
COLORADO DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD

BYLAWS



Colorado Department of Public Safety
Division of Criminal Justice
Office of Domestic Violence &
Sex Offender Management

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COLORADO

Division of Criminal Justice

Department of Public Safety

**COLORADO
DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD**

By-Laws

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**COLORADO
DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD
BY-LAWS**

ARTICLE 1

NAME

The official name of this group is the Domestic Violence Offender Management Board (hereinafter Board).

ARTICLE 2

PURPOSE AND AUTHORITY

The general purpose of the Board is: "to standardize the evaluation, treatment, and continued monitoring of domestic violence offenders at each stage of the criminal justice system, so that such offenders will be less likely to offend again, and the protection of victims and potential victims will be enhanced" C.R.S. The Board is instructed throughout the legislation to implement its mandate with public safety and victim protection as its highest priorities.

The Colorado Domestic Violence Offender Management Board derives its existence and authority from Title 16, Article 11.8, Sections 101-104 C.R.S..

The DVOMB *Standards for Treatment with Court Ordered Domestic Violence Offenders (hereafter Standards or Standards and Guidelines)* have purview over individuals who are placed on probation, placed on parole, or placed in community corrections who on or after January 1, 2001, have been convicted of, pled guilty to, or received a deferred judgment and sentence for any domestic violence offense as defined in § 18-6-800.3 (1), C.R.S. Additionally, the Board also maintains purview over pre-sentence evaluations¹ and certain pre-trial diversion programs which received state funding².

1 Partners in Change, L.L.C., v. Eric Philp, Chair of the Domestic Violence Offender Management Board, and the Domestic Violence Offender Management Board within the Division of Criminal Justice in the Colorado Department of Public Safety
2 § 18-1.3-101(5), C.R.S.

ARTICLE 3

STATUTORY RESPONSIBILITIES AND DUTIES

STATUTORY RESPONSIBILITIES: The statutory responsibilities of the Board are cited in § 16-11.8-103(4)(a), C.R.S. and are carried out through the combined coordination and execution between the Board and staff located in the Office of Domestic Violence and Sex Offender Management (hereafter ODVSOM). These mandates defined in statute include but are not limited to:

Key Statutory Responsibilities

- Adopt and implement *Standards and Guidelines* for a system of programs for the treatment of domestic violence offenders on probation, parole, or community corrections;
- Develop and implement methods of intervention for domestic violence offenders that prioritize the physical and psychological safety of victims and potential victims, and that are appropriate to the needs of the particular offender without reducing level of safety of victims and potential victims;
- Adopt and implement a standardized procedure for the treatment evaluation of domestic violence offenders;
- Develop and prescribe a system for tracking offenders who have been evaluated and treated;
- Develop a system for monitoring offender behavior and offender adherence to prescribed behavioral changes;
- Develop and prescribe a system for implementation of the *Standards and Guidelines* developed by the Board;
- Research and analyze effectiveness of treatment evaluation & treatment programs and procedures;
- Develop and publish an application and review process;
- Publish and maintain a list of approved providers;
- Establish procedure to refer complaints to DORA for resolution.

BOARD DUTIES: The duties of the Board in fulfilling these statutory mandates are to provide governance and establish research-informed policies which enhance victim safety and promote offender rehabilitation on behalf of the State of Colorado.

STAFF DUTIES: The duties of Staff in the Office of Domestic Violence and Sex Offender Management (hereafter ODVSOM) are to support the Board's facilitation and development of sound policy, create procedures for the implementation of policies ratified by the Board, and ensure that there are mechanisms for transparency and participation by key stakeholders and members of the public.

