STATE OF DELAWARE

EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER FOURTEEN

RE: GOVERNOR'S COMMISSION ON CRIMINAL JUSTICE

In accordance with the provision of 42 U.S.C. 3701, et seq., I, Pierre S. du Pont, IV, Governor of the State of Delaware, hereby declare and order that the Delaware Agency to Reduce Crime shall be known as the Governor's Commission on Criminal Justice and shall continue as the named State Planning Agency under the aforesaid statute.

1. The name of the Agency shall be the Governor's Commission on Criminal Justice.

2. The Supervisory Board in no instance will exceed twenty-one members not including the Vice Chairman. The Governor shall serve as its Chairman.

3. The Governor may appoint a Vice Chairman and ten additional persons to serve on the Supervisory Board at his pleasure.

4. Additionally, the Supervisory Board of the Commission must be composed of the following ex-officio members:

(1) Secretary of the Department of Public Safety of the State of Delaware
(2) President of the Regional Chiefs of Police
(3) The Chief Justice
(4) The Director of the Administrative Office of the Courts
(5) The Attorney General

(6) The Commissioner of the Department of Correction
(7) The Chairman of the Board of Parole
(8) The Mayor of the City of Wilmington
(9) The New Castle County Executive or Council President
(10) The Director of the Bureau of Juvenile Correction
(11) The Public Defender

In the event of a vacancy in any of the aforesaid offices, the acting officer, duly appointed and qualified as such, shall serve as a member of the Commission until such time as the permanent office holder is qualified to serve.

5. The ten persons referred to in Paragraph 3 shall include:

(1) A Sussex County Public Member
(2) A Kent County Public Member
(3) A New Castle County Public Member
(4) A Member of the State Senate
(5) A Member of the State House of Representatives
(6) A Police Chief of a Department with fewer than twenty officers
(7) A Local Trial Court Judge

A letter of appointment signed by the Governor shall serve as the authority for any appointee to the Supervisory Board.

6. There will be no absentee or proxy voting.

7. The Commission shall have an Executive Committee composed of the following members of the Supervisory Board to be designated by the Vice Chairman:

(1) Chairman or Vice Chairman
(2) A Courts Member
(3) A Corrections Member
(4) A Community Member
(5) A Police Member

8. The Governor shall appoint an Executive Director who shall serve at his pleasure and who shall be responsible for the organization and administration of the Commission staff, the proper application of State and Federal

guidelines and procedures and the accomplishment of all policy directives of the Board and the Governor. The Executive Director shall be paid such compensation as the Governor may determine, and may employ such personnel and contract for such consulting services as may be necessary and proper to carry out the purposes of this Order. Staff, other than the Executive Director, shall be employed in accordance with the State Merit System Act and shall be subject to its provisions.

9. The designation of this Commission as the "State Planning Agency", within the meaning of the Omnibus Crime Control and Safe Streets Act of 1968 as amended (42 U.S.C. 3701, et seq.), is reaffirmed and adopted. As such, the Commission shall carry out such State Planning Agency functions as may be required under the aforesaid statute and the provisions of the Juvenile Delinquency Prevention and Control Act of 1974.

10. The Commission shall have the specific responsibility to:

(1) Advise and assist the Governor in developing policies, plans, programs, and budgets for improving the coordination, administration and effectiveness of the criminal justice system in the state;

(2) Prepare a state comprehensive criminal justice plan on behalf of the Governor to be periodically updated, and based on an analysis of the state's criminal justice needs and problems. Such plan shall be in conformance with state and other appropriate regulations;

(3) Establish goals, priorities and standards for the reduction of crime and the improvement of the administration of justice in the state;

(4) When appropriate, recommend legislation to the Governor and Legislature in the criminal justice field;

(5) Monitor and evaluate programs and projects, funded in whole or in part by the federal or state government, aimed at reducing crime and delinquency and/or improving the administration of justice;

(6) Render technical assistance to the proper state agencies and units of general local government and, when desirable, to public or private agencies relating to the criminal justice system;

(7) Collect from any state or local governmental entities, information, data, reports, statistics or such other material which is necessary to carry out the Commission's functions; and

(8) Perform such other duties as may be necessary to carry out the purposes of this Order.

