



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Refer to  
Legislative Secretary


OCT 08 1998

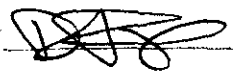
The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guáhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 129 (COR), "AN ACT TO ADD A NEW §80.70.1 AND TO ADD A NEW SUBSECTION (e) TO §80.70, BOTH TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON.", which was vetoed and overridden by I Mina'Bente Kuáttro na Liheslaturan Guáhan, the Legislature, on October 2, 1998. This legislation is now designated as **Public Law No. 24-271**.


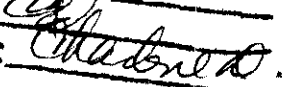
Very truly yours,

  
Carl T. C. Gutierrez  
I Maga'láhen Guáhan  
Governor of Guam

OFFICE OF THE LEGISLATIVE SECRETARY  
ACKNOWLEDGMENT RECEIPT  
Received By:   
Time: 1:00 pm  
Date: 10.8.98

Attachment: copy attached for signed or overridden bill  
original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

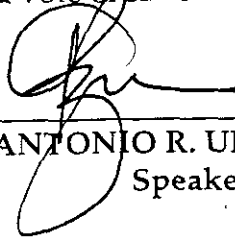
Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 10-8-98  
Time: 11:00  
Rec'd by:   
Print Name: 

01044

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 129 (COR), "AN ACT TO ADD A NEW §80.70.1 AND TO ADD A NEW SUBSECTION (e) TO §80.70, BOTH TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON," returned without approval of *I Maga'lahaen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 2<sup>nd</sup> day of October, 1998, to pass said bill notwithstanding the veto of *I Maga'lahaen Guahan* by a vote of sixteen (16) members.

  
ANTONIO R. UNPINGCO  
Speaker

Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guahan* this 7<sup>th</sup> day of October  
1998, at 4:05 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's* Office

Public Law No. 24-271

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN**  
**1997 (FIRST) Regular Session**

**Bill No. 129 (COR)**

As substituted and amended  
on the Floor.

Introduced by:

M. C. Charfauros  
A. R. Unpingco  
T. C. Ada  
F. B. Aguon, Jr.  
A. C. Blaz  
Felix P. Camacho  
Francisco P. Camacho  
E. J. Cruz  
W. B.S.M. Flores  
Mark Forbes  
L. F. Kasperbauer  
A. C. Lamorena, V  
C. A. Leon Guerrero  
L. Leon Guerrero  
V. C. Pangelinan  
J. C. Salas  
A. L.G. Santos  
F. E. Santos  
J. Won Pat-Borja

**AN ACT TO ADD A NEW §80.70.1 AND TO ADD A  
NEW SUBSECTION (e) TO §80.70, BOTH TO  
CHAPTER 80 OF TITLE 9, GUAM CODE  
ANNOTATED, RELATIVE TO KEEPING VIOLENT  
FELONS IN PRISON.**

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

2        **Section 1. Legislative Intent.**        This Bill is intended to reserve scarce

1 prison confinement space at the Department of Corrections, Mangilao Facility  
2 (“DOC”) for violent felons, multiple offenders and drug offenders. Given the  
3 overcrowding crisis at DOC, *I Liheslaturan Guahan* wishes to prevent this crisis  
4 from becoming an informal or formal source of pressure on the Guam Parole  
5 Board to release dangerous violent felons, multiple offenders and drug offenders  
6 on parole. *I Liheslaturan Guahan* further wishes to relieve excess pressure and  
7 stress on DOC personnel caused by overcrowding and to facilitate efficient prison  
8 management through careful allocation of DOC’s scarce confinement resources.  
9 It is also *I Liheslaturan Guahan’s* intention to reduce the risk of riots or other  
10 disruptions within DOC which could be caused by overcrowding and which  
11 could adversely affect the community at large.

12 **Section 1 A new §80.70.1 is added to Title 9, GCA, to read:**

13 **“§80.70.1 Definitions. For purposes of Article 5 of this Chapter:**

14 (a) *‘Prison’* shall mean any confinement facility under the direct or  
15 indirect supervision or control of the Department of Corrections (‘DOC’)   
16 any portion of which is designed to incarcerate sentenced offenders.

17 (b) *‘Rated Capacity’* shall mean the total number of inmates who  
18 can be safely incarcerated in the Prison or any portion of the Prison as  
19 established by the Federal Bureau of Prisons or other Federal agency of the  
20 United States qualified to provide a rating or maximum number for a safe  
21 and controllable population for the Prison or any of its subunits.