ARTICLE 4

MEMBERSHIP

APPOINTEES: The Board shall consist of nineteen members specified in C.R.S. 16-11.8-103. By policy and practice, the Board shall include and invite other interested and qualified parties in the carrying out of its duties and purpose. Representation and appointing authorities are as follows:

Number of Individuals	Stakeholders Represented	Appointing Authority
1	Colorado Judicial Department	Chief Justice of the Colorado Supreme Court
1	Judges	
1	Colorado Department of Corrections	Executive Director of the Colorado Department of Corrections
1	Colorado Department of Human Services	Executive Director of the Colorado Department of Human Services
1	Colorado Department of Regulatory Agencies	Executive Director of the Colorado Department of Regulatory Agencies
1	Prosecuting attorneys	Executive Director of the Colorado District Attorney's Council
1	Public defenders	Colorado State Public Defender
5	Mental health professionals <ul style="list-style-type: none"> • 3 of which must be DVOMB Approved Providers • 3 of which must be licensed mental health professionals 	Executive Director of Public Safety
1	Private defense attorneys with input by the Colorado Defense Bar	
2	Domestic violence victims and victim organizations	
1	Rural areas and local coordination of criminal justice and victim services advocacy for domestic violence	
1	Urban areas and local coordination of criminal justice and victim services advocacy for domestic violence	
1	Law enforcement	
1	Public Safety	

APPLICATION AND NOMINATION PROCESS FOR BOARD MEMBERSHIP:

For appointments made by the Colorado Department of Public Safety (hereafter CDPS), the Board shall solicit applications and nominations for consideration in determining the best qualified individual. When multiple applications and nominations are received, the Board may require a panel consisting of staff and Board members to interview prospective applicants. The Board may also consider applicants who previously applied or were nominated within the past 12 months. Interviews shall be impartial, non-discriminatory, and humane, resulting in a recommendation for the Executive Director of CDPS to consider in whom to appoint to the Board.

New Board members will be appointed by the Appointing Authority identified in the Board statute 16-11.8-103(1), C.R.S. For all Board members appointed by the Executive Director of the Department of Public Safety, the Board Nomination and Onboarding Policies and Procedures will be followed.

For appointments made by organizations other than the CDPS, the Board staff shall notify the appointing authority when a vacancy exists. Board staff may make recommendations to the appointing authority to consider, but it is ultimately the decision of the appointing authority.

NEW BOARD MEMBER ORIENTATION:

All newly appointed Board members shall receive an orientation to the Board no later than 3 months following their respective appointment date. This orientation shall cover the following areas of the Board:

- Statutory Mandates
- Board Composition
- Member Roles and Responsibilities
- Administrative Policies
- Procedures for Governance
- Ethics and Conflicts of Interest
- Overview of the *Standards*

TERM OF APPOINTMENT: Board members shall serve a term of four years; no member shall serve more than eight consecutive years. All Board members shall understand the dynamics of domestic violence.

COMPENSATION: Board members shall serve without compensation, but may be reimbursed for actual expenses directly related to the activities of the Board, consistent with state law and state fiscal rules.

RELINQUISHMENT OF APPOINTMENT: Board members are appointed to represent a designated profession, membership, or population. Board members leaving their

designated profession, 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.

TEMPORARY ABSENCE: Board members of the board who wish to continue serving in their role may request in writing, permission from the Executive Committee for a temporary absence no longer than six months.

ALTERNATE MEMBERSHIP: Members of the board who will be absent from a meeting may designate an alternate non-member who meets the qualifications of their represented position to attend the board meeting in their absence. These non-members may act as a Board member with exception to voting by proxy.

ARTICLE 5

CHAIRPERSON AND VICE CHAIRPERSON

APPOINTMENT OF THE CHAIR: The members of the board shall elect the Chair by a majority vote of a quorum of the Board. The Chairperson shall serve for a term of two years and may be re-elected so long as their respective Board term has not expired. Elections of the Chair shall occur at a regularly scheduled meeting. Any vacancy occurring in the Chair's position shall be filled by the Board as specified in this section and the appointee shall fulfill the term remaining by the previous chair.

