

STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1017

WHEREAS, The Mississippi Division of Law Enforcement Assistance, Office of the Governor, was created by Executive Order No. 44, dated March 4, 1969, to serve as the state planning agency to conduct the programs provided by the Omnibus Crime Control and Safe Streets Act of 1968; and,

WHEREAS, The Division of Law Enforcement Assistance, Office of the Governor, was continued in existence by rescission of Executive Order No. 44, through execution of Executive Order No. 159, dated November 19, 1973, to serve as the State Planning Agency to conduct programs provided by the Omnibus Crime Control and Safe Streets Act of 1968, as amended; and,

WHEREAS, the Omnibus Crime Control and Safe Streets Act of 1968, as amended, has as its stated purpose the development and adoption of comprehensive plans based upon evaluation of State and local problems of criminal justice; the authorization of federal grants to State and local units of government in order to improve and strengthen criminal justice; the encouragement of research and development directed toward the improvement of criminal justice and development of new methods for the prevention and reduction of crime and the detection, apprehension and rehabilitation of criminals; and,

WHEREAS, the Juvenile Justice and Delinquency Prevention Act of 1974, Part B, Section 223, designates the state planning agency established under Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, as the sole agency for the preparation and administration of juvenile delinquency plans and programs; and,

WHEREAS, the Juvenile Justice and Delinquency Prevention Act of 1974, has as its purpose the provision of thorough and prompt evaluation of all federally-assisted juvenile delinquency programs; the provision of technical assistance to public and private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs; the establishment of training programs for persons, including professionals, para-professionals, and volunteers, who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs; the establishment of a centralized research effort on the problems of juvenile delinquency, including an information clearinghouse to disseminate the findings of such research and all data related to juvenile delinquency; the development of standards for the administration of juvenile justice, including, recommendation for administrative, budgetary, and legislative action at the Federal, State and local levels to facilitate the adoption of such standards; assistance to the State and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions; and,

WHEREAS, pursuant to Mississippi Code Annotated Section 45-1-33, effective July 1, 1990, the Office of Criminal Justice Planning and Juvenile Justice Advisory Committee, as constituted in the Governor's Office of Federal-State Programs on June 30, 1989, was transferred to the Department of Public Safety; and, in order to insure better coordinated and more effective administration of justice at all levels of government in Mississippi, it is essential that the current state planning agency structure be improved and strengthened:

NOW, THEREFORE, I, Haley R. Barbour, Governor of the State of Mississippi, pursuant to the authority vested in me by the Constitution, and applicable statutes of the State of Mississippi, do hereby continue the existence of said state planning agency, previously cited herein as the Mississippi Division of Law Enforcement Assistance, which historically existed within the Office of the Governor, and the same being, the Office of Criminal Justice Planning and Juvenile Justice Advisory Committee, that was transferred by enactment to the Department of Public Safety. Thus, for purpose of restructuring said state planning agency, and to reaffirm such agency in the office of the "Division of Public Safety Planning" which is established as an organizational unit necessary to implement assigned duties within the Mississippi Department of Public Safety by authority of

Mississippi Code Annotated and amended Section 45-1-2; also do hereby order as follows:

SECTION 1. The Division of Public Safety Planning, Mississippi Department of Public Safety, is hereby designated as the state planning agency for justice as contemplated by the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

SECTION 2. The Division of Public Safety Planning, Mississippi Department of Public Safety shall organize an advisory committee named the Mississippi Juvenile Justice Advisory Committee, herein referred to as the "MSJJAC". For carrying out its business and function, the committee shall have access to, and will use, an Executive Director and office personnel who are subject to the supervision and control of the Commissioner of Public Safety. The committee shall also have the benefit of regional councils created by Executive Order No. 160, dated November 19, 1973, which will ensure statewide participation in matters of local crime and delinquency planning.

SECTION 3. The duties of the Division of Public Safety Planning, Mississippi Department of Public Safety shall consist of, but not be limited to, the following:

A. To develop a comprehensive plan for the improvement of criminal and juvenile justice throughout the State, which shall define, develop and correlate programs for the prevention and reduction of crime and delinquency and the administration of justice.

B. To establish priorities for criminal and juvenile justice improvement in the State; to provide information to prospective grant recipients on the benefits of programs and procedures for grant applications, to encourage grant proposals from State and local units of government for criminal and juvenile justice planning and action efforts; to evaluate local applications for funds, award funds, monitor progress and audit expenditures of grants by State and local units of government; to coordinate the comprehensive plan with other federally-supported programs relating to or having impact on criminal and juvenile justice; to collect data and statistics relevant to criminal and juvenile justice system improvement in the State; and, to oversee the total State effort in criminal and juvenile justice improvement for the prevention and reduction of crime and delinquency and the administration of justice.

C. To apply for and accept grants from the United States Department of Justice, Office of Justice Programs, or any other public or private source, and to approve expenditure and disbursement of any such funds acquired in consistency with applicable laws.

SECTION 4. The Division of Public Safety Planning, Mississippi Department of Public Safety, is authorized, after appropriate consultation with, and concurrence from the Commissioner of Public Safety, the DPSP Executive Director, and MSJJAC, to establish such rules, regulations and procedures as are necessary to the exercise of the functions and as are consistent with the stated purpose of this order.

SECTION 5. The Executive Director of the Division of Public Safety Planning, Mississippi Department of Public Safety, shall be appointed as the executive head, or director, of the MSJJAC, which designation shall be in addition to the other duties of the division referred to herein. The executive director shall have the responsibility for recommending policy and program alternatives; and, shall exercise appropriate administrative powers, including supervision of personnel. All of the other functions, powers and duties created and established by this order shall be exercised by the Executive Director with the concurrence of the Commissioner of Public Safety.

SECTION 6. The Division of Public Safety Planning, Mississippi Department of Public Safety shall function as the supervisory body over the activities of both the division and the MSJJAC, which are performed for purposes under the requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974. Membership to the MSJJAC shall be appointed by the Governor and shall serve at the pleasure of the Governor. The Division of Public Safety Planning shall review and maintain general oversight of activities performed under requirement of the afore- stated statutes, and shall consist of an executive director and such other employees as are necessary to the exercise of these functions.

SECTION 7. All such relevant activities of the Division of Public Safety Planning, Mississippi Department of Public Safety, shall be subject to the Constitution and the laws of the State of Mississippi; the supervision of the Governor; legislative restrictions on the expenditure of funds; Federal laws, regulations and guidelines; State budget and appropriation requirements; and State administrative regulations.

SECTION 8. It shall be the duty of every department, agency, office, board, commission, institution and political subdivision to cooperate with and assist the Division of Public Safety Planning, Mississippi Department of Public Safety, the Commissioner of Public Safety, and the MSJJAC in every reasonable way.

SECTION 9. This Executive Order supplements any and all other executive orders and does not hereby rescind or hold for naught any other previous executive order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, the 30th day of March, in the year of our Lord two thousand nine, and of the Independence of the United States of America, the two hundred and thirty-third.



HALEY BARBOUR
GOVERNOR

BY THE GOVERNOR


SECRETARY OF STATE