



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JOHN D. CHERRY, JR.
LT. GOVERNOR

EXECUTIVE ORDER
No. 2007 - 46

MICHIGAN JUVENILE ACCOUNTABILITY BLOCK GRANT
ADVISORY BOARD

DEPARTMENT OF HUMAN SERVICES

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

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

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;

WHEREAS, formal establishment of an advisory board for juvenile accountability block grants is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

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

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

A. "Board" means the Michigan Juvenile Accountability Block Grant Advisory Board created within the Department of Human Services by this Order.

B. "Department of Human Services" or "Department" means the principal department of state government created as the Department of Social Services under Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550, renamed the Family Independence Agency under 1995 PA 223, MCL 400.1, and

renamed the Department of Human Services under Executive Order 2004-38, MCL 400.226.

II. CREATION OF MICHIGAN JUVENILE ACCOUNTABILITY BLOCK GRANT ADVISORY BOARD

A. The Michigan Juvenile Accountability Block Grant Advisory Board is established as an advisory body within the Department of Human Services.

B. The Advisory Board shall include the following 9 members:

1. The Director of the Department of Human Services, or his or her designee from within the Department.

2. The Director of the Department of Corrections, or his or her designee from within the Department.

3. The Director of the Department of State Police, or his or her designee from within the Department of State Police.

4. The Superintendent of Public Instruction, or his or her designee from within the Department of Education.

5. The following members appointed by the Governor:

a. A county sheriff or deputy sheriff.

b. A county prosecutor or assistant county prosecutor.

c. A judge of the circuit court with active responsibility for cases involving family law and juvenile justice.

d. An individual representing nonprofit, nongovernmental victim advocacy organizations.

e. An individual representing nonprofit, religious, or community groups.

C. Of the members of the Advisory Board initially appointed by the Governor under Section II.B.5, 2 members shall be appointed for a term expiring on October 31, 2008, 1 member shall be appointed for a term expiring on October 31, 2009, 1 member shall be appointed for a term expiring on December 31, 2010, and 1 member shall be appointed for a term expiring on December 31, 2011. After the initial appointments under this paragraph, members shall be appointed for a term of 4 years.

D. A member of the Advisory Board shall continue to serve until a successor is appointed and qualified. A vacancy on the Advisory Board occurring

other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term.

III. CHARGE TO THE ADVISORY BOARD

A. The Advisory Board shall do all of the following:

1. Recommend and regularly update a state coordinated enforcement plan for the use of funds received under Section 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.

2. Ensure that proposed use of funds under the state coordinated enforcement plan are for the purpose of strengthening the juvenile justice program, including any of the following:

a. Developing, implementing, and administering graduated sanctions for juvenile offenders.

b. Building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities.

c. Hiring juvenile court judges, 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.

d. Hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced.

e. 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.

f. Establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime.

g. Establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders.

h. 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.

i. Establishing and maintaining a system of juvenile records designed to promote public safety.

j. 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.

k. Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies.

l. Establishing and maintaining programs to conduct risk and need 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.

m. 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.

n. 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.

o. 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.

p. Hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming.

q. Establishing, improving, and coordinating pre-release and post-release systems and programs to facilitate the successful reentry of juvenile offenders from State or local custody in the community.

3. The Advisory Board shall recommend timelines for the juvenile accountability block grant process administered by the Bureau of Juvenile Justice of the Department.

B. The Advisory Board also shall provide advice and recommendations on other matters relating to strengthening the juvenile justice system in Michigan as requested by the Governor or the Department.

IV. OPERATIONS OF THE ADVISORY BOARD

A. The Advisory Board shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Advisory Board shall be performed under the direction and supervision of the Director of the Department.

B. The Advisory Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Advisory Board serving constitutes a quorum for the transaction of the Advisory Board's business. The Advisory Board shall act by a majority vote of its serving members.

D. The Advisory Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Advisory Board.

E. The Advisory Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Advisory Board may also 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.

F. Members of the Advisory Board shall serve without compensation. Members of the Advisory Board may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

G. The Advisory Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Advisory Board 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.

H. The Advisory Board may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Advisory Board shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Advisory Board or to any member or representative of the Advisory Board, any necessary assistance required by the Advisory Board or any member or representative of the Advisory Board, in the performance of the duties of the Advisory Board so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Advisory Board.

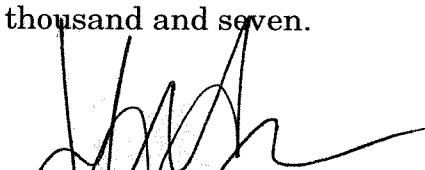
B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. 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.

D. This Order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this 30th day of November, in the year of our Lord, two thousand and seven.





JENNIFER M. GRANHOLM
GOVERNOR

BY THE GOVERNOR:



SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 11/30/2007 AT 4:20 p.m.