22 (c) *‘Eligible for Parole’* is when a sentenced and incarcerated  
23 offender may apply for release from confinement conditionally on parole  
24 to the Guam Parole Board pursuant to Article 5 of this Chapter.

25 (d) *‘Prison Population’* shall mean the total number of incarcerated

1 persons confined within the Prison or within a subunit of the Prison.

2 (e) *'First Offenders'* shall mean a convicted, sentenced and/or  
3 incarcerated person who has no other prior conviction for any felony  
4 offense within Guam or any other jurisdiction other than the offense for  
5 which the person is convicted and/or incarcerated.

6 (f) *'Non-Violent Offense'* shall mean an offense pursuant to which  
7 an offender is confined which did not contain an element requiring proof  
8 of Bodily Injury, the threat of Bodily Injury or an Attempt to cause Bodily  
9 Injury or Criminal Sexual Conduct.

10 (g) *'Bodily Injury'* shall mean physical pain, illness, uncon-  
11sciousness or any impairment of physical condition.

12 (h) *'Attempt'* shall mean to commit a crime when, with intent to  
13 engage in conduct which would constitute such crime were the  
14 circumstances as he believes them to be, he performs or omits to perform  
15 an act which constitutes a substantial step toward commission of the crime.

16 (i) *'Criminal Sexual Conduct'* shall mean any offense defined in  
17 Chapter 25 of this Title.

18 (j) *'Non-Drug Offense'* shall mean an offense which did not  
19 include a violation of the Uniform Controlled Substance Act.

20 (k) *'Prison Term'* shall mean the term of actual incarceration for  
21 First Offenders incarcerated for Non-Violent Offenses. In the case of all  
22 other inmates, Prison Term shall mean the term of actual incarceration plus  
23 any suspended term of imprisonment. Notwithstanding any other  
24 provision of law to the contrary, this definition of Prison Term shall be  
25 controlling whenever the term is used to determine eligibility for parole or

1 to determine the date an inmate is Eligible for Parole.

2 **Section 2. Amendment to When Parole Permitted.** A new  
3 **subsection (e) is added to Section §80.70 of Article 5 of Chapter 80 of Title**  
4 **9, Guam Code Annotated, to read as follows:**

5 **“(e) Notwithstanding any other provision of law to the contrary, all**  
6 **sentenced and incarcerated first offenders who have been convicted and**  
7 **sentenced to a prison term for non-violent or non-drug offense(s) shall be**  
8 **eligible for parole after serving fifty percent of their prison term. All**  
9 **procedures for applying for parole, reviewing and granting parole under**  
10 **this section, except as stated herein, shall be governed by the provisions of**  
11 **Article 5 of this Chapter.”**



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Office of the Speaker  
ANTONIO R. UNPINGCO

Date: 5-7-98

Time: 4:42 PM

Rec'd by: [Signature]

Print Name: FRED GARDILLO

Refer to  
Legislative Secretary

MAY 06 1998

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>9:59 am</u>
Date	<u>5-7-98</u>

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 129 (COR), "AN ACT TO ADD A NEW §80.70.1 AND TO ADD A NEW SUBSECTION (e) TO §80.70, BOTH TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON.", which I have vetoed.

The title of this legislation states that it is "relative to keeping violent felons in prison". This legislation has nothing to do with keeping violent felons in prison, but it has everything to do with releasing white collar criminals early! What this legislation does is **reduce the amount of time**, from the current 66% to 50%, that white collar criminals must spend in prison before they are eligible for parole. This bill does not keep a violent felon in prison for even one more day.

White collar crime is no less serious and harmful to society than violent crime. Is it any less important to punish those who steal land through fraudulent land deals, or fleece low income families out of their life savings in fraudulent housing deals, than it is to punish someone who shoves someone on the street in order to take their purse? Why should white collar criminals, who use lies and fraudulent business deals, leave prison early, while others spend an exaggerated amount of time in prison? I believe that the victims of white collar crime will be done a great disservice by the passage of this bill into law.

Substitute Bill No. 129 also does not take into account the simultaneous passage of Bill No. 67, which increases the time that must be spent in prison from 66% to 85% for specifically named violent crimes. The inequity envisioned by I Liheslaturan Guåhan in passing these two bills simultaneously is an outrage to the victims of white collar crime on Guam, of which there are many.

