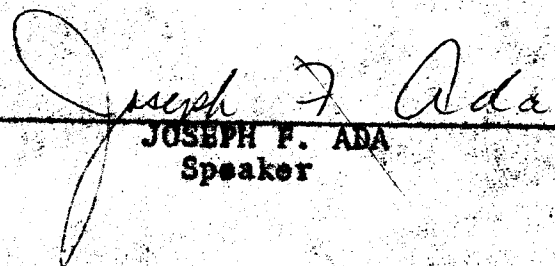



FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that the Presiding Officer of the Legislature declared that emergency conditions exist, involving danger to the public health or safety, that the requirement of a public hearing was waived in accordance with Section 1102.1 of the Government Code and that Bill No. 575, "An Act to create a Special Prosecution Division within the Attorney General's Office and for other purposes", was on the 15th day of November, 1977, duly and regularly passed.


JOSEPH F. ADA
Speaker

ATTESTED:


ANTONIO R. UNPINGCO
Acting Legislative Secretary

This Act was received by the Governor this 17th day of
November, 1977, at 9:20 o'clock A. M.


RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

APPROVED:

/s/ RICARDO J. BORDALLO

RICARDO J. BORDALLO
Governor of Guam

DATED: 11/18/77

5:25 P.M.

P.L. 14-80

FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

Bill No. 575

Introduced by

T. V. C. Tanaka
B. D. Ada
J. F. Ada
K. B. Aguon
E. M. Calvo
E. R. Duenas
E. M. Espaldon
A. M. Palomo
B. M. Palomo
J. M. Rivera
J. H. Underwood
A. R. Unpingco
J. R. Duenas
E. T. Charfauros
J. T. San Agustin
F. R. Santos
R. F. Taitano
F. J. Quitugua
F. F. Blas

AN ACT TO CREATE A SPECIAL PROSECUTION
DIVISION WITHIN THE ATTORNEY GENERAL'S
OFFICE AND FOR OTHER PURPOSES.

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

2 Section 1. The sum of One Hundred Twenty-Five Thousand
3 Dollars (\$125,000) is appropriated from any Unappropriated Surplus
4 in the General Fund to the Department of Public Safety to imple-
5 ment a plan for reduction of burglary and theft within the
6 territory. Of the sum appropriated hereunder, Twenty-Five
7 Thousand Dollars (\$25,000) shall be allocated to the Police
8 Reserve. None of the appropriation provided for herein shall be
9 expended except in accordance with the plan to be developed by
10 the Director of Public Safety and submitted to the Legislature
11 within thirty (30) days of the effective date of this Act.

12 Section 2. (a) Special Prosecution Division. For adminis-
13 trative purposes only there is within the office of the Attorney
14 General a Special Prosecution Division. The purpose of this

1 division shall be to investigate and prosecute drug related crime.
2 The head of the Special Prosecution Division, to be known as the
3 officer-in-charge, shall be the person holding the position of
4 Attorney General whether in an acting or permanent capacity on
5 the date that this Act is adopted by the Legislature. Said person
6 shall continue to be the officer-in-charge of the division until
7 the entire amount appropriated in this Act shall have been expended.
8 The tenure of the officer-in-charge is exclusive of his tenure as
9 Attorney General whether in an acting or permanent capacity. The
10 officer-in-charge shall be paid a salary of Twenty-Nine Thousand
11 Dollars (\$29,000) except during the time that he is drawing a
12 salary for his service as Attorney General either in an acting or
13 permanent capacity. The division shall be staffed by such investi-
14 gators and attorneys as the officer-in-charge may hire or transfer
15 from other tasks within the Department of Law. Provided, however
16 that the officer-in-charge shall assign to the division or hire
17 only those personnel whose objectivity has not been tainted by
18 previous investigations. The salaries of the officer-in-charge,
19 if any, and other employees of the division shall be paid from
20 the appropriation provided for in Section 3 of this Act.

21 (b) The officer-in-charge shall coordinate his activities in
22 prosecuting and investigating drug related crime with other local
23 and federal investigatory resources and agencies to accomplish
24 the purposes of the division. The officer-in-charge shall seek
25 all available federal grants and funds as an aid to accomplishing
26 the purposes of the division.

1 (c) Same: report. It shall be a felony for any person in
2 the division, within the Department of Law or other person en-
3 trusted with such information to disclose any information gained
4 in any investigation provided for in Subsection (a) of this Section
5 to any person whatsoever except as provided for herein. Disclosure
6 is permitted as follows:

7 (1) To a grand jury or in the Superior Court as
8 part of the prosecution of a crime;

9 (2) On the first day of each month, the officer-
10 in-charge shall make a report to the grand jury as to
11 the progress made by the division. Said report shall
12 be a public report. The report shall not include any
13 information which would jeopardize the investigation
14 or prosecution of any crimes which the division is
15 required to investigate by Subsection (a) of this
16 Section; or

17 (3) To any federal, state or local law enforcement
18 agency as necessary to fulfill the responsibility of
19 the Special Prosecution Division.

20 Section 3. The sum of Four Hundred Thousand Dollars
21 (\$400,000) is appropriated from any Unappropriated Surplus in the
22 General Fund to the Special Prosecution Division created by
23 Section 2 of this Act.

24 Section 4. The officer-in-charge shall use all available
25 federal funds appropriated to the Department of Law for the
26 purpose of investigating and prosecuting illegal drug trafficking
27 and related criminal activity. He may use any portion of the
28 appropriation made in Section 3 as matching funds for federal
29 grants for the purpose of investigating and prosecuting illegal
30 drug trafficking and related criminal activity.

1 Section 5. Drug abuse public awareness program. The sum of
2 One Hundred Thousand Dollars (\$100,000) is appropriated from the
3 Unappropriated Surplus in the General Fund to develop a public
4 awareness of the costly, harmful and dangerous effects of drug
5 abuse through the use of every available local medium including
6 but not limited to public and private educational institutions and
7 non-profit organizations and of government programs to combat such
8 harmful and dangerous effects. It is the intent of the Legislature
9 for every government agency to cooperate in the implementation of
10 the provisions of this Section.