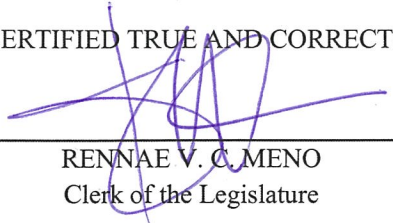


I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 183-35 (COR)	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building February 4, 2020					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN					✓	✓
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON	✓					
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedro" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES					✓	✓

TOTAL:	13	2	2
	Aye	Nay	Absent
		Not Voting/ Abstained	Out During Roll Call
			Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 183-35 (COR)

*

Introduced by:

Jose “Pedo” Terlaje
Tina Rose Muña Barnes
William M. Castro

**AN ACT TO *ADD* A NEW ARTICLE 6 TO CHAPTER
90 OF TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO THE CREATION OF A CIVILIAN
CORRECTIONS RESERVE PROGRAM AT THE
DEPARTMENT OF CORRECTIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Article 6 is hereby *added* to Chapter 90 of Title 9, Guam
Code Annotated, to read:

“ARTICLE 6

CIVILIAN CORRECTIONS RESERVE PROGRAM

§ 90.200. Creation.

§ 90.201. Functions and Duties.

§ 90.202. Recruitment.

§ 90.203. Training, Equipping, and Maintenance of Records.

§ 90.204. Reservist: Authority.

§ 90.204.1. Same: Allowance.

§ 90.204.2. Authorization for Full-Time CCRP Officers.

§ 90.205. Same: Eligibility and Oath.

1 § 90.206. Rules and Regulations: Recommendations.

2 **§ 90.200. Creation.**

3 (a) There is hereby created within the Department of Corrections (DOC)
4 the Civilian Corrections Reserve Program (CCRP), which *shall* be headed by the
5 Director of DOC (Director).

6 (b) The Director, subject to the advice and control of the Governor, *shall*
7 be responsible for carrying out the purposes of this Article, and shall have such
8 additional duties and responsibilities as are authorized herein, or as may be
9 prescribed by the Governor.

10 **§ 90.201. Functions and Duties.**

11 (a) The general functions and duties of the CCRP *shall* be to provide
12 backup manpower to protect the public from the destructive actions of law offenders
13 through control and rehabilitation. It *may* provide staff services to the Judiciary, the
14 Parole Board, probation officers, and interested agencies of the Executive Branch.

15 (b) The Director *shall* formulate a program whereby the CCRP *shall* adhere
16 to the functions and duties herein prescribed. From time to time, the Director *shall*
17 review and revise the functions and duties of the CCRP to ensure an amicable
18 discharge of responsibilities and duties acknowledging the fact that their roles are an
19 extension of the duties of the regular personnel.

20 **§ 90.202. Recruitment.**

21 (a) The Director *shall* recruit, on an entirely volunteer basis, local residents
22 who desire to make available their services to assist the Department of Corrections
23 in carrying out the function of protecting the public from the destructive actions of
24 law offenders through control and rehabilitation.

25 (b) The Director *shall* further promulgate rules and regulations for
26 recruitment regarding the age, health, and other requirements.

(c) Nothing in this Section shall prohibit the Director from recruiting a resident who is a non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

§ 90.203. Training, Equipping, and Maintenance of Records.

(a) Training for the CCRP members *shall* be conducted pursuant to the provisions of the Peace Officer Standards and Training (POST) Commission in 17 GCA Chapter 51. Initial training requirements *shall* be identical to those required of DOC cadets.

(b) The Director *shall* maintain a roster of reservists who have received the training prescribed by 17 GCA Chapter 51. In order to maintain membership in the CCRP, each member must keep up with his scheduled training, and no reservist may remain in the CCRP if he or she is unable to keep up with or otherwise absorb the training. Additionally, basic supplies and equipment *shall* be provided to ensure a constant operability of the CCRP, including a continuing program for replacement.

(c) Any member of the CCRP who has *not* met the minimum qualifications/certifications for firearms safety and proficiency, physical fitness, recruitment clearances, and background checks *shall not* be allowed to serve in the CCRP.

§ 90.204. Reservist: Authority.

