EXECUTIVE ORDER
NUMBER TEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: REESTABLISHMENT OF THE JUVENILE JUSTICE ADVISORY GROUP

WHEREAS, our children are our State's greatest asset, and we must be sensitive not only to their basic medical, educational and family needs, but we must also address those needs so as to minimize our children's involvement with the criminal justice system; and

WHEREAS, if we are to reduce crime in the long run, then we must focus our attention on preventing the development of career criminals, that is, we must focus on our children and youth and devise methods to keep them out of the criminal justice system; and

WHEREAS, the Juvenile Justice & Delinquency Prevention Act of 1974 (Public Law 94-415), as amended, requires the preparation and implementation of a state plan to coordinate human services to youth and their families in order to ensure effective delinquency prevention and treatment programs; and
WHEREAS, the Juvenile Justice & Delinquency Prevention Act requires that such coordination of human services include all agencies responsible for the delivery of such services as education, economic support, public health and social work, and include those agencies which directly impact juvenile justice and delinquency prevention such as the police, courts and corrections; and

WHEREAS, Section 223(a)(3) of the Juvenile Justice & Delinquency Prevention Act, as amended, requires that the state plan:

[Provide for an advisory group appointed by chief executive of the State to carry out the functions specified in subparagraph (f) [of Section 223], and to participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action and

(a) which shall consist of not less than 15 and not more than 33 persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice,

(b) which shall include locally elected officials, representation of units of local government, law enforcem­ent and juvenile justice agencies such as law enforce­ment, correction or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, special educa­tion, or youth services department,

(c) which shall include

(i) representatives of private organizations, including those with a special focus on maintaining and strengthening the family unit, those representing parents or parent groups, those concerned with delinquency preven­tion and treatment and with neglected or dependent chil­dren, and those concerned with the quality of juvenile justice, education or social services for children;

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(ii) representatives of organizations which utilize volunteers to work with delinquents or potential delinquents;
(iii) representatives of community-based delinquency prevention or treatment programs;
(iv) representatives of business groups or businesses employing youth;
(v) youth workers involved with alternative youth programs, and
(vi) persons with special experience and competence in addressing the problems of the family, school violence and vandalism, and learning disabilities;
(d) a majority of whose members (including the Chairman) shall not be full-time employees of the federal, State or local government,
(e) at least one-fifth of whose members shall be under the age of 25 at the time of appointment, and at least 3 of whose members shall have been or shall currently be under the jurisdiction of the juvenile justice system....

and,

WHEREAS, in accordance with the requirements of the Juvenile Justice & Delinquency Prevention Act the Juvenile Justice Advisory Group was established by Executive Order Number Ninety-One of Governor Tribbitt, dated December 17, 1975; and

WHEREAS, effective January 1, 1985, the Criminal Justice Council was designated by statute as the State planning agency solely responsible for supervising the preparation and administration of the Delaware plan required by the Juvenile Justice & Delinquency Prevention Act of 1974, as amended; and
WHEREAS, the Juvenile Justice, Runaway Youth and Missing Children's Act of 1984 (Public Law 98-473) requires certain changes in the powers and duties of the Juvenile Justice Advisory Group;

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby order and declare as follows:

1. In accordance with the requirements of the Juvenile Justice & Delinquency Prevention Act of 1974, as amended, the Juvenile Justice Advisory Group is hereby reestablished.

2. The Juvenile Justice Advisory Group shall:
   (a) Advise the Criminal Justice Council of the needs of Delaware for an effective, comprehensive, coordinated approach to juvenile delinquency prevention and treatment, the improvement of the juvenile justice system, as well as provide for coordination and maximum utilization of existing juvenile delinquency programs and other programs, such as education, health, and welfare within the State of Delaware, as they relate to delinquency prevention and treatment;
(b) Make recommendations to the Criminal Justice Council and the General Assembly regarding the improvement and coordination of existing services, the identification of problems and needs, the development of new programs to meet the needs identified, and the establishment of priorities in the juvenile justice area;

(c) Provide advice in developing, maintaining and expanding delinquency prevention, to divert juveniles from the juvenile justice system and to provide community-based alternatives to juvenile detention and correctional facilities, including:

(1) Community-based programs and services for the prevention and treatment of juvenile delinquency through the development of foster-care and shelter-care homes, group homes, half-way houses, home-maker and home health services, and any other designated community-based diagnostic, treatment or rehabilitative services;

(2) Community-based programs and services to work with parents and other family members and to provide family-centered counseling services to maintain and strengthen the family structure so that the juvenile may be retained in his or her home;
(3) Youth-service bureaus and other community-based programs to divert youth from the juvenile justice system or to support, counsel or provide work and recreational opportunities for delinquents and youth in danger of becoming delinquent;

(4) Comprehensive programs of drug and alcohol abuse education and rehabilitation and programs for the treatment and rehabilitation of drug-addicted youth and "drug-dependent" youth;

(5) Specialized residential treatment programs for dependent-neglected youth who have complex behavior or emotional problems or who have been victims of child abuse;

(6) Educational programs or supportive services designed to encourage delinquents and other youth to remain in elementary and secondary schools or in alternative learning institutions;
(7) Expanded use of probation and recruitment and training of probation officers, other professional and para-professional personnel and volunteers to work effectively with youth;

(8) State-wide programs using probation subsidies, other subsidies, or financial incentives that may include but are not limited to programs designed to:

(i) reduce the number of commitments of juveniles to any form of juvenile facility as a percentage of the State juvenile population;
(ii) increase the use of non-secure community-based facilities as a percentage of total commitments to juvenile facilities; and
(iii) discourage the use of secure incarceration and detention.

(d) Advise the Criminal Justice Council in the development of a State plan which shall monitor the criminal justice system to insure that dependent-neglected youth are not sent to correctional facilities;
(e) Ensure that juveniles alleged to be or found to be delinquent shall not be confined, detained or incarcerated in adult jails, lock-ups or correctional facilities, except that contact incidental to admission and booking, unless that juvenile can be kept totally separate from adult inmates, including inmate trustees;

(f) Provide advice to ensure that assistance will be available on an equitable basis to deal with all disadvantaged youth, including but not limited to females, minority youth, and mentally retarded and emotionally or physically handicapped youth; and

(g) Consult and coordinate its activities with the Department of Services to Children, Youth & Their Families.

3. The Juvenile Justice Advisory Group shall comprise between 15 and 33 members, who shall be appointed by the Governor in accordance with federal requirements to serve during his pleasure. A public citizen member of the Group shall be designated by the Governor to serve as Chairman.

4. All meetings of the Juvenile Justice Advisory Group shall be open to the public, and the dates, times and locations of such meetings shall be timely published in an appropriate manner.
5. Executive Order Number Ninety-One, approved by Governor Tribbitt and dated December 17, 1975, and Executive Order Number One Hundred Eight, approved by Governor Tribbitt and dated August 20, 1976, are hereby rescinded.

APPROVED this 6th day of June, 1985.

[Signature]
Governor

ATTEST:

[Signature]
Secretary of State