Very truly yours,



Carl T. C. Gutierrez  
I Maga'lahaen Guåhan  
Governor of Guam

00791

Attachment:      copy attached for signed bill  
                         original attached for vetoed bill

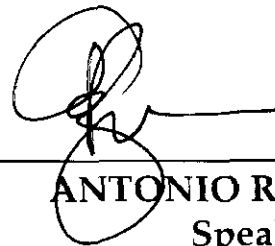
cc:    The Honorable Joanne M. S. Brown  
       Legislative Secretary



MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

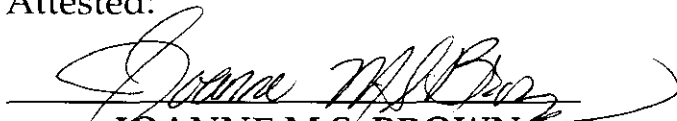
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 129 (COR), "AN ACT TO ADD A NEW §80.70.1 AND TO ADD A NEW SUBSECTION (e) TO §80.70, BOTH TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON," was on the 27<sup>th</sup> day of April, 1998, duly and regularly passed.




ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 1st day of May, 1998,  
at 12:05 o'clock P.M.



Assistant Staff Officer  
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_



# Committee on Judiciary, Public Safety and Consumer Protection

Twenty-Fourth Guam Legislature

April 22, 1998

Senator  
**John C. Salas**  
Chairperson

Senator  
Anthony C. Blaz  
Member

Senator  
Joanne M.S. Brown  
Member

Senator  
Mark Forbes  
Member

Senator  
Edwardo J. Cruz, M.D.  
Member

Senator  
Vicente C. Pangelinan  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

**SPEAKER ANTONIO R. UNPINGCO**  
Twenty-Fourth Guam Legislature  
155 Hesler St.  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Judiciary, Public Safety and Consumer Protection, to which was referred **BILL NO. 129**, wishes to report back to the Legislature with its recommendation **TO DO PASS BILL NO. 129**.


The voting record is as follows:

<u>6</u>	TO PASS
---	NOT TO PASS
---	ABSTAIN
---	TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

Sincerely,

  
**JOHN C. SALAS**  
Chairperson

Enclosures

**COMMITTEE ON JUDICIARY, PUBLIC SAFETY AND  
C O N S U M E R P R O T E C T I O N  
T W E N T Y - F O U R T H G U A M L E G I S L A T U R E**

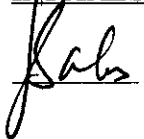
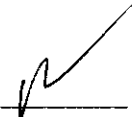


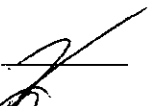

173 ASPINALL AVENUE, ADA PLAZA CENTER SUITE 108A, AGANA, GUAM 96910

**SENATOR JOHN C. SALAS  
CHAIRPERSON**

**SPEAKER ANTONIO R. UNPINGCO  
Ex-Officio Member**

**VOTING SHEET**

**Bill No. 129: An Act to add a new Article 7 to Chapter 80  
of Title 9 Guam Code Annotated, relative to keeping violent  
felons in prison.**

<u>COMMITTEE MEMBERS</u>	<u>INITIALS</u>	<u>TO DO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>
1). Sen. John C. Salas Chairperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2). Sen. Frank B. Aguon, Jr. Member	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3). Sen. Anthony C. Blaz Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4). Sen. Joanne M.S. Brown Member	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5). Sen. Edwardo J. Cruz M.D. Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6). Sen. Mark Forbes Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7). Sen. Vicente C. Pangelinan Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8). Speaker Antonio Unpingco Ex-Officio Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**TWENTY FOURTH GUAM LEGISLATURE**  
**Committee on Judiciary, Public Safety and Consumer Protection**  
**JOHN C. SALAS, CHAIRPERSON**

**Committee Report**

on

**Bill No. 129:** AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 80 OF TITLE 9 GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON.

**I. Overview**

The Committee on Judiciary, Public Safety and Consumer Protection held a public hearing on Thursday, June 19, 1997 at 9:30 a.m. on Bill No. 129. at the Legislative public hearing room. Public Notice was announced in the June 13, 15 & 19, 1997 issues of the Pacific Daily News.