Whenever members of the CCRP are rendering assistance to DOC, such volunteers *shall* have the same powers, duties, rights (including coverage under the Worker's Compensation Act), privileges and immunities, as if they were paid, full-time members of the Department of Corrections, except that they *shall* earn recruitment credit for services performed as volunteers.

§ 90.204.1. Same: Allowance.

1 Each member of the CCRP who successfully completes probationary
2 requirements as established by the Director, and who serves a minimum of twenty
3 (20) hours to maintain good standing as a CCRP officer, and forty-two (42) hours
4 per month, *shall* receive an allowance of Five Hundred Dollars (\$500) per month to
5 defray the cost of maintenance of their equipment and uniforms. The Department
6 of Corrections *shall* identify funds within their department appropriations to satisfy
7 the intent of this Section.

8 **§ 90.204.2. Authorization for Full-Time CCRP Officers.**

9 (a) The Department of Corrections (DOC) may employ a CCRP officer on
10 a temporary, full-time basis, if such officer is an active member and has attained at
11 least two thousand eighty (2,080) cumulative service hours when a critical need
12 arises due to military activation of DOC officers or absence due to long-term
13 disability status that has been certified by a medical doctor. DOC may exercise this
14 authority provided its authorized budget for personnel is *not* exceeded. The CCRP
15 officer *shall* return to reservist status pursuant to this Article when the incumbent
16 returns from military service or long-term disability or at the discretion of the
17 Director.

18 (b) When employed by DOC, a CCRP officer may only serve as an
19 equivalent of Corrections Officer I and be compensated as a Corrections Officer I,
20 Step I. Said CCRP officer *shall* be eligible to receive sick leave, be eligible for the
21 Government of Guam Health Insurance Program, and *shall not* be eligible for a
22 stipend as a Reserve officer for the duration of their temporary employment with
23 DOC.

24 (c) A CCRP reservist *shall* be offered permanent employment in the event
25 a permanent position becomes available at DOC; provided, that the reservist meets
26 all of the qualifications as prescribed in this Article. The Director *shall* promulgate

1 rules and regulations that determine the order in which reservists are selected for
2 permanent service.

3 (d) Notwithstanding 10 GCA § 77114(a)(1), a CCRP officer who serves as
4 a Corrections Officer I, Step I under this Section may be a non-immigrant alien
5 admitted into Guam under the Compacts of Free Association between the United
6 States and the Federated States of Micronesia, the Republic of the Marshall Islands,
7 and the Republic of Palau.

8 **§ 90.205. Same: Eligibility and Oath.**

9 (a) No person shall be a volunteer member of the CCRP established under
10 this Article who advocates a change by force or violence in the constitutional form
11 of the Government of the United States or of Guam, or the overthrow of any
12 government in the United States by force, or who has been convicted of or is under
13 indictment or information charging any subversive act against the United States.

14 (b) Every volunteer *shall*, entering upon his duties, take an oath, in writing,
15 before a person authorized to administer oaths in Guam, which oath *shall* be
16 substantially as follows:

17 “I _____, do solemnly swear (or affirm) that
18 I will support and defend the Constitution of the United States and the
19 laws of Guam, against all enemies, foreign or domestic; that I will bear
20 true faith and allegiance to the same; that I take this obligation freely,
21 without any mental reservation or purpose of evasion; and that I will
22 well and faithfully discharge the duties upon which I am about to enter
23 and I do further swear (or affirm) that I do not advocate, nor am I a
24 member of any political party or organization that advocates the
25 overthrow of the Government of the United States or of Guam by force
26 or violence; and that during such time as I am a member of the Civilian

1 Corrections Reserve Program I will not advocate nor become a member
2 of any political party or organization that advocates the overthrow of
3 the Government of the United States or Guam by force or violence.”

4 **§ 90.206. Rules and Regulations: Recommendations.**

5 The Director is authorized and empowered to recommend to the Governor for
6 issuance as executive orders the making, amendment, and rescission of such orders,
7 rules and regulations as may be necessary to carry out the provisions of this Article.”

8 **Section 2. Effective Date.** This Act *shall* be effective upon enactment.

9 **Section 3. Severability.** If any provision of this Act or its application to any
10 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
11 *not* affect other provisions or applications of this Act that can be given effect without
12 the invalid provision or application, and to this end the provisions of this Act are
13 severable.