to this, multiple people were permitted to comment for the full 5 minutes.

Modifying regulations to accommodate a lengthy agenda is permissible. However, members should be careful to enforce regulations fairly for all members of the public. Here, because previous attendees were allowed to speak for the full allotted time, a Brown Act violation is possible. If only the member of the public with critical viewpoints was prevented from speaking for the full 5 minutes, a Brown Act violation has certainly occurred.

EXAMPLE

Instead of allowing public comment during a meeting, the Chief of County Probation, as chair of the Realignment Subcommittee, directs members of the public to submit written comments directly to the County Probation Department.

If written comments are used in replace of the opportunity to address the Realignment Subcommittee directly as a legislative body, a Brown Act violation has likely occurred. Any member of the Realignment Subcommittee is free to communicate with any other person regarding Subcommittee business. However, such communications are not a substitute for the right to address the Realignment Subcommittee during its meetings.



ATTENDANCE

ARE THERE ANY RESTRICTIONS ON ATTENDING REALIGNMENT SUBCOMMITTEE MEETINGS?

The Brown Act is meant to protect the public's right to attend, observe, and participate in meetings. As such, a Realignment Subcommittee is prohibited from requiring fees in order for the public to attend. This includes not holding meetings at places that require the public to pay or purchase something in order to attend.³⁴ Moreover, the Realignment Subcommittee cannot require any conditions or information, such as self-identification or registration from any member of the public.³⁵ If an attendance list is passed around during meetings, it must explicitly state that signing is voluntary.³⁶

WHEN CAN THE PUBLIC BE EXCLUDED FROM REALIGNMENT SUBCOMMITTEE MEETINGS?

If there are too many disruptions from the public, the Realignment Subcommittee does have the ability to clear the room if this is the only way to maintain order. However, the media must be allowed to stay and attend the meeting. After clearing the room, the session can be restarted, and the Realignment Subcommittee can adhere to their own procedures for re-admitting non-disruptive members.³⁷

There are very limited circumstances in which the Brown Act allows for closed sessions that would include only the members of the Realignment Subcommittee.³⁸ Items discussed in closed session must still be listed on the agenda³⁹ and actions taken must generally be publicly reported, as required by the law.⁴⁰

IF THE REALIGNMENT SUBCOMMITTEE CREATES SMALLER WORKING GROUPS MADE UP OF JUST SUBCOMMITTEE MEMBERS, ARE THESE WORKING GROUPS SUBJECT TO THE BROWN ACT?

It depends. Legislative bodies may create temporary committees that can be called advisory committees, ad hoc committees, or working groups. In order to be exempt from the Brown Act, such temporary committees must be comprised of less than a quorum of the members of the Realignment Subcommittee, must only consist of Subcommittee members, and must serve a limited or single purpose that ends once their specific task is completed.⁴¹ If working groups are made up of a quorum of subcommittee members (i.e. enough members of the Realignment Subcommittee to take a valid action, which is usually a majority of members), then the working group must comply with the Brown Act since this would essentially be a Realignment Subcommittee meeting.⁴²



TELECONFERENCING



WHAT ARE THE GENERAL RULES FOR TELECONFERENCING?

The Brown Act allows the Realignment Subcommittee to use teleconferencing⁴³ to meet, but all teleconference meetings must still comply with the Brown Act.⁴⁴ The Brown Act imposes additional requirements on teleconferencing, some of which have been suspended during the COVID-19 pandemic, as discussed below.

The Brown Act requires the following:

- ▶ All votes taken during a teleconferenced meeting shall be by rollcall.
- ▶ Each teleconference location must be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.
- ▶ Agendas must be posted at each teleconference location.
- ▶ At least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.⁴⁵

WHAT ARE THE TELECONFERENCING RULES DURING COVID-19?

From March 12, 2020, until October 1, 2021, an executive order was in effect, authorizing public meetings through teleconferencing during the COVID emergency.⁴⁶ Under the executive order, legislative bodies were authorized to make their meetings accessible electronically, and any requirement of physical presence was waived.

