

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER NUMBER TWENTY-SEVEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: CREATING THE DELAWARE JUSTICE REINVESTMENT TASK FORCE
TO CONDUCT A COMPREHENSIVE EXAMINATION OF DELAWARE'S
CRIMINAL JUSTICE SYSTEM

WHEREAS, it has been many years since there has been a systematic study of the State of Delaware's correctional system and criminal justice structure; and

WHEREAS, the State spends more than \$250 million annually on corrections expenses, and those expenses grew more than 80% in the decade from fiscal year 1999 to 2009; and

WHEREAS, notwithstanding these increasing expenditures, the amount of crime in Delaware remains concerning, for while Delaware's overall crime rate is trending downward, there have been increases in homicide, robbery and assault crimes, and the occurrence of violent crime remains above the national average, according to the Statistical Analysis Center's review of Crime in Delaware 2003-2008 and FBI statistics;

WHEREAS, a study of Delaware's criminal justice and correctional system would help identify steps to enhance public safety, hold offenders more accountable, improve probation and parole supervision, lower recidivism rates, and recognize the factors driving growth in prison expenses, while ensuring that taxpayer money is spent wisely; and

WHEREAS, a study of the State's criminal justice system and recommendations for reforms can best be carried out through a bipartisan and multi-disciplinary task force that brings together all stakeholders in the criminal justice system; and

WHEREAS, a Justice Reinvestment Task Force can provide a deliberative and rigorous process to evaluate recommendations for legislative and policy changes that might benefit our State;

NOW THEREFORE, I, JACK A. MARKELL, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby ORDER that:

1. The Delaware Justice Reinvestment Task Force (hereinafter “Task Force”) is hereby established. The Task Force will consist of:
 - a. The Lieutenant Governor, who shall act as the non-voting Chairperson of the Task Force;
 - b. Two members of the Senate, one appointed by the President Pro Tempore of the Senate and one appointed by the Minority Leader;
 - c. Two members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Minority Leader;
 - d. The Chief Justice of the Supreme Court of Delaware or his designee;
 - e. The President Judge of the Superior Court or his designee;
 - f. The Chief Judge of the Court of Common Pleas or his designee;
 - g. The Chief Magistrate of the Justice of the Peace Court or his designee;
 - h. The Attorney General or his designee;
 - i. The Public Defender or his designee;
 - j. The Commissioner of the Department of Correction or his designee;
 - k. The Secretary of the Department of Safety and Homeland Security or his designee;
 - l. The Colonel of the Delaware State Police or his designee;
 - m. Two representatives of county or municipal law enforcement, as designated by the Chairman of the Delaware Police Chiefs' Council;
 - n. The Executive Director of the Victims' Compensation Assistance Program, or her designee; and
 - o. One representative appointed by the cabinet-level team that provides oversight of the Individual Assessment, Discharge and Planning Teams (I-ADAPT) under Executive Order No. 7.

2. A quorum of the Task Force shall consist of a majority of members. If a quorum is met at any meeting, it is a sufficient number of members for any official action to be taken by the Task Force.

3. Each voting member shall be entitled to appoint a single individual to serve as proxy for the duration of his or her term if the member is unable to attend a meeting of the Task Force. The designation of a proxy by a member shall be in a writing transmitted to the Chairperson of the Task Force.

4. Members of the Task Force shall receive no compensation for their services, except that any member may be reimbursed for actual expenses incurred in the performance of their duties by the agency or department in which they serve as an official or employee.

5. All executive branch departments and agencies shall, upon request of the Task Force or the Governor, provide requested services, information, and technical assistance to support the goals of the Task Force.

6. The Task Force shall:

- a. undertake a comprehensive review of the state's criminal justice system and the factors driving jail and prison population growth;
- b. develop and make recommendations regarding policy options to generate savings and increase public safety, focusing on evidence-based practices for reducing recidivism;
- c. engage in strategic planning for implementation of policy recommendations; and
- d. develop a plan for measuring the impact of policy changes and reallocation of resources to enhance the accountability of criminal justice system actors and policies.

7. The Task Force shall report its findings and recommendations for policy change and legislative action to the Governor, the Chief Justice of the Supreme Court, the President Pro Tempore of the Senate and the Speaker of the House no later than January 31, 2012.

8. Until it delivers its findings and recommendations, the Task Force shall hold monthly meetings except as otherwise provided by vote of the Task Force or by order of the Chair. Following the reporting of its findings and recommendations, the Task Force shall meet as needed to address adoption and implementation of its findings and recommendations.

9. The Delaware Criminal Justice Council (CJC) may apply for, expend, and manage federal funds, grants, and gifts it receives from other sources to assist the Task Force in carrying out its duties and responsibilities. The CJC will support the work of the Task Force, providing administrative support and any other assistance as needed, including facilitating the use of the Delaware Statistical Analysis Center.

10. The Task Force shall be terminated on January 1, 2013, if not reconstituted by further executive order.

APPROVED this 25th day of July, 2011

Jed Mahan

Governor

ATTEST:

[Signature]

Secretary of State

