

STATE OF DELAWARE



EXECUTIVE DEPARTMENT  
DOVER

EXECUTIVE ORDER  
NUMBER TEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: AMENDING EXECUTIVE ORDER TWO AND NAMING CHARLES M. OBERLY III  
AND RETIRED JUDGE WILLIAM L. CHAPMAN, JR. TO LEAD AN INDEPENDENT  
REVIEW OF SECURITY ISSUES AT DELAWARE CORRECTIONAL FACILITY

WHEREAS, on February 1, 2017, an event occurred at the James T. Vaughn Correctional Center, in which several inmates took several employees hostage, and assaulted a correctional officer leading to the correctional officer's death; and

WHEREAS, since February 1, 2017, the events leading up to the hostage incident, and the response thereto, are being reviewed by investigative authorities, including the Delaware State Police and the Department of Correction Internal Affairs Unit; and

WHEREAS, it is advisable and in the best interest of the State that independent examiners review the events surrounding the hostage incident and related security issues at the James T. Vaughn Correctional Center, and the findings from the investigations conducted by the Delaware State Police and the Department of Correction, and make recommendations to help assure the safety and security of all persons housed in and working at the James T. Vaughn Correctional Center.

NOW, THEREFORE, I, JOHN C. CARNEY, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby DECLARE and ORDER the following:

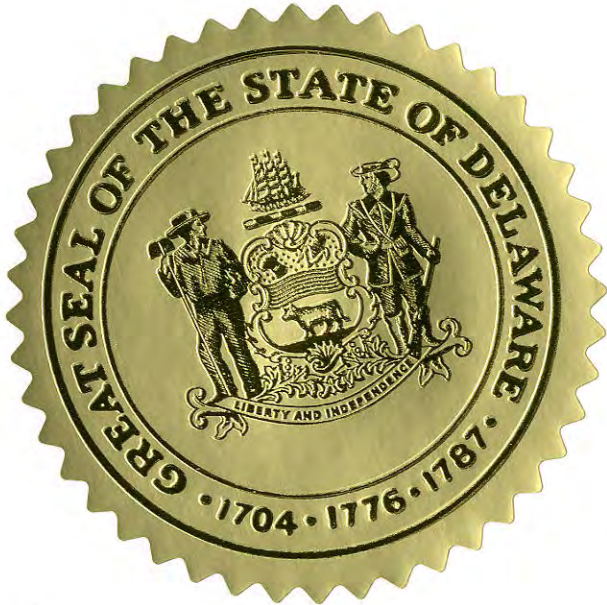
1. Charles M. Oberly III and Retired Judge William L. Chapman, Jr. are hereby named to lead an independent review regarding any conditions at the James T. Vaughn Correctional Center that contributed to the hostage situation on February 1, 2017 (the "Independent Review Team"). Although the central focus of the review is the state of security and any potential changes that might be required at the James T. Vaughn Correctional Center, the Independent Review Team shall not be precluded from examining practices at other correctional facilities, in Delaware or elsewhere, should the Independent Review Team believe that such an examination is helpful to its review.
2. Mr. Oberly and Judge Chapman are appointed by the Governor as Co-Chairs and shall serve at the pleasure of the Governor.
3. The Governor may fill any vacancies in the Independent Review Team without amending this Order. The Governor may increase the size of the Independent Review Team and appoint additional members at his pleasure and without amending this Order.
4. To assist the Independent Review Team in its investigative and administrative needs, the Independent Review Team is authorized to engage the services of necessary professional consultants, provided that the Independent Review Team shall first obtain the written consent of the Governor.
5. No later than June 1, 2017, the Independent Review Team shall issue a preliminary report addressing the following issues:
  - a. Initial findings concerning any conditions at the James T. Vaughn Correctional Center that contributed to the hostage situation on February 1, 2017; and
  - b. Initial findings and recommendations for improving security concerns at the James T. Vaughn Correctional Center.
6. The Independent Review Team shall issue a final report to the Governor as soon as practicable, but in no event later than August 15, 2017, regarding any conditions at the James T. Vaughn Correctional Center that contributed to the hostage situation on

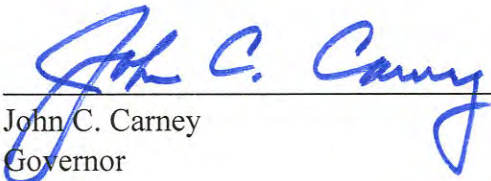
February 1, 2017. In the final report, the Independent Review Team shall also provide recommendations for improving security concerns at the James T. Vaughn Correctional Center, and it may, in its discretion provide recommendations for improving security concerns at other State correctional facilities should it have the basis to do so. The final report may also contain recommendations concerning additional relevant safety and security issues that may require further investigation in the near future.

7. The Department of Correction, the Department of Safety and Homeland Security, and any other executive agency with pertinent information concerning the investigation shall cooperate with the Independent Review Team and provide information to the Independent Review Team as requested. Additionally, the Independent Review Team is encouraged to consult with nationally recognized criminal justice agencies or organizations as the Independent Review Team shall deem necessary or useful.
8. To the extent reasonably required by the Independent Review Team, for the integrity of the investigation or because of security concerns related to the James T. Vaughn Correctional Center and/or the Department of Correction, the communications, deliberations and work product of the Independent Review Team shall be confidential. Further, the records, investigations, and deliberations of the Independent Review Team, along with all internal communications and communications with the Governor and his designees, are intended to be protected by the executive privilege. The final report of the Independent Review Team is intended to be a public document, except to the extent that the Independent Review Team determines that the security of the Department of Correction or other State correctional facilities, or of any person, requires that specifically identified information remain confidential.

9. Executive Order Two, approved by Governor Carney and dated February 14, 2017, is hereby rescinded.

APPROVED this 8th date of May 2017.



  
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John C. Carney  
Governor

ATTEST:

  
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Secretary of State