DUTIES OF THE CHAIR: The duties of the Chairperson shall include:

- A. Presiding over Board meetings;
- B. Signing appropriate documents and correspondence;
- C. Calling special meetings as necessary;
- D. Establishing committees and groups, and appointing the initial chairs of committees;
- E. Enforcing ethics and conflict of interest provisions of these by-laws;
- F. Speaking to the public and media on behalf of the Board; the Chair may delegate this duty to another as needed; (The staff liaison shall also be authorized to speak on behalf of the Board, and shall be the preferred media contact person);
- G. Nomination of a vice chair;
- H. Remind Board members at each Board meeting of the conflict of interest policy and the need to disclose any conflicts and recuse themselves as appropriate;
- I. And such other duties as designated by these bylaws.

APPOINTMENT OF THE VICE CHAIR: The Board Chairperson shall nominate and the Board shall approve a Vice Chairperson from among the membership, who shall serve for a term of two years and who may be re-elected so long as their respective term has not expired.

DUTIES OF THE VICE CHAIR: The duties of the Vice Chairperson shall be the same as those of the Chairperson, when the Chairperson is absent or has a conflict of interest on

any matter taken up by the Board or any Committee or work group.

CONFLICT OF INTEREST: If both the Chairperson and Vice Chairperson have a conflict of interest on any matter taken up by the Board, the Chairperson shall designate another Board member to preside over the Board in that matter.

CHAIR AND VICE CHAIR ABSENCE: If both the Chair and Vice Chair are absent, the chair of the Application Review Committee shall preside over the Board meeting.

If the Chair of the Application Review Committee is also absent or has a conflict of interest, the Board shall determine a presiding officer by a simple majority vote of a quorum of the remaining members of the Board. In such cases, Board members with a conflict of interest in the matter or abstaining shall not impact the determination of a quorum.

ARTICLE 6

MEETINGS

REGULAR MEETINGS: The Board shall conduct regular meetings at least quarterly, and may schedule more meetings as needed. Members shall be notified of the date, time and location of meeting at least seven (7) days in advance of the meeting.

SPECIAL MEETINGS: The Chairperson, on an as needed basis, may call special meetings with seventy-two (72) hour notice to Board members.

COMMITTEES AND WORKING GROUPS: Committees and working groups of the Board shall be governed by Article 15 of these bylaws. Recommendations of committees and working groups shall be ratified by a majority of a quorum of the Board members at a regular or special meeting, unless authority for decision-making is otherwise delegated to the committee or working group by a majority of a quorum of the Board. Any such delegation shall be recorded as provided in Article 15.

ATTENDANCE: Board members are expected to attend every regular meeting. In the event a Board member cannot attend, the Board member shall so notify the staff liaison in a timely manner. Remote participation by phone or electronic means shall be deemed as actual attendance.

ABSENCES: Three absences over a calendar year, or a pattern of partial attendance shall trigger a review of the ability of the member to participate in the Board's duties and responsibilities. If it is determined that the member is unable to fulfill their requirements, the Chairperson shall have the option of asking the Board member to resign and initiating the process to replace the Board member.

AGENDA: The conduct of business will be pursuant to an agenda prepared by the staff liaison with the approval of the Board Executive Committee. The agenda will be made a

matter of record by minutes taken of business conducted during the meeting.

Board agendas shall be organized and labeled using the following terms:

- Presentation – Provides information, training, and knowledge to the Board.
- Discussion – Requires input, feedback, and guidance by the Board.
- Initial Review – Identifies possible changes under for the Board to consider before consensus or a vote is rendered.
- Consensus – An informal voting procedure used when a formal vote is not required.
- Vote – A formal vote is required in matters that involve a change in the Standards or policies of the Board, or when consensus cannot be obtained by the Board.

ADDITIONS TO AGENDA: Any Board member may add an agenda item to a regular or special meeting of the Board by calling or writing the staff liaison at least seven (7) days in advance of the meeting, subject to the approval of the Chairperson. Agenda items may also be added to meeting agendas at the time of the meeting by majority vote of the Board.

Members of the public may request to add an agenda item to the meeting by calling or writing the staff liaison at least seven (7) days in advance of the meeting, subject to the approval of the Chairperson and the Executive Committee.