Present:

Senator Elizabeth Barrett-Anderson, Chairperson  
Senator Edwardo J. Cruz M.D.  
Senator Frank C. Aguon  
Senator Vicente Pangelinan  
Senator Mark Charfauros

Providing Public Testimony on the Bill:

Francisco L. Marion, **oral/written**  
Debbie Quinata, **written**

Purpose:

The stated purpose of the bill is to reserve confinement space at the Department of Corrections for violent felons, multiple offenders and drug offenders on parole.

**II. Summary of Testimony**

**MR. FRANCISCO L. MARION**  
**THE TERRITORIAL PAROLE BOARD, CHAIRMAN**

Mr. Marion testified that he partially supports Bill 129, citing the fact that only some of the Parole Board's recommendations were incorporated into the introduced bill. Mr. Marion stated that the Board agrees that first time non-

violent offenders should be eligible for parole upon the completion of fifty percent (50%) of their sentence. However, Mr. Marion stated that the remaining offenders should be eligible for parole only after completing the standard two-thirds (2/3) of their sentence.

Mr. Marion stated that the "rated capacity" of the facility varies with each director, presently the Mangilao facility is over one hundred twenty-five percent (125%), thus if Bill 129 were to become law all the non-violent or first time offenders would automatically be eligible for parole.

Mr. Marion stated that he would prefer to see an offender serve a minimum of fifty percent (50%) of his/her sentence before becoming eligible for parole.

### **III. Findings and Recommendations**

The Committee on Judiciary, Public Safety and Consumer Protection finds that Bill 129 addresses an issue of importance to the Island of Guam. Therefore, the Committee presents its findings on Bill 129 as introduced with **NO RECOMMENDATION** except that the full body consider the matter.

TWENTY-FOURTH GUAM LEGISLATURE

PUBLIC HEARING

SENATOR ELIZABETH BARRETT-ANDERSON

Chairperson, Committee on Judiciary, Public Safety and Consumer Protection

WITNESS SIGN-IN SHEET

Public Hearing Room 155 Hesler Street, Agana, Guam 96910

Thursday, June 19, 1997

Public Hearing on Bill No. 129

Table with 5 columns: NAME(Please print), ORGANIZATION, My Testimony: Oral/Written, I am For Bill 129, I am Against Bill 129. Includes handwritten entries for F.L. MARION and Debbie Quinada.

# *The Territorial Parole Board*

*Government of Guam*

*Mangilao, Guam*

Francisco L. Marion, Chairman  
Jose Q. Salas, Member

Roy S. Taijeron, Member  
Maxine C. Charfauros, Member

June 16, 1997

Senator Elizabeth Barrett-Anderson  
Chairperson  
Committee on Judiciary, Public Safety  
and Consumer Protection  
Ada Plaza Center, Suite 108A  
173 Aspinall Avenue  
Agana, Guam 96910

Hafa Adai Senator:

Late December 1996, Senator Mark Charfauros visited the Board during its regular hearing and provided us with a draft copy of his proposed legislation "Keeping Violent Offenders In Prison". I guess this saying is better than "Releasing First Offenders Earlier".

In March of this year the Board provided input to this bill and sent it to Senator Charfauros. After reviewing proposed document I noticed that none of the Board's ideas was addressed. Perhaps our response to the proposal was not timely and I would like to think this was the case.

The recommendations the Board provided were based on communications between Board members and Parole Services Division staff. Our recommendation is clear and simple. Rated capacity numbers changes from one Director to another.

I am therefore attaching all documents that were provided to Senator Charfauros regarding this matter.

Additionally, I am requesting that you visit Chapter 83 of 9 G.C.A. "Youth Corrections Act." This law was transferred directly from Title XVI of the Penal Code. To this day we have not implemented this act.


I am requesting that Chapter 83 of 9 G.C.A. be repealed in its entirety. The intent of this law during the days of the Penal Code would have worked, however, the youths today are much worse, and much more ruthless. The "Corrections Today" cover page for the June 1997 issue is entitled "**Kids or KILLERS?**" (The New Breed of Youthful Offender).

If a person commits a crime and is certified an adult, then he should go through the same process as all other adults. Save the ones that can be saved, but the others must face the consequences.

Thank you for the opportunity to provide ideas. Should you have any questions, please contact me.

