

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER NINETY-ONE

643

TO: Heads of All State Departments and Agencies
RE: Establishment of the Advisory Group on Juvenile Justice
and Delinquency Prevention

WHEREAS, our children are our State's greatest asset and we must not only be sensitive to their needs generally, but specifically reduce their involvement with the criminal justice system wherever possible; and

WHEREAS, on June 25, 1975, the Delaware Agency to Reduce Crime (hereafter "DARC") was designated as the state planning agency solely responsible for supervising the preparation and administration of the Delaware plan required by the Juvenile Justice and Delinquency Prevention Act of 1974 (hereinafter referred to as the "JJ&DP Act"); and

WHEREAS, the JJ&DP Act requires the coordination of human services to youth and their families, including all agencies responsible for the delivery of human services such as education, welfare, health, and those agencies which directly impact juvenile justice and delinquency prevention such as corrections, courts and police, in order to insure effective delinquency prevention and treatment programs in Delaware; and

WHEREAS, the JJ&DP Act provides the mechanism for Delaware to establish a comprehensive state plan which will direct adequate attention to the problems of juvenile justice; and

WHEREAS, §223(a)(3) of the JJ&DP Act requires that the state plan:

"Provide for an advisory group appointed by the Chief Executive of the State to advise the State Planning Agency and its supervisory board:

(A) Which shall consist of not less than twenty-one and not more than thirty-three 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 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 studies, mental health, education, or youth services department,

(C) Which shall include representatives of private organizations concerned with delinquency prevention or treatment; concerned with neglected or dependent children; concerned with the quality of juvenile justice, education, or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; and organizations which represent employees affected by this Act,

(D) A majority of those members (including the Chairman) shall not be full-time employees of the Federal, State, or local government, and

(E) At least one-third of whose members shall be under the age of twenty-six at the time of appointment;"

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

ESTABLISHMENT

1. In accordance with the requirements of the JJ&DP Act (§223 (a) (3), Public Law 93-415), the Juvenile Justice Advisory Group to the Delaware Agency to Reduce Crime and its supervisory board is hereby established.

DUTIES

2. The Juvenile Justice Advisory Group shall:

(a) Advise DARC and its supervisory board 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 DARC and its supervisory board 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 provide family-centered counseling services to maintain and strengthen the family structure so that the juvenile may be retained in his home;

(3) youth-service bureaus and other community-based programs to divert youth from the juvenile court 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 status offenders 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 DARC and its supervisory board in the development of a state plan which shall provide that within two years after its submission juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, shall not be placed in juvenile detention or correctional facilities;

(e) Provide advice intended to insure 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 insure 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.

PUBLIC MEETINGS

3. All meetings of the Juvenile Justice Advisory Group shall be public and dates of meetings shall be timely published.

MEMBERSHIP

4. (a) The Juvenile Justice Advisory Group shall be composed of not more than twenty-five voting members who shall be appointed by the Governor.

(b) The members of the Juvenile Justice Advisory Group shall serve at the pleasure of the Governor.

(c) The Vice-Chairman of the Supervisory Board of DARC shall serve as Chairman of the Juvenile Advisory Group.

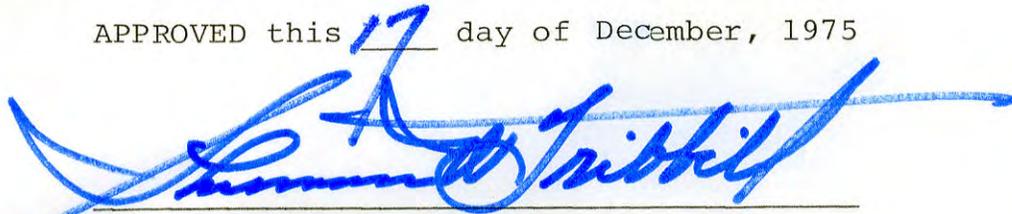
COUNCIL ON CHILDREN AND YOUTH

5. The Juvenile Justice Advisory Group shall replace the Council on Children and Youth, created by Executive Order No. 67 and the Juvenile Justice Advisory Group shall consult and coordinate its activities with the Division of Services to Children and Youth within the Department of Health and Social Services.

EFFECTIVE DATE

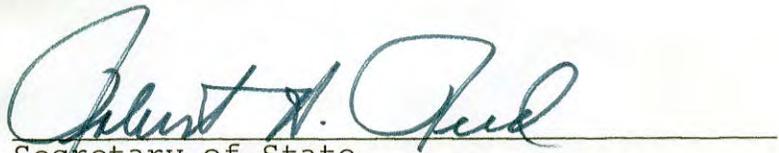
6. This Executive Order shall be effective this date and the first meeting of the Juvenile Justice Advisory Group, as constituted by this Executive Order, shall be held within fifteen calendar days of the date letters of appointment are issued by the Governor.

APPROVED this 17 day of December, 1975



Governor

ATTEST:



Secretary of State