Beginning on October 1, 2021, a new law went into effect that waives certain teleconference meeting requirements during a proclaimed state of emergency.⁴⁷ Under Government Code section 54953, a local agency or legislative body may hold a teleconference meeting without complying

with physical presence requirements if there is a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing.⁴⁸ Note that this section does not waive all Brown Act requirements. Instead, it permits the body to conduct remote meetings without requiring public access to the physical teleconferencing locations or physical posting of agendas at the teleconferencing locations.

During a state of emergency, teleconferencing meetings must still be accessible to the public. The following requirements apply:

- ▶ The body must still give notice of the meeting and post agendas.
- ▶ The body must allow public access and the opportunity for the public to address the body directly.
- ▶ If there is a disruption of the public broadcasting of the meeting, the body shall take no further action until public access is restored.
- ▶ The body shall not require public comments to be submitted in advance; it must provide an opportunity for the public to address the body in real time.⁴⁹

The body must take a vote every 30 days to determine that the situation continues to require remote meetings.⁵⁰



IMPROPER COMMUNICATIONS



WHAT COMMITTEE BUSINESS CAN BE DISCUSSED OUTSIDE OF OFFICIAL MEETINGS?

Outside of a public meeting, it is a violation of the Brown Act for a majority of the members of Realignment Subcommittee to use a series of communications of any kind (directly or through intermediaries) to discuss, deliberate, or take action on any item of business related to the subcommittee’s Realignment plan.⁵¹

This means that “serial meetings” are also prohibited.⁵² Serial meetings include “Hub and Spoke” meetings and “Chain” meetings. Hub and Spoke meetings occur when one body member contacts other members individually to reach a quorum of members to deliberate a decision on an issue, whether in person or electronically. Chain meetings occur when Member A communicates with Member B, who communicates with Member C, and so on. Members can have individual contacts or conversations with any other person, as long as it does not amount to a serial meeting.⁵³

Subcommittee members are free to communicate individually with members of the public. Subcommittee members can also engage in communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public.⁵⁴

EXAMPLE

7 out of 10 Realignment Subcommittee members email each other to develop a collective agreement as to an action that will be taken publicly at an official meeting.

Email messages between a majority of board members violate the Brown Act. To develop a collective concurrence, there must be an exchange of facts as well as substantive discussions that advance or clarify a member's understanding of an issue. As such, committee business would be discussed without the public's ability to comment. The same standards apply to communications on messaging apps and social media.⁵⁵



TIPS

HOW TO KEEP THE SUBCOMMITTEE ACCOUNTABLE

RECORDING

The public can record and broadcast a meeting in any method they choose, so long as it is not disruptive.⁵⁶

PUBLIC COMMENTS

The public must be allowed to comment on anything within the subject matter jurisdiction of the Realignment Subcommittee.⁵⁷

DOCUMENTS

Documents distributed to at least a majority of members are public documents:⁵⁸

- If a document relates to a meeting agenda item and is distributed less than 72 hours prior to the meeting, it shall be made available for public inspection at the time that it is distributed to the members.
- If a document is distributed during a public meeting, it shall be made available to the public either: at the meeting, if it was prepared by the local agency or a member of the body; or after the meeting, if it was prepared by some other person.

BROWN ACT VIOLATIONS

If a Brown Act violation is occurring, members of the public can:

- Keep a record of the violation and the date it occurred.
- Raise the issue during the public comment section of the meeting.
- Put concerns in writing to the chair and keep documentation of all communications.

If a Brown Act violation has occurred, interested members of the public or the district attorney can:

- Ask the Realignment Subcommittee to re-notice and re-hear an issue if the requirements for the open meeting weren't satisfied.
- Send a "Cure and Correct" demand letter to the clerk and the chair of the Realignment Subcommittee, asking that it take corrective action within 30 days.⁵⁹
- Pursue civil remedies if the Subcommittee does not take action to cure and correct within 30 days:

↳ File suit in court to request an injunction, mandamus or declaratory relief to prevent or stop violations;⁶⁰

➤ Seek to void past actions of the Realignment Subcommittee, if the violation occurred less than 90 days prior.⁶¹

- Pursue criminal remedies for intentional violations where the member intends to deprive the public of information that it knows or has reason to know the public is entitled to access.⁶²

TIME LIMITS

- Note that there are strict time limits for certain remedies under the Brown Act. In some cases, if the correct timeline is not followed, any court action will be barred.
- Anyone wishing to enforce the Brown Act in court should consult with an attorney as soon as possible.