MINUTES AND OFFICIAL DOCUMENTS: Minutes and official documents shall be kept of all regular and special meetings of the Board and Committee meetings, and shall be approved at the next appropriate meeting. Minutes of all committee meetings shall be kept and made available to the public. Minutes and official documents shall (e.g. handouts, presentations, approved documents) shall be kept in accordance with CDPS policy.

OPEN MEETING: Board and Committee meetings are subject to the Open Meeting Law (Section 24-6-401 and 402, C.R.S.). Meeting agendas shall be made accessible online for the public no later than seven (7) days prior to the date the meeting is scheduled. To the extent possible, drafted minutes, handouts, and other documents under review should be made available no later than seven (7) days prior to the meeting when possible. Upon adjournment of the meeting, Board staff will post ratified minutes and documents from the meeting. Documents which are considered confidential or subject to Executive Session are excluded from these requirements.

PUBLIC PARTICIPATION: The Board and Committees meetings shall encourage participation from the public throughout the policy process, and prior to the ratification of any policy.

ARTICLE 7

QUORUM

DETERMINATION OF QUORUM: A quorum is determined by 50% of appointed members, plus one member. 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. If following the declaration of a quorum, one or more Board or Committee members leave, no longer establishing a present majority, the quorum is lost. A quorum is maintained so long as eleven (11) Board members are present. 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. 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. If a quorum is not determined after a period determined by the Chair, then the meeting shall be adjourned.

ARTICLE 8

BOARD VOTING AND DEVELOPMENT OF CONSENSUS

VOTING: By policy and practice, the Board will work to develop consensus on issues under consideration by the Board. If consensus is reached and no formal vote is taken, the consensus decision will be noted in the meeting minutes for the record. When consensus is not possible, a majority vote of the Board members on a motion, which has been seconded, shall be the official decision of the Board or Committee. The member making the motion and the member seconding the motion shall be recorded in the minutes. The number of votes in favor, in opposition, and abstaining shall be recorded and entered in the minutes of the Board's proceedings. All votes of the Board and Committees with appointed membership (the Executive Committee and the Application Review Committee) will be recorded in meeting minutes identifying how each individual member voted on each decision item, including abstentions.

Board members who serve on the Application Review Committee will not vote as part of an appeal regarding a decision of the ARC in which they were a party to the decision. Voting will occur among the remaining members of the Board. Board members abstaining from a vote, including those from the Application Review Committee, do not impact the establishment of a quorum.

Decisions of any Committee shall be made using the Board's process, unless otherwise directed and specified in Article 13.

PROXY VOTES: Only Board members may cast votes. Board members may not vote by proxy.

VOTE BY ELECTRONIC MEANS: The Chair, in their discretion, shall first determine the need for a vote by electronic means, all Board members shall be notified of such a decision, and the staff liaison shall assist the Chair in taking such a vote. Such a vote shall be by roll call. The result of any such vote shall be reported to the full Board at the next full Board meeting and the vote shall be reported in the Minutes.

VOTE OF THE CHAIR: The Board Chairperson shall vote in all decision items.

CONFLICTS OF INTEREST: A Board member shall abstain from voting in accordance with the Conflict of Interest from Article 9.

ARTICLE 9

ETHICS AND CONFLICT OF INTEREST

DECLARATION OF A CONFLICT OF INTEREST: Board members and appointed Committee members shall follow the DVOMB Conflict of Interest Policy, approved on November 8, 2019. All Board members and appointed Committee members shall make an annual declaration in the form specified in the Conflict of Interest Policy. In accordance with the Conflict of Interest Policy, the Division of Criminal Justice will maintain those records. Every DVOMB member and appointed Committee member shall follow the Conflict of Interest Policy related to procedures related to disclosure and recusals. If a Board or Appointed Committee member is unsure whether a conflict of interest exists, outreach should be done to the Board or Committee Chair after review of the agenda prior to the meeting, or during the meeting per the Opportunity to Confer identified in the DVOMB Conflict of Interest Policy. Any recusal during a regular, special, or committee meeting of the Board, will be included in the minutes. The Board or Appointed Committee member shall recuse themselves from any discussion of a topic if a conflict of interest is declared.

