

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
TWENTY-EIGHTH GUAM LEGISLATURE  
2006 (SECOND) Regular Session

Bill No. 279 EC

Introduced by:

A. B. Palacios, Sr.



AN ACT TO ADD A NEW SECTION §§90.26, 90.26.1, AND 90.26.2 TO ARTICLE 1, CHAPTER 90 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STANDARD FOR THE UNIFORM, INSIGNIA AND BADGE FOR CORRECTIONAL AND PAROLE OFFICERS OF THE DEPARTMENT OF CORRECTIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1       **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that the nature of work of the Correction and Parole Officers of the  
3 Department of Corrections is critical to the Criminal Justice system. *I*  
4 *Liheslaturan Guåhan* also finds that Corrections and Parole Officers have and  
5 continue to utilize uniforms in the performance of their duties.

6       *I Liheslaturan Guåhan* further finds that the use of uniforms has been a  
7 tradition for corrections personnel since their establishment, however, no  
8 statute existed to provide for the standard and use of uniforms, except only  
9 through internal organizational policy.

1           Moreover, a review of the Guam Code Annotated reveals that Parole  
2 Officers are not identified as uniformed personnel and only recently through  
3 P.L. 27-36 have they been recognized as peace officers. Additionally, there are  
4 no existing statutes that prescribe for specifications for their uniform, insignia  
5 and badge, unlike uniform policies for the Guam Police officers, and marshals  
6 of the Judiciary.

7           Therefore, it is the intent of *I Liheslaturan Guåhan* to put in statute what is  
8 currently the standard and practice of the usage of uniforms by Correction  
9 and Parole Officers of the Department of Corrections by adding a new §90.26  
10 to Article 1, Chapter 90, of Title 9 Guam Code Annotated.

11           **Section 2.** New §§90.26, 90.26.1, and 90.26.2 are hereby added to Article  
12 1, Chapter 90 of Title 9, Guam Code Annotated, to read as follows:

13           **“§90.26. Uniform, Insignia and Badge of the Correction and Parole**  
14 **Officers of the Department of Corrections.** (a) The government of Guam  
15 shall provide Correction and Parole officers with standard uniforms. Subject  
16 to detailed regulations and specifications prescribed by the Director of the  
17 Department of Corrections, the uniform to be worn shall be a standard pattern  
18 and distinctive design.

19           (b) **Badge Design.** The badge shall be a shield measuring  
20 approximately three and one-half (3 1/2) inches in length, in the center of

1 which shall be imposed in relief, a facsimile of the seal of the Territory of  
2 Guam. The badge issued to commissioned officers shall be of a composition  
3 metal in similitude of gold, and that issued to other officers shall be of a  
4 composition metal in similitude of silver.

5 **§90.26.1. Use of Uniform.** The Director of Corrections shall direct  
6 appropriate uniform use. (a) The Director shall identify uniformed activity  
7 and direct the use of uniforms by Departmental personnel.

8 (b) The Director may direct that certain corrections and parole officers  
9 serve in civilian clothing in the performance of assigned duties.

10 **§90.26.2. Wearing Uniforms by Other Persons Prohibited.** (a) No  
11 person other than a Correction and Parole officer shall wear, use or order to be  
12 worn or used, copy or imitate in any respect or manner, the standard uniform  
13 and badge pursuant to regulation and specification prescribed by the  
14 Department.

15 (b) Any person violating this Section is guilty of a misdemeanor and  
16 shall be punished by a fine of not more than Five Hundred Dollars (\$500.00)  
17 or by imprisonment for not more than six (6) months, or both."