SELF-ACCOUNTABILITY FOR SUBCOMMITTEE MEMBERS

VOTES

All votes must be taken publicly⁶³

- Each vote and abstention must be recorded.
- Written votes are permissible so long as they are marked and tallied in an open session and are disclosable to the public.⁶⁴
- When conducting a meeting by teleconference, voting must be by rollcall.⁶⁵

ALLOW CRITICISM

The Realignment Subcommittee can't prohibit criticism of itself.⁶⁶

LIMITS ON OUTSIDE DISCUSSIONS

There are limits on what Subcommittee members can discuss outside of formal meetings:

PROHIBITED DISCUSSIONS

Outside of public meetings, a **majority** of Realignment Subcommittee members **cannot**:

- Discuss the Realignment plan among themselves in conferences, closed meeting, or social events unless they follow Brown Act requirements;
- Hold collective briefings to discuss subcommittee matters;
- Hold retreats or workshops on subcommittee matters;
- Send a series of individual messages that leads to a discussion, deliberation, or action among a majority of the members.⁶⁷

PERMISSIBLE DISCUSSIONS

Realignment Subcommittee members **can**:

- Send one-way, direct written communication to another member, such as a memo, as long as it does not amount to a series of communications among a majority of the members;⁶⁸
- Confer with colleagues, advocates, news reporters, and members of the public who are not members of the Subcommittee on agenda items;⁶⁹
- Attend conferences, open and publicized meetings, or social events with a majority of members as long as no committee business is discussed among the members.⁷⁰

REGULAR TRAINING

Subcommittee members and staff should request regular training from county counsel to avoid making mistakes regarding Brown Act requirements.

QUICK TIPS FOR SUBCOMMITTEE RECORDKEEPING

RECORDS LAWS MAY APPLY

Public records laws apply to Subcommittee documents when:

- A record or writing is distributed by any person to all (or a majority) of Subcommittee members, and
- The record is distributed in connection with a matter that is being discussed or considered during a Subcommittee meeting.⁷¹

PUBLIC RECORDS

Items that must be made available to the public include:

- All agendas and minutes for public meetings;
- All documents distributed to all or a majority of the Realignment Subcommittee members that relate to a meeting agenda item;
- All ballots;
- Any action taken.



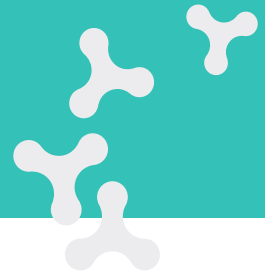
ADDITIONAL RESOURCES

RELEVANT LAWS

- ▶ [Senate Bill 823](#)
- ▶ Brown Act: [Welfare & Institutions Code §§ 54950 - 54963](#)
- ▶ Juvenile Justice Realignment Block Grant: [Welfare & Institutions Code §§ 1990, 1991](#)
- ▶ Juvenile Justice Realignment Subcommittee and Plan: [Welfare & Institutions Code § 1995](#)

RESOURCES

- ▶ First Amendment Coalition, [Brown Act Primer](#)
- ▶ First Amendment Project, [Brown Act Pocket Guide](#)