Attachments

FOR THE TERRITORIAL PAROLE BOARD



FRANCISCO L. MARION  
Chairman



27 March 1997

Senator Mark C. Charfauros  
24th Guam Legislature  
Agana, Guam 96910

Saluda,

Thank you for giving us the opportunity to review and make comments on your proposed legislation which you provided the Board at its regular parole hearing on December 26, 1996.

"AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 80 OF TITLE 9 GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON"

The Board members, after reviewing the proposed legislation submit the following:

1. Prison overcrowding at DEPCOR has always been a problem, even before the present facility was opened there wasn't enough bedspace to accomodate the population. We recommend that a state of the art prison be built to meet DEPCOR's needs for the future.
2. We also recommend that you consider redrafting **Section 80.96 Eligibility for Parole**, of your proposed legislation to allow first offenders of non-violent and non-drug type offenses to be eligible for parole after serving of 1/2 of their sentence and for all other offenses and recidivist to be eligible for parole after serving of 2/3 of their sentence. This will allow all first offenders an earlier parole release date thus helping in reducing prison overcrowding.
3. **Section 80.95(n) Prison Term**. The Board agrees that the prison term shall mean only term of actual incarceration for all inmates and not term of actual incarceration plus any suspended term of imprisonment in determining parole eligibility dates. The Board disagrees on how its presently defined in your draft.
4. The Board requests that you review current laws governing parole and make changes to minimize Board appearances before the courts on suits by inmates and parolees, additionally, changes to enhance parole administration and operations. SEE ATTACHED
5. On behalf of the parole officers at the Department of Corrections the Board requests that an addition to 8 G.C.A. Chapter 5 Article 2 Section 5.55 is made. This addition will be **Section**

5.55(n) Parole Officers of the Guam Department of Corrections

6. The board also seeks your assistance in taking the lead role in their efforts to increase their stipend to \$150.00 a meeting. IAW with existing laws board members are given \$50.00 per meeting with a maximum of two meetings per month.

The job of the Territorial Parole Board is unpopular yet demanding. The decisions they make seriously affect peoples lives. If they support an inmate's request, the public and victims get upset. If they deny parole, the inmates and their families get upset. The Board hearings scheduled must be conducted because its required by law, otherwise the Board is sued by the inmates. The hours of hearings normally run good eight hour days and sometimes ten hour days. If to compare this board to others, this board has the most pressures from the general public at-large.

Again, the members of the Territorial Parole Board thank you for allowing them the opportunity to submit input on your proposed bill and for taking the lead role with some of their concerns and proposed changes in existing laws.

Si Yuos Maase,

FRANCISCO L. MARION  
Chairman

JOSE Q. SALAS  
Member

ROY S. TAIJERON  
Member

MAXIMA CHARFAUROS  
Member

Chapter 80 Article 5

**ADDITION TO: 80.70 (b)** All inmates who serve their full term of incarceration shall serve a period of three (3) years supervised parole for felony convictions and one (1) year for misdemeanor convictions.

**80.72(b) CHANGE** all "shall" to "may"

**ADDITION TO: 80.74 subsection (c)** a prisoner confined in an off-island facility shall not be required to appear in person; however, any statements or documents submitted by the inmate on his behalf will be accepted as an official document of the Parole Board.

**80.76(a) CHANGE** "shall" to "may"

**CHANGE 80.78(a)** to read: a report prepared by the Casework and Counseling Division, relating to his/her personality, social history and adjustment to authority, and including any recommendations which the institutional staff may make;

**ADDITIONS TO: 80.80(a)** Move existing (11) to (21)

- (3) to read: That I will consult my Parole Officer for verbal/written permission to change residence or leave the Territory of Guam.
- (8) to read: That I will reside in a boarding home or other parole residence facility, for such period and under supervision as the Chief Parole Officer may deem appropriate.
- (11) not be away from home between the hours of 9:00 p.m. and 6:00 a.m. except when actively employed and authorized by the Parole Officer.
- (12) not operate any motor vehicle unless authorized by the Parole Officer.
- (13) immediately get in touch with the Parole Officer if I am arrested or questioned by law enforcement officers regarding any crime as a suspect or witness.
- (14) communicate with the Parole Board, at any time, if my Parole Advisor and Parole Officer are unavailable.
- (15) not purchase, possess, use, consume, or administer controlled substance in any form, nor use or consume any alcoholic beverages or liquor, nor frequent such places where such articles are sold, dispensed, used or given away, except as administered or directed by competent medical authority.

