



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

**EXECUTIVE ORDER
No. 2012 – 1**

**MICHIGAN COMMITTEE ON JUVENILE JUSTICE
DEPARTMENT OF HUMAN SERVICES**

**RESCISSION OF
EXECUTIVE ORDER 2003-9
EXECUTIVE ORDER 2007-46**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Congress enacted the Juvenile Justice and Delinquency Prevention Act of 1974, 42 USC 5601 to 5785 (Act), to provide a comprehensive and coordinated approach to the problems of juvenile delinquency and a funding mechanism for projects and programs intended to reduce and prevent delinquency; and

WHEREAS, the Act makes funds available to participating states to assist in planning and establishing, operating, coordinating and evaluating, either directly or through grants to or contracts with public or private agencies, projects to improve education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile justice; and

WHEREAS, 42 USC 5633(a)(3) requires that any state receiving money under the Act create an advisory group appointed by the chief executive officer of the state to advise the state planning agency on juvenile justice and delinquency prevention matters and the award of grants to state and local governments, private nonprofit agencies, colleges, and universities; and

WHEREAS, Executive Order 1976-6 established the Advisory Committee on Juvenile Justice; and

WHEREAS, Executive Order 2003-9 established the Committee on Juvenile Justice within the Department of Human Services; and

WHEREAS, under Section 1804 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee-4, a state receiving federal juvenile

accountability block grants is required to establish an advisory board to recommend a coordinated enforcement plan for the use of the funds; and

WHEREAS, effective use of juvenile accountability block grants will strengthen the juvenile justice system in Michigan; and

WHEREAS, Executive Order 2007-46 established the Michigan Juvenile Accountability Block Grant Advisory Board within the Department of Human Services; and

WHEREAS, the goals, functions, and composition of the Michigan Juvenile Accountability Block Grant Advisory Board and the Michigan Committee on Juvenile Justice are similar and both advise the Governor on juvenile justice issues; and

WHEREAS, incorporating the Michigan Juvenile Accountability Block Grant Advisory Board into the Michigan Committee on Juvenile Justice will lead to more effective implementation of juvenile justice policy and greater administrative efficiency for juvenile justice programs;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963, Michigan law, and the Act, order the following:

I. CREATION OF THE MICHIGAN COMMITTEE ON JUVENILE JUSTICE

A. The Michigan Committee on Juvenile Justice ("Committee") is created as an advisory body within the Department of Human Services ("Department"). The Department is designated as the state agency responsible for the supervision, preparation, and administration of the comprehensive Juvenile Justice and Delinquency Prevention Plan required by the Act ("Plan"). The Director of the Department shall provide appropriate staff support for the Committee, subject to available funding.

B. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations of the former Committee on Juvenile Justice and the former Michigan Juvenile Accountability Block Grant Advisory Board are transferred to the Michigan Committee on Juvenile Justice created by this Order.

II. RESCISSION OF EXECUTIVE ORDERS

Executive Orders 2003-9 and 2007-46 are rescinded.

III. COMMITTEE MEMBERSHIP

A. The Governor shall appoint a Committee on Juvenile Justice consisting of 15 members. All members appointed to the Committee shall have training or experience within the juvenile justice system, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency. Membership shall reflect the requirements established in the federal Juvenile Justice Delinquency Prevention Act (OJJDP) 42 USC 5633 [Sec. 223] and 42 USC 3796ee-4b [Sec. 3796ee] and shall include:

- At least one locally elected official representing general purpose local government;
- Representatives of law enforcement and juvenile justice agencies, which may include state or local police, the local sheriff's department, juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
- Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;
- Representatives of private nonprofit organizations, including persons with a special focus on: preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, religious and community groups, nongovernmental victim advocacy organizations, or social services for children;
- Volunteers who work with delinquents or potential delinquents;
- Youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;
- Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;
- Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence; and
- Persons who have been, or are currently, involved in a juvenile justice program.

B. A majority of members, including the Chairperson, shall not be full-time employees of the federal, state, or local government; at least one-fifth of the members shall be under the age of 24 at the time of appointment; and at least 3 members under the age of 24, shall be persons who have been, or are currently, under the jurisdiction of the juvenile justice system.

C. A vacancy on the Committee shall be filled in the same manner as the original appointment.

D. The Governor shall designate a Chairperson of the Committee. A quorum shall consist of one-third of the members serving plus one.

E. Members of the Committee shall receive no compensation for their services as members and may be reimbursed only for those actual expenses incurred that are reimbursable under the laws, rules, and practices of the state, subject to available appropriations.

F. Members of the Committee shall be appointed for terms of three years.

G. Members who attended less than 66 percent of the scheduled meetings in any calendar year shall be considered to have vacated their appointment. Upon notification, the Governor shall fill the vacancy in the same manner as the original appointment.

IV. CHARGE TO THE COMMITTEE

A. The Committee shall do all of the following:

1. Meet at the call of the Chairperson and as may be provided in procedures adopted by the Committee.
2. Participate in the development and review of the federally-required Juvenile Justice and Delinquency Prevention Plan.
3. Submit at least annually to the Governor and the Legislature recommendations regarding state compliance with federal program requirements under the Act.
4. Contact and seek regular input from juveniles currently under the juvenile justice system.
5. Recommend and regularly update a state-coordinated enforcement plan for the use of funds received under Sections 1801 to 1810 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee to 3796ee-10, or any successor law.
6. Ensure that the proposed use of funds, under the state coordinated enforcement plan referenced in IV(A)(6), are for the purpose of strengthening the juvenile justice program, including any of the following:
 - Developing, implementing, and administering graduated sanctions for juvenile offenders.

- Building, expanding, renovating, or operating temporary or permanent juvenile corrections, detention, or community corrections facilities.
- Hiring probation officers and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system.
- Hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced.
- Providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders.
- Establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime.
- Establishing juvenile gun courts for the prosecution and adjudication of juvenile firearm offenders.
- Establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders.
- Establishing and maintaining a system of juvenile records designed to promote public safety.
- Establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.
- Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies.
- Establishing and maintaining programs to conduct risk and needs assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders.
- Establishing and maintaining accountability-based programs that are designed to enhance school safety. The programs may include research-based bullying, cyberbullying, and gang prevention programs.

- Establishing and maintaining restorative justice programs, as defined under Section 1801 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee.
- Establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism.
- Hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming.
- Establishing, improving, and coordinating pre- and postrelease systems and programs to facilitate the successful reentry of juvenile offenders from state or local custody in the community.

7. Recommend timelines for the Juvenile Accountability Block Grant process administered by the Bureau of Juvenile Justice within the Department.

8. Provide advice and recommendations on other matters relating to strengthening the juvenile justice system in Michigan as requested by the Governor or the Department.

B. The Committee shall be afforded an opportunity to review a document, not later than 30 days after submission, on all juvenile justice and delinquency prevention grant applications submitted by the Department.

C. The Committee may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Committee may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

D. The Committee may participate in monitoring state compliance with federal program requirements as requested by the Department, advise on local criminal justice advisory board composition, and review progress and accomplishments of projects funded under the Plan.

E. The Chairperson may hire or retain contractors, subcontractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the advisory powers and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and

the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

F. Members of the Committee shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS


A. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of the state of Michigan this 16th day of February in the year of our Lord, two thousand twelve.




RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:


SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 2/16/2012 AT 3:15 p.m.