

OFFICE OF THE GOVERNOR
American Samoa Government

EXECUTIVE ORDER NO. 6-1989

ESTABLISHMENT OF THE
JUVENILE JUSTICE ADVISORY COUNCIL

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By the authority vested in the Governor of American Samoa by the Revised Constitution and laws of American Samoa, it is hereby ordered as follows:

Section 1. Establishment of Council.

(a) There is established a Juvenile Justice Advisory Council within the executive branch which is under the jurisdiction of the Governor.

(b) The council members shall be appointed by the Governor of American Samoa to carry out the purposes of the "American Samoa Juvenile Justice Act of 1980," and the federal Juvenile Justice and Delinquency Prevention Act of 1974 as amended, and other functions specified in the powers and duties.

(c) The council shall consist of not less than 15 and not more than 33 persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice.

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(d) The council shall include but not be limited to locally elected officials, representative of departments and agencies of the local government, such as law enforcement, and juvenile justice agencies, for example: corrections or probation personnel, juvenile court judges, welfare and social services, mental health, education or youth services department, representatives of private organizations, representatives of businesses and those concerned with the quality of juvenile justice education, or social services for children in compliance with the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and other applicable federal acts.

(e) A majority of the council members (including the chairman) shall not be full-time employees of the federal, Territory or local government.

(f) At least one-fifth of the council's members shall be under the age of 24 at the time of appointment, and at least 3 of the members shall have been or shall currently be under the jurisdiction of the juvenile justice system.

(g) Members shall serve a 2-year term and at least half of the said council membership maybe reappointed, and provided further, that the terms of those members who serve by virtue of the office they hold shall be concurrent with their service in the office from which they derive their membership.

(h) The chairman is selected by the council from among its members at the first meeting of every new 2 year term.

(i) Should any member cease to be an officer or employee of the unit or agency he is appointed to represent and/or any members not in good standing by missing two consecutive meetings as required without excuse his membership on the council shall terminate immediately and a new member shall be appointed in the same manner as his predecessor to fill the unexpired term with 30 days of the vacancy.

(j) Members serve without compensation or other emoluments.

(k) The Criminal Justice Planning Agency of the American Samoa Government is designated as the sole agency for supervising the preparation and administration of all the territory's Juvenile Justice and Delinquency Prevention programs which are federally assisted by formula Grants, Block Grants and for any other grants, and is further authorized to implement the Juvenile Justice Comprehensive Plan and its annual updates to conform with requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

Section 3. Powers and Duties.

(a) The council shall:

(1) Carry out the purposes of Title 45 of ASCA.

(2) Participate in the development and review of the territory's juvenile justice comprehensive plan and annual plan update prior to submission to the American Samoa Criminal Justice Supervisory Board, the Governor and the Legislature annually.

(3) Advise the Criminal Justice Planning Agency on matters concerning improvement of treatment for neglected children, sexually abused children and drug/alcohol abuse by children.

(4) Recommend legislation to the Governor and Legislature to improve juvenile justice and eliminate delinquency and juvenile crimes.

(5) Advise and assist the Governor and the Director/Administrator of Juvenile Justice Programs in developing policies, plans, programs and budgets for improving the coordination, administration and effectiveness of Juvenile Justice and Delinquency Prevention in the Territory.

(6) Monitor and evaluate programs and projects aimed at reducing crime and delinquency.

(7) Cooperate with the agency in providing technical assistance to public and private agencies relating to juvenile justice and delinquency prevention.

(1) The Director of the Criminal Justice Planning Agency who serves at the pleasure of the Governor, shall also be the Administrator of the Juvenile Justice Programs. The Director/Administrator is authorized to prescribe regulations consistent with the federal Juvenile Justice and Delinquency Prevention Act of 1974 as amended and to administer, monitor compliance and contract for consulting services as maybe necessary, and is further authorized to carry out the purposes of this title, the "Juvenile Justice Act of 1980." Other staff personnel are employed in accordance with the career service and other applicable territorial laws and regulations.

Section 2. Meetings, Quorum, Committees and Rules.

(a) The council shall meet quarterly, and at other times designated by the chairman.

(b) Eleven (11) members constitute a quorum.

(c) The council shall select a vice chairman, a secretary and may establish committees it considers advisable and proper from among its members at the first meeting of every new 2-year term.

(d) All meetings of the council at which public business is discussed or final action is taken are open to the public.

(e) The council shall adopt rules which govern its operations provided they are in accordance with 4.1002 ASCA.

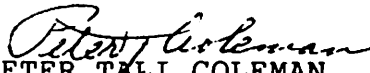
(8) Have the authority to collect from any governmental entity information, data, reports, statistics and other materials which are necessary to carry out the council's functions.

(9) Perform other functions as may be necessary to carry out the purposes of Title 45 ASCA.

Section 4. Effective Date.

This Executive Order is effective immediately.

Dated: Aug. 29, 1989


PETER TALI COLEMAN
Governor of American Samoa