- 1 Sen. Bill No. 823 (2019-2020 Reg. Sess.), § 1; Cal. Welf. & Inst. Code § 736.5.
- 2 Welf. & Inst. Code § 2200(e).
- 3 Welf. & Inst. Code §§ 2200, 1990.
- 4 See Welf. & Inst. Code § 1995.
- 5 Welf. & Inst. Code § 1995(e).
- 6 Welf. & Inst. Code § 1995(a).
- 7 Gov't Code § 54950
- 8 Gov't Code §§ 54951, 54952.
- 9 Gov't Code § 54951.
- 10 *Id.* Under the Brown Act, local agencies include “a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.”
- 11 Gov't Code § 54952(a).
- 12 Gov't Code § 54952(b).
- 13 *Id.*
- 14 *Id.*
- 15 See Gov't Code §§ 54951, 54952(a); Welf. & Inst. Code § 1995(a).
- 16 Welf. & Inst. Code § 1995(b).
- 17 See Gov't Code §§ 30061, 54952(a)-(b); Welf. & Inst. Code § 749.22.
- 18 See Welf. & Inst. Code § 749.22; Gov't Code § 30061(b)(4).
- 19 See Gov't Code § 54952(b); Welf. & Inst. Code § 1995(e).
- 20 See Gov't Code § 54953.
- 21 Gov't Code § 54952.2(a).
- 22 Welf. & Inst. Code § 1995(a).
- 23 *Id.*
- 24 Welf. & Inst. Code § 1990(b).
- 25 Gov't Code § 54954.2(a)(1); 78 Op.Cal. Atty. Gen. 327 (1995).
- 26 Gov't Code § 54954.2(b).
- 27 Gov't Code §§ 54953(a), 54952.2(a).
- 28 Gov't Code § 54953(c)(1).
- 29 Gov't Code § 54953(c)(2).
- 30 Gov't Code § 54952.6.
- 31 Gov't Code § 54954.3.

32 Gov't Code § 54954.3.
33 Gov't Code § 54954.3(b)(1).
34 Gov't Code § 54961(a).
35 Gov't Code § 54953.3.
36 *Id.*
37 Gov't Code § 54957.9.
38 For example, closed sessions are permitted for decisions on specific pension fund investments (Gov't Code § 54956.81); discussion with legal counsel regarding pending litigation (Gov't Code § 54956.9); and review of a confidential draft audit report from the Bureau of State Audits (Gov't Code § 54956.75).
39 Gov't Code § 54954.5.
40 Gov't Code § 54957.1.
41 See Gov't Code § 54952(b).
42 *Id.*
43 A "teleconference" is defined as "a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both." Gov't Code § 54953(b)(4).
44 Gov't Code § 54953(b)
45 Gov't Code § 54953(b)-(c).
46 Exec. Order No. 29-20 (2020).
47 These amendments were enacted by Assembly Bill 361 (2021-2022 Reg. Sess.) and expire on January 1, 2024.
48 Gov't Code § 54953(e).
49 Gov't Code § 54953(e)(2).
50 Gov't Code § 54953(e)(3).
51 Gov't Code § 54952.2.
52 Gov't Code § 54952.2(b); see *Stockton Newspaper Inc. v. Redevelopment Agency* (1985) 171 Cal. App.3d 95.
53 Gov't Code § 54952.2(c)(1).
54 Gov't Code § 54952.2(b)(3)(A).
55 Op.Cal.Atty.Gen. No. 00-906 (February 20, 2001).
56 Gov't Code § 54953.5.
57 Gov't Code § 54954.3(a).
58 Gov't Code § 54967.5(a)-(b).
59 Gov't Code § 54960.1; 54960.2.
60 Gov't Code § 54960.
61 Gov't Code § 54960.1.
62 Gov't Code § 54959.
63 Gov't Code § 54953.
64 Cal. Att'y Gen., *The Brown Act: Open Meetings for Legislative Bodies*, 31 (2003).
65 Gov't Code § 54953(b)(2)
66 Gov't Code § 54954.3(c).

- 67 Gov't Code § 5495.2(a); Cal. Att'y Gen., The Brown Act: Open Meetings for Legislative Bodies, 8-11, (2003).
- 68 *Roberts v. City of Palmdale* (1993) 5 Cal. 4th 363.
- 69 Gov't Code § 54954.2(a).
- 70 *Id.*
- 71 Gov't Code § 54957.5(a).



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