

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER NINETY-FOUR

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: CONTINUATION OF PROGRAM ADVISORY COMMITTEE FOR
MULTI-PURPOSE CRIMINAL JUSTICE FACILITY

WHEREAS, a multi-purpose criminal justice facility (hereinafter call "Justice Center") is being built to receive, process and house, inter alia, those persons detained awaiting trial; and

WHEREAS, this Justice Center will include a central arraignment concept with most post-arrest processing functions for persons charged with offenses in New Castle County; and

WHEREAS, the proper and efficient performance of these functions does now and will hereafter require the expertise and cooperation of many criminal justice and service agencies that currently perform these functions, in some instances independently of one another; and

WHEREAS, the test project which began in the Public Building on October 1, 1980, indicates a continuing need for an oversight committee to further refine the concept and to serve as a vehicle for discussion and cooperation;

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware,

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do hereby order and declare as follows:

1. Establishment: The Program Advisory Committee for the Multi-Purpose Criminal Justice Facility in Northern New Castle County shall continue to be in effect.

2. Membership:

- (a) Executive Director of the DCJPC, who shall serve as Chairperson;
- (b) Mayor, City of Wilmington;
- (c) City Solicitor, City of Wilmington;
- (d) Police Chief, City of Wilmington;
- (e) A Judge of Wilmington Municipal Court to be appointed by the Governor;
- (f) Public Safety Director, New Castle County;
- (g) Superintendent of the Delaware State Police;
- (h) Chief Magistrate, New Castle County;
- (i) Chief Judge, Court of Common Pleas;
- (j) The State Attorney General;
- (k) The State Public Defender;
- (l) Commissioner of Correction;
- (m) Chief, Bureau of Adult Correction;
- (n) Director of Community Services, Bureau of Adult Correction;
- (o) Chairman, Bar Association Corrections Committee;
- (p) Executive Director, Delaware Council on Crime and Justice;
- (q) Director, Office of Management, Budget and Planning;
- (r) Director, Division of Health and Social Services
- (s) Chief, Bureau of Substance Abuse;
- (t) Director, Criminal Justice Service Center
- (u) Chairman, Senate Corrections Committee
- (v) Chairman, House subcommittee on Corrections, Judiciary Committee

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- (w) Such other individuals who are qualified by training or experience to assist in the programmatic design of the Justice Facility as the Governor may from time to time designate in writing.

Each person appointed to serve on the Committee ex officio may select a permanent designee to serve in his or her stead.

3. Duties:

- (a) Review relevant previous reports and plans;
- (b) Consider existing statutes and Court rules as they pertain to the central arraignment concept and:
 - 1. Recommend to the Chief Justice any necessary changes in court rules;
 - 2. Recommend necessary legislation to the Governor and the 131st General Assembly.
- (c) Refine the proposed plans and procedures to insure decisions are made at the earliest possible point pertaining to charges; pre-trial release; nolle prosequi, plea bargaining, assignment of counsel, eligibility for diversionary or community-based alternatives; and other steps likely to reduce the number of persons in pre-trial detention or the length of time in detention, consistent with public safety;
- (d) Recommend to other criminal justice agencies administrative changes as appropriate to efficiently implement the central arraignment concept;
- (e) Prepare and publish, at the earliest practicable time, a program narrative for all intake and judicial functions of the Justice Center;
- (f) Continue the implementation of the Justice Center concept at the Public Building until Gander Hill opens;
- (g) Insure a smooth transition into Gander Hill.

4. Staffing: The staff of DCJPC shall be assigned as required to staff the Committee. Employees of other state and local agencies may be requested by the Chairperson to assist as necessary.

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5. Effective Date and Duration: This Executive Order shall be effective January 25, 1981 and shall continue in existence until September 30, 1983.

APPROVED this *29th* day of
January 1981.



R. A. Bunt
Governor

ATTEST:

Allen C. Kuntz
Secretary of State