PROHIBITIONS: No Board 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 member or appointed Committee members or staff member on a matter before the Board.

CODE OF CONDUCT: Board members shall conduct themselves in a professional manner and treat public and fellow Board members with dignity and respect regardless of age, race, gender, ethnicity, religion, sexual orientation, or any other identifying class.

ARTICLE 10

DIVERSITY, EQUITY, AND INCLUSION

The work of the DVOMB as defined by statute require a steadfast commitment to promoting diversity, equity, and inclusion at all levels. The governance of the Board, along with its subcommittees requires particular attention to social and cultural factors

to include ethnic, social, cultural, disability, race, creed, color, sex (pregnancy, gender identity and sexual orientation), religion, national origin, citizenship, age, veteran status, or marital status when working with stakeholders and members of the public. These factors do not represent a comprehensive list of factors or the challenges associated with intersectionality. This premise extends to the composition of Board as well as the Approved Provider community. The work of the Board should strive to reflect the diversity of the community being served. This includes creating space, accessibility, and transparency for involving voices in the work of the Board. The culmination of these efforts should promote evidence-based or research-informed practices that enhance service delivery in areas related to cultural humility, implicit bias, trauma and broader social justice issues of racism and intersectionality.

ARTICLE 11

POLICIES AND PROCEDURES

In order to achieve its statutory mandates, the Board shall adopt administrative policies and procedures which shall be set forth in writing and which shall be on file at the CDPS. Such policies and procedures may be amended as necessary. The Board may deviate from a policy or procedure for good cause upon a majority vote of members present at the meeting where the question arises.

ARTICLE 12

STAFF LIAISON

PROVISION OF STAFF LIAISON SERVICES: Within the fiscal resources available, the Division of Criminal Justice shall provide the staff liaison to the Board, designated by the Director of the Division of Criminal Justice.

DUTIES AND RESPONSIBILITIES: In addition to other assigned duties, it shall be the duty of the staff liaison or designee to attend all regular and special meetings of the Board and assigned committee meetings, provide administrative staff functions for the Board, and coordinate with the Chair, other Board members, and members of the public on behalf of the Board.

ARTICLE 13

CONSULTATION TO THE BOARD

USE OF CONSULTANTS AND TRAINERS: In recognition of the complexity of the fields of sex offender treatment and management, the Board or any committee of the Board, with the permission of the Chair and Executive Committee, may consult with experts to supplement the expertise of the Board and to assist in making informed decisions, to present to the Board, and testify upon request.

INPUT FROM NON-BOARD MEMBERS: The Board may also request or receive expertise and input from non-Board members on matters of general standards development, research, or implementation of its mandates.

ARTICLE 14

POLICY PROCESS

The process by which the Board makes decisions as part of its statutory mandates is important to define and follow. Governance by the Board must be inclusive of stakeholders and transparent in identifying, revising, and approving changes to the *Standards* and policies of the Board. There are five major milestones involving any work to revise or modify the *Standards* and policies of the Board.

AGENDA SETTING – PRIORITIZATION OF WORK

This is the first stage of the policy process of revising the *Standards* and policies of the Board. At this stage, the Board receives information and recommendations about how improvements can be made. This process may occur during the course of meetings or it may result from direct solicitations from stakeholders involved with the work of the Board. The Board may utilize surveys, listening sessions, or community roundtables to identify concerns. Alternatively, the Board may also be directed to make changes to the *Standards* and policies of the Board through case law, legislation, or by way of Executive Orders.

These formal and informal channels used to receive information must be reviewed and prioritized based on the purview of the Board and the availability of resources. The result of this process should identify the direction and priorities of the Board.

