

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
<b>181-37 (COR)</b> As amended by the Committee on Education, Public Safety, and the Arts; and further amended on the Floor	Chris Barnett Telo T. Taitague William A. Parkinson Roy A. B. Quinata Christopher M. Dueñas Joe S. San Agustin Amanda L. Shelton Dwayne T.D. San Nicolas Thomas J. Fisher Tina Rose Muña Barnes	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 77, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO ALLOWING THE USE OF <i>BODY-WORN-CAMERAS</i> BY UNIFORMED OFFICERS OF THE GUAM POLICE DEPARTMENT.	9/29/23 3:12 p.m.	10/5/23	Committee on Education, Public Safety and the Arts	Request: 10/5/23  10/16/23	11/1/23 5:30 p.m.	11/13/23 8:55 a.m.  As amended by the Committee on Education, Public Safety and the Arts	Referred Version 10/4/23
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
	11/27/23	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF BODY-WORN CAMERAS BY UNIFORMED OFFICERS OF THE GUAM POLICE DEPARTMENT.	11/30/23	12/1/23	12/13/23	37-57	12/13/23	Received: 12/13/23 Messages and Communications Doc. No. 37GL-23-1340	

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

December 13, 2023

31GL-23-1340

OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

DEC 13 2023

Time: 4:55 pm  
Received: SN

**HONORABLE THERESE M. TERLAJE**

*Speaker*

*I Mina'trentai Siette Na Liheslaturan Guåhan*

37<sup>th</sup> Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

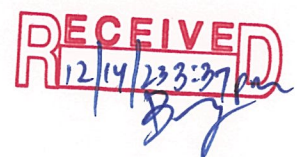
**Re: Bill No. 181-37 (COR) - AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF BODY-WORN CAMERAS BY UNIFORMED OFFICERS OF THE GUAM POLICE DEPARTMENT**

*Håfa Adai* Madame Speaker,

Bill No. 181-37 (COR) authorizes the development of a Body-Worn Camera Program for the Guam Police Department ("GPD"). With the prevalence of closed-circuit television and the availability of high-definition video cameras on mobile phones, members of our community frequently create and circulate video recordings on social media. In light of these societal norms, Bill No. 181-37 recognizes the positive value of body-worn camera recordings in affecting the behavior of those being recorded and the added value in aiding investigations. More importantly, Bill No. 181-37 balances the privacy interests implicated in these recordings by requiring GPD approval or a court order prior to the release of any recordings.

Bill No. 181-37 also addresses recordings of specific encounters and investigations that, absent a court order, require the consent of persons depicted in the recordings, including potential crime victims before the recording may be released.

GPD General Order 700-60 previously established internal policies and procedures for the on-duty use of Body-Worn Cameras. Bill No. 181-37 requires development of rules and regulations that will build upon General Order 700-60, providing our community with a better understanding of the protocols of GPD related to the use of Body-Worn Cameras, and empowering our community to participate in the development of regulations, including those affecting privacy interests, through the Administrative Adjudication Act process.



To: Therese M. Terlaje, *Speaker*, 37<sup>th</sup> Guam Legislature  
Fr: Lourdes A. Leon Guerrero, *Governor of Guam*  
Date: December 13, 2023  
Re: Bill No. 181-37 (COR) nka P.L. 37-57

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For these reasons, I sign Bill No. 181-37 (COR) into law as *Public Law No. 37-57*.

*Senseramente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

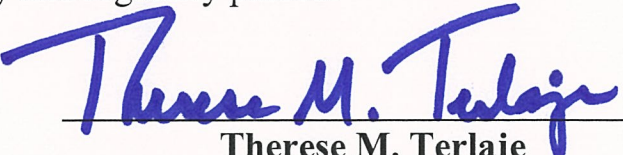
Enclosure: Bill No. 181-37 (COR) nka P.L. 37-57

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

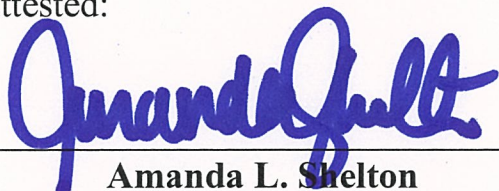
*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2023 (FIRST) Regular Session

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN***

This is to certify that **Bill No. 181-37 (COR)**, “AN ACT TO *ADD A NEW ARTICLE 4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF BODY-WORN CAMERAS BY UNIFORMED OFFICERS OF THE GUAM POLICE DEPARTMENT,*” was on the 30<sup>th</sup> day of November 2023, duly and regularly passed.

  
Therese M. Terlaje  
Speaker

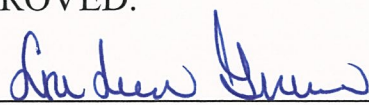
Attested:

  
Amanda L. Shelton  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 1<sup>st</sup> day of December,  
2023, at 3:23 o'clock P.M.

Received and signed by Jessica C. Dydasco  
on the foregoing date and time  
Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:

  
Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*

Date: 12/13/23

Public Law No. 37-57

2023-20402  
OFFICE OF THE GOVERNOR  
CENTRAL FILES  
Jessica Dydasco  
RECEIVED BY  
TIME 3:23pm DATE 12/1/23

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

**Bill No. 181-37 (COR)**

As amended by the Committee on  
Education, Public Safety, and the Arts; and  
further amended on the Floor.

