



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**  
Governor

**Timothy P. Villagomez**  
Lieutenant Governor

### **EXECUTIVE ORDER NO. 2006- 005**

**SUBJECT:** Northern Marianas Council for the Improvement of the Criminal Justice System

**AUTHORITY:** Executive Order 16 dated March 28, 1980 (amending Executive Order No. 6, dated July 10, 1978) and Public Law 11-47 (repealing Executive Order 94-3 §303(a))

WHEREAS, on March 28, 1980, Executive Order No. 16 ("EO 80-16") created the Northern Marianas Commonwealth Council for the Improvement of the Criminal Justice System ("Council") under the Governor's Office; and

WHEREAS, on August 23, 1995, Executive Order 94-3 took effect placing the Council under the jurisdiction of the Department of Public Safety Plan for the purposes of coordination and administration; and

WHEREAS, on November 20, 1998, pursuant to Public Law 11-47, the Council was transferred back under the Governor's Office; and

WHEREAS, the Northern Marianas Criminal Justice Planning Agency ("CJPA") was established under the Council tasked to comply with the Federal Omnibus Crime Control and Safety Streets Act of 1968, as amended; and

WHEREAS, the Council's duties as outlined below pursuant to Section 6 of EO 80-16 include the following:

- a) To supervise the Agency in performing its powers and duties under EO 80-16.
- b) To review, approve and maintain general oversight of the State Plan and its implementations.
- c) To prepare an Annual Report detailing its work during the preceding calendar year which shall be submitted to the Governor and the Legislature and made available to the public. Other studies, evaluations, crime data analysis and

reports may be submitted to the Governor or Legislature upon request or as may be deemed appropriate by the Council.

- d) To guide the CJPA to define goals and develop standards for the criminal justice system; conduct or authorize a criminal justice plan and annual revisions to it and other appropriate planning studies for the improvement of law enforcement and criminal justice; build on work already completed, including studies pertaining to the protection of juveniles in criminal proceedings; provide advice to the Governor in areas of its competence; identify, conduct, oversee or coordinate programs, including demonstration projects, for the prevention of crimes, effectiveness of criminal procedures, and the care, treatment and rehabilitation of offenders; monitor and assess criminal justice activities; and recommend legislation or regulations to the Governor as may be appropriate. The Council shall serve in an advisory coordinative capacity to the branches and agencies of the government in its area of competence and may provide technical advice or request.
- e) To advise and assist the Governor in developing policies, plans, programs, and budgets for improving the coordination, administration and effectiveness of the criminal justice system in the Commonwealth; and

WHEREAS, the current Council is composed of sixteen (16) members, 10 of whom are ex officios; and

WHEREAS, the Chairman of the Youth Advisory Council is the only ex officio member required pursuant to 42 U.S.C. 5633; and

WHEREAS, the remaining 9 ex officio members, in their official capacity, may at times have an interest in certain grant awards, causing the Council to become biased and/or causing the Council members to bargain with each other;

WHEREAS, it is the intent of this Executive Order to minimize the number of members who may have an interest in grant awards; and

WHEREAS, the total number of Council members currently established is excessive;

NOW, THEREFORE, to conduct Council's duties fairly and objectively, it is hereby

**ORDERED:**

That the number of Council members be reduced to nine (9). The members shall include the following:

- 1) Chairman, Youth Advisory Council
- 2) Chief Justice, NMI Supreme Court
- 3) President of the Saipan Chamber of Commerce or his/her designee;
- 4) Chairman, Judicial and Governmental Operations Committee, CNMI House of Representatives;
- 5) Five (5) citizen members of the CNMI appointed in accordance with Public Law 1-8.

With the exception of the representatives from the Youth Advisory Council, the NMI Supreme Court, the Saipan Chamber of Commerce, and the Judicial and Governmental Operations Committee of the CNMI House of Representatives whose terms are valid only for the duration of their position, the remaining members shall serve a term of four (4) years, shall be non-government employees, board members, agents, or elected officials and shall be appointed by the Governor in accordance with Public Law 1-8; with representation among citizen members of each senatorial district, one member of Carolinian descent, and one female member.

**IT IS FURTHER ORDERED:**

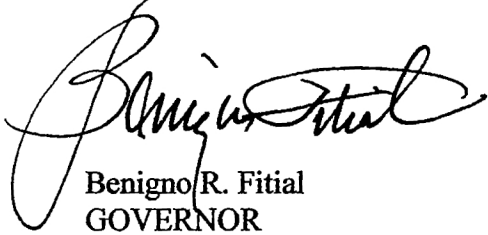
That the Youth Advisory Council's participation will solely be in an advisory and non-voting position. The Chairman, or his/her designee, shall participate in the development and review of CNMI's juvenile justice plan before it is submitted to the Council for final action and shall have thirty (30) days to review and comment on juvenile justice and delinquency prevention grant applications.

**IT IS FURTHER ORDERED:**

That with the exception of the representatives from the Youth Advisory Council and the NMI Supreme Court, the remaining members shall not have any direct interest in federal grants managed under the Council. They may not be employed by, affiliated

with, or involved in an agency, department, or group that is an applicant for grants maintained by the Council.

Done this 26<sup>th</sup> day of July, 2006.



Benigno R. Fitial  
GOVERNOR

Do not Remove

**FILE**

**ACKNOWLEDGMENT OF RECEIPT OF HAND-DELIVERED DOCUMENTS**  
**From the Office of Governor Benigno R. Fitial**

**TRANSMITTING EXECUTIVE ORDER NO. 2006-05**

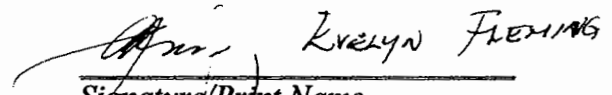
Acknowledged by:



Signature/Print Name  
Senae President's Office

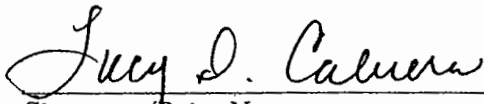
Date/Time: 8/4/06 4:30pm

Acknowledged by:



Signature/Print Name  
Speaker of the House

Date/Time: 8/4/06 4<sup>32</sup> pm



Signature/Print Name  
Office of Programs & Legislative Review

Date/Time: 08/04/06 4:30pm