POLICY EXPLORATION AND FORMULATION

This stage of the policy process involves creating space and gathering information. The work prioritized by the Board is delegated to a committee or workgroup. A wide range of stakeholders are encouraged to participate and offered the opportunity to contribute. During this time, the committee or workgroup will consider input by stakeholders, research and literature as part of the information gathering process.

The committee or workgroup will deliberate on new ideas and consider the research in formulating recommendations. This process can result in drafted language revising the Standards or policies of the Board, a white paper, a resource document, or other recommendations. The work or recommendations generated by the committee or workgroup must still be reviewed and approved by the Board, unless otherwise directed.

Recommendations brought back by to the Board will detail the changes taken under

consideration and the rationale for the changes.

ADOPTION OF POLICY OR STANDARD CHANGE

At this stage, the Board will review the recommendations and contemplate the impact of the changes proposed. The Board will have an opportunity to ask questions and make modifications to the proposed recommendations. The Board will review the proposed changes and assess the impact of service delivery, equity, and victim safety.

The Board will then render a vote to determine if the proposed recommendations are ready for public comment. In general, if the vote fails to pass a majority vote, the Board may determine if further work is required by a committee or workgroup. If the vote passes, then the proposed recommendations are then published and disseminated for public comment. The public comments received will be directed and reviewed by the committee or workgroup where the recommendations originated.

After the committee or workgroup has reviewed and considered public comment, subsequent changes can be made and documented. These changes following public comment will be brought back to the Board for review and a vote for final ratification.

IMPLEMENTATION

Once a decision of the Board has been ratified, the Board must determine when the changes take effect. When determining the implementation period, the Board will consider the size and scope of the changes proposed and how much time will be needed for training and technical assistance.

The process to administer changes to the *Standards* and policies of the Board are the responsibility of the program staff. Program staff will prepare a plan and implement the changes as directed.

RESEARCH AND EVALUATION

At this stage, the Board may monitor ratified changes where necessary through research and evaluation. This process is intended to evaluate the impact of changes made to the *Standards* and policies of the Board. It is not necessary for all changes to the Standards to be monitored and evaluated.

ARTICLE 15

COMMITTEES AND WORK GROUPS

APPLICABILITY OF BYLAWS TO COMMITTEES AND WORK GROUPS: To the extent applicable, and unless otherwise specifically noted, the bylaws of the Board extend to the operations of each Committee and work group.

ADVISORY NATURE OF COMMITTEES AND WORK GROUPS: Unless otherwise indicated, each committee and work group are advisory to the Board.

STANDING COMMITTEES: The Board may have one or more Standing Committees as established by the Chair pursuant to Article 5. Such committees shall be governed by a charter that must include, at minimum, the scope of the work delegated to the committee, the membership, and voting procedures. The charter must be approved by a simple majority of a quorum of the Board and be reviewed by the committee chair on an annual basis. Votes shall be conducted in accordance with the charter, meetings shall be open to the public (unless conducted in Executive Session), and meeting minutes shall be available to the public.

All Committees shall:

- Be led by a current Board member as Chairperson and a designated Vice-Chairperson whom may or may not be a Board member;
- Follow the ODVSOM Committee Standard Operating Procedures;
- Adhere to the Committee scope of work;
- Solicit and engage relevant and key stakeholder groups with a focus to ensure that diversity, equity, and inclusion remain a priority;
- Publish all meeting materials by email and through the website in advance of any Board or Committee meeting no later than 7 working days before any meeting;
- Refer and consider research and literature prior to making decisions on policy or governance;
- Provide opportunities for public input and discussion so long as it does not adversely interfere or degrade the governance and policy-making process;
- Publish meeting minutes to the website no later than 7 working days after the meeting adjourns;
- Provide remote access to all meetings and encourage participation from across the state;
- Submit oral or written Committee reports to the Board at least quarterly.

WORKING GROUPS: A staff driven process in which a DCJ staff member asks other professionals and community members to work with him/her on a specific work product, which may be taken eventually to the Board for decision-making. For such work groups, votes shall be by consensus, meetings shall be open to the public, and meeting minutes shall be available to the public within a reasonable timeframe.