Introduced by:

Chris Barnett  
Telo T. Taitague  
William A. Parkinson  
Roy A. B. Quinata  
Christopher M. Dueñas  
Joe S. San Agustin  
Amanda L. Shelton  
Dwayne T.D. San Nicolas  
Thomas J. Fisher  
Tina Rose Muña Barnes  
Frank Blas, Jr.  
Joanne Brown  
Jesse A. Lujan  
Sabina Flores Perez  
Therese M. Terlaje

**AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 77  
OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE  
TO ALLOWING THE USE OF BODY-WORN CAMERAS  
BY UNIFORMED OFFICERS OF THE GUAM POLICE  
DEPARTMENT.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Article 4 is *added* to Chapter 77 of Title 10, Guam Code  
3 Annotated, to read as follows:

4 **“ARTICLE 4**

5 **BODY-WORN CAMERAS**

- 1           § 77401.     Legislative Findings and Intent.
- 2           § 77402.     Body-worn Cameras (Body Cams).
- 3           § 77403.     Body Cam Program.
- 4           § 77404.     Body Cam Recordings: Release.
- 5           § 77405.     Body Cam Recordings: Storage and Archiving.
- 6           § 77406.     Pilot Program Permitted.
- 7           § 77407.     Grants and Funding.
- 8           § 77408.     Administrative Rules and Regulations.
- 9           **§ 77401.     Legislative Findings and Intent.**

10           *I Liheslaturan Guåhan* finds that body-worn cameras are video and audio  
11 recording devices that police, sheriff and highway patrol officers wear as part of their  
12 uniforms to document what they observe as they perform their duties. Body-worn  
13 cameras continue to be a popular focus for state and city lawmakers as they consider  
14 and enact legislation to address police-community relations.

15           Body-worn camera laws generally limit public dissemination of camera  
16 footage except for statutorily specified purposes. Some jurisdictions permit the  
17 release of footage to the people involved in a recording, or to their attorneys. Other  
18 jurisdictions allow release in instances where the public interest outweighs the need  
19 for confidentiality. Some jurisdictions allow the release of footage, but recordings  
20 can be withheld if they reveal confidential information or identify people accused  
21 of, but not charged with, a crime.

22           *I Liheslaturan Guåhan* further finds that body-worn cameras have become  
23 increasingly popular in recent years as a means to prevent or document officer  
24 misconduct while on duty. However, these devices are unpopular among law  
25 enforcement officers as everything that they say or do while on duty is recorded,  
26 including times when officers have a reasonable expectation of privacy. The other  
27 concern from law enforcement officers is that recorded criticism of fellow officers

1 or supervisors may be used against them. To balance the needs of the public,  
2 investigators, prosecutors, defense attorneys and victims, the use and release of  
3 body-worn cameras recordings should be subject to a fair and concise policy.

4 Therefore, it is the intent of *I Liheslaturan Guåhan* to allow the Guam Police  
5 Department to implement a body-worn camera program, and to allow the Chief of  
6 Police to develop rules and regulations to administer the program.

7 **§ 77402. Body-worn Cameras (Body Cams).**

8 A body-worn camera (body cam) is a device worn by police officers as  
9 part of their uniforms. The body cam records audio and video to document  
10 what they observe as they perform their duties.

11 **§ 77403. Body Cam Program.**

12 The Chief of Police (Chief) is authorized to develop a body cam  
13 program for the Guam Police Department (GPD).

14 **§ 77404. Body Cam Recordings: Release.**

15 Body cam recordings are not public information as defined in Chapter  
16 10, 5 GCA; however, body cam recordings shall be released for the following  
17 purposes:

18 (a) upon a court order, including warrants, subpoenas,  
19 summons or discovery. Such recordings shall remain confidential while  
20 in the possession or custody of the receiving party unless ordered by a  
21 court; or

22 (b) no recordings of incidents that are the subject of an  
23 investigation shall be made public until after completion of the  
24 investigation. No recordings of incidents that are the subject of an  
25 investigation that results in a criminal charge or an indictment shall be  
26 made public until after the case is adjudicated; or

1 (c) for use in criminal investigations and criminal  
2 prosecutions; or

3 (d) for use in internal GPD investigations; or

4 (e) for use in accordance with the Rules of Discovery.

5 Body cam recordings of encounters with juveniles are not to be made  
6 public. Body cam recordings of encounters with victims of family violence,  
7 child abuse, child pornography, human trafficking, criminal sexual conduct,  
8 victims of violent crimes, and where there is a reasonable expectation of  
9 privacy such as a victim's home, are not to be made public without the  
10 expressed written consent of the victim.

11 **§ 77405. Body Cam Recordings: Storage and Archiving.**

12 The Chief shall develop a storage, retention and archiving policy for  
13 body cam recordings. Body cam recordings must be retained for a minimum  
14 of three (3) years following completion of an investigation. Body cam  
15 recordings used as evidence in a criminal or civil proceeding shall be retained  
16 for a period of not less than three years (3) or longer, while disposition of an  
17 appeal is pending or subject to a court order.

18 **§ 77406. Pilot Program Permitted.**

19 The Chief may implement the provisions of this Article as a pilot  
20 program.

21 **§ 77407. Grants and Funding.**

22 Nothing in this Article or any other provision of law is to be construed  
23 as to limit or restrict the ability for GPD to apply for and utilize grant funding  
24 for the purchase, operation and maintenance of body cams. Nothing in this  
25 Article or any other provision of law is to be construed as to limit or restrict  
26 the ability for GPD to apply for and utilize grant funding for the purchase,



1 operation and maintenance of body cams recording storage, retention and  
2 archiving.

3 **§ 77408. Administrative Rules and Regulations.**

4 GPD shall develop administrative rules and regulations to implement  
5 the provisions of this Article pursuant to Chapter 9, 5 GCA.”