- (16) submit to any drug and alcohol examinations as ordered by the Parole Board, Chief Parole Officer or Parole Officer.
- (17) follow all oral and/or written instructions given me by the Parole Board, Chief Parole Officer or Parole Officer.
- (18) permit Parole Officers to search my person, vehicle(s), and residence for firearms and illegal controlled substance at any time such a search is requested.
- (19) performs community service as directed by the Parole Board, Chief Parole Officer or Parole Officer.
- (20) satisfy any other conditions reasonably related to his rehabilitation or to the public safety and security.
- (21) I will not enter into any agreement to act, or act, as [informer] or special agent for any law enforcement agency without the permission of the Chief Parole Officer.

**ADDITION TO: 80.80(b)** Failure to sign Certificate of Parole shall be grounds to revoke parole.

**Chapter 85**

**DELETE 85.22** in its entirety.

**ADDITION TO: 85.26 Board: General Powers**

The Board may establish rules and procedures and with coordination with the Department of Administration to collect Supervision Fees from parolees. The Parole Board will set the fee schedule and shall be the authority to disburse monies. The fees collected will be used for the administration and operations of the Parole Board and the Parole Division.

**DELETE 85.50** in its entirety.

**DELETE 85.72** in its entirety.

Has never been done and with money woes it should be removed.

PACIFIC DAILY NEWS, Friday, June 13, 1997

**Senator Elizabeth Barrett-Anderson**  
Chairperson, Committee  
on Judiciary, Public Safety  
& Consumer Protection



**NOTICE OF PUBLIC HEARING**

The Committee will hold a Public Hearing and Oversight Hearing on Thursday, June 19, 1997, at 9:30 p.m. and 2:00 p.m. in the Legislature's Public Hearing Room, 155 Hesler Street, Agana, on the following bills:

9:30 a.m.:

BILL NO. 129 - Relative to keeping violent felons in prison.

BILL NO. 201 - Relative to establishing a new mechanic's liens.

BILL NO. 240 - Relative to revoking a Driver's License or Permit for the Defacement of Property.

BILL NO. 275 - Relative to providing sufficient staff to the Dept of Law to implement the Model Notary Law.

2:00 p.m.:

BILL NO. 256 - Relative to establishing fees for fire safety services and Oversight Hearing of the Guam Fire Dept.

THE PUBLIC IS INVITED TO PRESENT  
WRITTEN AND/OR ORAL TESTIMONY, YOU  
MAY ALSO FAX 472-3433 AND E-MAIL YOUR  
TESTIMONY TO  
[ebanderson@kuentos.guam.net](mailto:ebanderson@kuentos.guam.net)

**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill Number: 129  
 Amendatory Bill: N/A

Date Received: April 7, 1997  
 Date Reviewed: May 16, 1997

Department/Agency Affected: Corrections  
 Department/Agency Head: Eduardo C. Bitanga  
 Total FY Appropriation to Date: \$14,242,003

Bill Title (preamble): AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 80 OF TITLE 9 GUAM CODE ANNOTATED, RELATIVE TO KEEPING VIOLENT FELONS IN PRISON.

Change in Law: Adds a new Article 7 to Chapter 80 of Title 9 of the Guam Code Annotated

**Bill's Impact on Present Program Funding:**

Increase \_\_\_\_\_ Decrease X Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

**Bill is for:**

Operations X Capital Improvement \_\_\_\_\_ Other \_\_\_\_\_

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Safety	See comments		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? n/a - IF NO, ADD'L AMOUNT REQUIRED \$ \_\_\_\_\_  
 AGENCY/PERSON/DATE CONTACTED: DOC/Louis Paulino, ASO/4/30/97

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Nancy L. Mesa DATE 5/19/97 DIRECTOR Joseph E. Rivera, Acting DATE 5/26/97

FOOTNOTES: See attached.

## Comments on Bill No. 129

The Department of Corrections is in favor of the intent of the proposed legislation. Bill No. 129 if enacted into law will essentially address the overcrowding situation at the Mangilao Facility and reduce the operational cost relative to the maintenance of prisoners. According to the Department of Corrections, it costs approximately \$130 per day, per prisoner. The savings to be derived from the proposed measure is unknown at this time due to the unavailability of such data as the "Rated Capacity" and the number of sentenced and incarcerated first offenders who have been convicted and sentenced to a prison term for non-violent or non-drug offense(s).