CHAIR OF COMMITTEES: Each standing and interim committee shall have a designated Chair as designated by the Chair of the Board. The appointed Chair of a committee should be a currently appointed Board member where possible and appropriate.

APPOINTED MEMBERS OF COMMITTEES: For committees with appointed membership, the Chair of the committee shall either appoint members or identify, in the committee charter, the process to be used for the appointment of members.

COMMITTEE VOTING PROCEDURES: Unless specified and approved by the Board, Committees vote by consensus and do not maintain records of individual votes. Committee members should be aware of direct or potential conflicts of interest as Board members or non-Board members. Committee recommendations to the Board are considered to be a prepared motion to accept when introduced at the Board meeting for a vote.

COMMITTEE CREATION AND CHARTER PROCEDURES: Committees created by the Board shall only address tasks or products as directed by the Board. Committees are overseen by the Executive Committee and supported by staff.

If the Committee identifies an additional task, concern, issue, or project of benefit that falls outside of its specified scope of work, the Committee Chair should present the matter to the Board or Executive Committee for discussion regarding whether or not the Board has the purview. If the matter is within the Board's purview, the Board or Executive Committee may decide next steps on modifications to the Committee Scope of Work based on the prioritization of agenda items, availability of resources, and the ability to address the matter.

Guidelines for Creating New Board Committee

I. Purpose

- a. Clear statement regarding charge of the Committee
- b. Define the scope of Committee work
- c. Identify any Standard(s) that are relevant to be reviewed and considered for revision
- d. Articulate specific goals and tasks
- e. Identify any deadlines that may be relevant

II. Board Assignment of Committee Type

- a. Standing or Ad Hoc Committee
- b. Appointed Membership or Non-Appointed Membership

III. Chair and Co-Chair

- a. Identify Board member responsible for leading the Committee
- b. Co-Chair: if appropriate

IV. Supporting Materials Needed

- a. Research
- b. Meeting minutes
- c. Other

V. Identified Stakeholders

VI. Board Staff Contact

ARTICLE 16

EXECUTIVE COMMITTEE

Executive Committee: The Executive Committee offers direction for agenda items based on board discussion, statutory mandates, and directives. This Committee does not make official Board decisions. The Committee may:

- Create and propose agendas for full Board meetings
- Frame agenda items for discussion, including the strategy for introducing the item to the rest of the Board and identifying any needed background material
- Address scheduling issues of both the Board and Committees
- Develop draft criteria for whether Board should consider issues outside of its statutory scope
- Develop a mechanism by which Board sentiments can be expressed for items outside of statutory scope
- Consider possible changes to improve effectiveness and efficiency of board meetings
- Make recommendations to the Board for the creation, delegation, continuance, termination of Committees or workgroups
- Perform other duties as requested by the Board.

MEMBERSHIP: Whenever possible, the Executive Committee shall consist of five (5) Board members. The makeup of appointed members shall be:

- Board Chair
- Board Vice Chair
- ARC Chair
- DEI Committee Chair
- At-Large Board Member

ARTICLE 17

APPLICATION REVIEW COMMITTEE

Application Review Committee: The Application Review Committee (ARC) serves as the delegated arm of the Board that is charged with decision making authority for applications, complaints, *Standards* Compliance Reviews, and other administrative actions. The ARC

consists of Board members and non-Board members who are appointed by the ARC Chair and then confirmed through consensus by the Board. The composition of ARC should reflect a balance of DVOMB Approved Providers, non-DVOMB Approved Providers, and professionals who are involved in the case management of post-conviction offender services.

