



OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2008-15

RELATIVE TO DESIGNATING THE DEPARTMENT OF YOUTH AFFAIRS THE STATE COMPLIANCE MONITORING AGENCY OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 2002

WHEREAS, *I Maga'lahaen Guåhan*, through his designee, annually accepts federal funds through the Office of Juvenile Justice and Delinquency Prevention under the Juvenile Justice and Delinquency Prevention Act of 2002 (hereinafter the "Act").

WHEREAS, the goals of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) are to help state and local governments prevent and control juvenile delinquency and to improve the juvenile justice system.

WHEREAS, with the reauthorization of the Act in 2002, a second important goal was to protect juveniles in the juvenile justice system from inappropriate placements and from the harm, both psychological and physical, that can occur as a result of exposure to adult inmates.

WHEREAS, states and territories participating in the Juvenile Justice Delinquency Prevention Act of 2002 are required to develop and implement a strategy for achieving and maintaining compliance with the Core Protection Requirements.

WHEREAS, Guam receives Juvenile Justice and Delinquency Prevention Act Formula Grants funds annually, dependent on compliance with the core protections of the JJDP Act, of Section 223 (a)(11)(A) Deinstitutionalization of Status Offenders (DSO); Section 223 (a)(12)Sight and Sound Separation of Juveniles from Incarcerated Adults; Section 223 (a)(13) Removal of Juveniles from Adult jails and Lockups(Jail Removal); Section 223(a)(14) Compliance Monitoring and Section 223(a)(22) Disproportionate Minority Contact.

WHEREAS, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) requires that states and territories participating in the JJDP Act have an adequate compliance monitoring system that includes: (1) Identification of the Monitoring System, (2) Classification of facilities, (3) Inspection of facilities and (4) Data Collection and Data Verification.

WHEREAS, the Department of Youth Affairs is Guam's state agency to administer Juvenile Justice and Delinquency Prevention Act grants, and is required to monitor compliance with the Core Protection Requirements of the Juvenile Justice and Delinquency Prevention Act of 2002.

WHEREAS, the Department of Youth Affairs is the designated agency responsible for establishing, developing and implementing a strategy for achieving, maintaining and monitoring jails, detention facilities, correctional facilities, and non-secure facilities, which might hold juveniles pursuant to public authority and regardless of the purpose of housing juveniles, to ensure compliance with the Core Protections Requirements of the Act.



NOW, THEREFORE, I, FELIX P. CAMACHO, I Maga'lahen Guahan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. The **Department of Youth Affairs** is designated as the State Planning Agency for the Territory of Guam empowered to administer Juvenile Justice Delinquency Act funds, with full administrative and comprehensive oversight authority for compliance with the Juvenile Justice and Delinquency Prevention Act of 2002.
2. The **Department of Youth Affairs** is authorized to develop and enforce, pursuant to local statutes, standards for all secure facilities that might hold juveniles pursuant to public law, to (1) inspect the facilities for classification purposes and compliance with the Act, (2) review juvenile records to collect data at selected intervals during the year, (3) to cite facilities for violations of the standards, and (4) to enforce sanctions when violations are not corrected.
3. The **Department of Youth Affairs'** designated Compliance Monitor(s) will be permitted to review records containing detention information with the verbal agreement that the monitor(s) will respect the confidential nature of the information and will not knowingly record or divulge information which might identify a specific child except as may required to protect the child.
4. The **Director of the Department of Youth Affairs** will establish a Unit for Grants Administration & Compliance Monitoring within the agency to oversee all aspects of grants administration for the Territory consistent with the purposes and intent of this Executive Order, and will provide an annual report including the progress, barriers, meetings, trainings and violations of the Act, if any, to *I Maga'lahen Guahan*.
5. The **Department of Youth Affairs** is directed to strengthen the work of the Guam Juvenile Justice State Advisory Council (JJSAC), also known as the State Advisory Group, in accordance with federal mandates to develop and review the island's Juvenile Justice State Plan each year, consistent with Section 223(a) of the Act.
6. That all entities, organizations and agencies charged with the temporary or long term care and custody of juveniles, pursuant to statutory or federal grant mandates, work effectively and diligently toward safe and appropriate holding of juveniles in compliance with the Act to ensure annual formula grant funding for Guam.

SIGNED AND PROMULGATED at Hagåtña, Guam this 10 day of July, 2008.

FELIX P. CAMACHO
I Maga'lahen Guahan
Governor of Guam

COUNTERSIGNED:

MICHAEL W. CRUZ, M.D.
I Segundu Maga'lahen Guahan
Lieutenant Governor of Guam