11. At the direction of the Governor, the Commission shall administrate, coordinate and implement any federal or state program in the area of law enforcement planning and crime prevention as the Governor shall assign to it. As such, the Commission shall receive and administer federal and/or state funds, including both monies for direct grants and monies provided for matching purposes. It shall be responsible for assisting the Governor in stimulating and coordinating the many functions of federal, state, local and private agencies and groups toward a goal of the maximum possible reduction of crimes in Delaware. Such coordination shall involve improving the effectiveness of our police, courts and correctional agencies. In connection with this coordination, the Commission is empowered and directed to retain such professional help as is necessary for the attainment of these goals.

12. Policy decisions required of the Commission involving planning, allocations, and evaluation shall be the responsibility of the Supervisory Board or such sub-committees as the Board may designate.

13. The Commission staff, under the direction of the Executive Director, shall be responsible for carrying out the policies established by the Supervisory Board. It shall compile research information and shall be responsible for the funding, administration, monitoring, evaluation and audit of grants

as required by the Omnibus Crime Control and Safe Streets Act of 1968 as amended, LEAA Guidelines and state law, as well as the development of the Comprehensive Plan for the criminal justice system for the State of Delaware and all other duties as herein required. All staff decisions regarding funding shall be with the concurrence of the Vice Chairman.

14. The Governor's Cirme Reduction Task Force is hereby abolished. The Governor's Commission on Criminal Justice will assume all duties formerly assigned to the Governor's Crime Reduction Task Force, including the development, implimentation, review and management of programs for the improvement of our criminal justice system.

15. At the direction of the Governor, all the funds provided to the Commission for the purpose of aiding local law enforcement agencies (SALLE) shall be administered and distributed according to the following guidelines and directions:

> (1) The Commission shall make grants of such funds to political subdivisions of this state, and law enforcement agencies thereof, which make application for the same, after it shall be satisfied that such grant shall be used for any one of the following purposes, which shall be in addition to the law enforcement program or functions of the local entity at the time of such grant:
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> > (a) Public protection, including the development, evaluation, implementation and purchase of methods, devices, facilities and equipment designed to improve or strengthen law enforcement and reduce crime in public and private places.
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> > (b) The recruiting and hiring of law enforcement personnel and the training of personnel in law enforcement.
> >
> > (c) Public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and programs to improve public understanding and cooperation with law enforcement agencies.

(d) Purchase, lease, renovation or construction of buildings or other physical facilities designed to facilitate, improve and strengthen law enforcement, including, but not limited to, police stations, sub-stations or precinct police facilities, located in decentralized areas of a political subdivision where particular needs exists, crime prevention, limitation of potential civil disorders and the enhancement of police-community relations.

(e) The organization, education and training of regular law enforcement officers, special law enforcement units and law enforcement reserve units for the prevention, detection and control of riots and other civil disorders, including acquisition of riot control equipment.

(f) The augmentation or supplementation of salaries and other compensation of law enforcement personnel.

(2) Grants of state funds hereunder may also be made for the planning and preliminary staffing and administrative expenses associated with projects and programs in the categories set forth in subsection (1) of this Section. Such funds may be used by the local entities as part of the local matching share required by Federal Act if the federal-local project or program is within the categories set forth in subsection (1) of this Section.

(3) All applications made by political subdivision shall be made on behalf of and signed by Chief Executive Officer of such subdivision. The Commission shall prescribe the form and manner of applications and the method of accounting to the Commission for funds received hereunder and the results of all projects and programs.

(4) All grants shall be made with a view to the Comprehensive Plan developed by the Commission pursuant to the Omnibus Crime Control and Safe Streets Act of 1968 as amended and to the extent deemed advisable by the Commission, with the approval fo the Governor, such grants shall be in accordance with the priorities established by such Plan.

16. The rules, regulations and administrative procedures to be followed by the Commission and local jurisdictions in the administration of funds budgeted for state aid to local law enforcement shall be as provided in the SALLE Manual, dated September 19, 1976, as developed by the Commission and any amendments thereto.

17. By-laws for the organization and administration of the Commission shall be promulgated by the Chairman of the Commission, or, at his direction, the Vice Chairman. Such By-laws may be amended by the Supervisory Board at a regular meeting by a two-thirds vote of members present, with the concurrence of the Chairman.

18. This Exeuctive Order supersedes all prior Orders relating to the Commission or its predecessor in name.

APPROVED this 22nd day of April, 1977.

Governor

ATTEST:

Secretary of State