The Committee may utilize consultants as necessary and desirable in background investigations of applicants and in the investigation and resolution of complaints
The following duties have been delegated to the ARC by the Board:

- To review intent to apply, applications for placement, and determine if the applicant shall be placed on the Provider List.
- To require applicants or Approved Providers to demonstrate compliance with the *Standards*.
- To review re-applications and determine if the applicant shall be maintained on the Provider List.
- To review complaints against DVOMB Approved Providers and determine the appropriate disposition of the complaint. To dispense with, summarily, complaints that do not allege a violation of Standards. All providers who are denied placement on the Provider List and all complaints that are within the purview of the Standards are subject to appeal, which will be heard by the Board.
- To review and administer *Standards* Compliance Reviews.
- To review and approve variance requests submitted by Approved Providers. Chair may request for a variance to be reviewed by the Board.
- To refer any appeals of the ARC's decision to the Board.

MEMBERSHIP: Whenever possible, the ARC shall consist of both Board members and non-Board members who are appointed by the ARC Chair. The ARC may appoint a maximum of seven (7) voting members, including four (4) Board members and up to three (3) non-Board members. Board members appointed to the ARC shall serve concurrent with their appointment to the Board. Non-Board members shall serve a term of four years and for a maximum of two terms representing specific appointment.

Voting Board member appointees:

- DVOMB Approved Provider Representative listed as a Domestic Violence Clinical Supervisor
- DVOMB Approved Provider Representative listed as a Full-Operating Level Provider or higher
- Two At-Large Members

Voting Non-Board member appointees:

- Victim Advocate Representative or Law Enforcement Representative
- DVOMB Approved Provider Representative listed as a Full-Operating Level working with the LGBTQ+ Offending Population
- DVOMB Approved Provider Representative listed as a Full-Operating Level working with the Female Offending Population

Board members may fill vacant non-board member appointee positions if a suitable non-board member cannot be appointed at the discretion of the ARC Chair. Any Board member may question the inclusion of any other member in this work group, and the matter shall be resolved by a majority vote of the Board.

VOTING WHEN NOT PHYSICALLY PRESENT: When a vote is required at the Committee level (e.g., the Application Review Committee), votes may be cast using electronic modes (e.g. telephone, WebEx, etc.) as requested and approved by the Committee Chair. Votes at the Committee level may be cast by email if there is a time-sensitive matter or as a last resort when all other options to obtain a vote have been exhausted. When voting by email is used, a time frame for submitting the vote shall be established by the Committee Chairperson or Board staff. Those who were not present or familiar with the agenda item to be voted upon shall abstain from the vote. Voting results shall be reported at the next Committee meeting through the minutes.

ARTICLE 18

ROBERT'S RULES OF ORDER

Robert's Rules of Order shall govern all matters not covered by the by-laws.

ARTICLE 19

AMENDMENT OF BY-LAWS

These by-laws may be amended by consensus or a 2/3 majority vote of the Board, after a proposed amendment has received one reading at a regular meeting. Proposed amendments shall be distributed to Board members at least ten (10) days preceding the meeting at which the reading will take place.

Stephanie Fritta

Chairperson, Colorado Domestic Violence Offender
Management Board

APPENDIX

DEFINITIONS

Board: Colorado Domestic Violence Offender Management Board as identified in Section 16, Article 11.8, Section 103, C.R.S..

Consultant: Any person, organization or other entity approved by the Chairperson upon recommendation of the Board, Committee, task group or staff liaison to perform work or act in the capacity of advisor to the Colorado Domestic Violence Offender Management Board.

Domestic Violence Offender Management Board Approved Provider List: The published list of Domestic Violence Approved Providers who have been determined, by the Application Review Committee, to meet the qualifications required by the *Standards* to provide assessment, evaluation, treatment and behavioral monitoring of domestic violence offenders.

Standards for Treatment with Court Ordered Domestic Violence Offenders (Standards): The document published by the Colorado Domestic Violence Offender Management Board, originally in January 2001 and any subsequent published revisions, which establishes the *Standards and Guidelines* for the treatment of convicted adult domestic violence offenders and the *Standards* to be met by qualified domestic violence offender treatment providers, in order be included on the Domestic Violence Offender Management Board Approved Provider List.

Quorum: A majority of total Board positions shall constitute a quorum. Vacant positions on the Board do not affect the calculation of a quorum and shall be treated as an absence.