

NOV 19 1999


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

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 304 (COR), "AN ACT TO ADD §10108(o) TO ARTICLE 1, CHAPTER 10 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO *DISAPPROVING* THE LIST OF SUNSHINE REFORM ACT EXEMPTIONS SUBMITTED BY THE DEPARTMENT OF CORRECTIONS", which I have **signed** into law today as **Public Law No. 25-80**.

This legislation disapproves all lists made by the Department of Corrections in i Liheslatura's futile exercise to enumerate specific releasable documents rather than establish adequate general guidelines for the release of information to the public. The legislation adds one item which should not be released to the public: "for the Department of Corrections' Internal Affairs Unit, the radio logs and tapes." This item may or may not be already included within the general exemption category "records of intelligence information or security procedures of. . . law enforcement agencies. (See Public Law No. 25-06)"

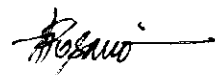
Very truly yours,


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

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 11/19/99
Time: 1:45 PM
Rec'd by: RFB
Print Number: _____
0525/99-0350

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


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


4:45 pm
11-19-99


MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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


This is to certify that Substitute Bill No. 304 (COR) "AN ACT TO ADD §10108(o) TO ARTICLE 1, CHAPTER 10 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO DISAPPROVING THE LIST OF SUNSHINE REFORM ACT EXEMPTIONS SUBMITTED BY THE DEPARTMENT OF CORRECTIONS," was on the 5th day of November, 1999, 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 8th day of NOVEMBER, 1999,
at 6:32 o'clock P. M.


ECHER C. CHARDON
Assistant Staff Officer
Maga'laha's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 11-19-99

Public Law No. 25-80

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 304 (COR)

As substituted on the Floor and
amended in the Committee of the Whole.

Introduced by:

J. C. Salas
F. B. Aguon, Jr.
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
S. A. Sanchez, II
A. R. Unpingco

AN ACT TO ADD §10108(o) TO ARTICLE 1,
CHAPTER 10 OF TITLE 5 OF THE GUAM CODE
ANNOTATED, RELATIVE TO DISAPPROVING
THE LIST OF SUNSHINE REFORM ACT
EXEMPTIONS SUBMITTED BY THE
DEPARTMENT OF CORRECTIONS.

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

2 **Section 1. Legislative Findings and Intent.** The Sunshine Reform Act
3 of 1999 became Public Law Number 25-06 on May 12, 1999, changing Guam
4 statute governing the disclosure of public records. Public Law Number 25-06
5 requires that each agency submit to *I Liheslaturan Guåhan* a proposed list of
6 exemptions to the public disclosure requirements. In accordance with
7 §10106(b) of Title 5 of the Guam Code Annotated, as repealed and reenacted
8 by Public Law Number 25-06, the Department of Corrections (“DOC”)
9 submitted to *I Liheslaturan Guåhan* a listing of documents and information
10 said agency would like to see exempted from the disclosure requirements of
11 the Sunshine Reform Act. Section 10106(b) of Title 5 of the Guam Code
12 Annotated further requires *I Liheslaturan Guåhan* to either approve or
13 disapprove said list.

14 This Act is intended to *disapprove* all submitted lists by DOC, and
15 specifically approve an exemption contained under §10108. The disapproval
16 of the submitted list is *not* intended to disapprove an exemption created in the
17 Sunshine Reform Act, or as created herein, for DOC.

18 **Section 2. Disapproval of DOC Proposed Exemptions.** The
19 Department of Corrections’ July 12, 1999 list of proposed exemptions
20 submitted pursuant to the requirements of the Sunshine Reform Act of 1999 is
21 hereby *disapproved*, but shall *not* affect the existing limitations already
22 contained within the Sunshine Reform Act of 1999, including within §10108,
23 and their applicability to said agency.



COPY

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910


November 8, 1999

Honorable Carl T.C. Gutierrez
I Maga'lahaen Guahan
Office of *I Maga'lahi*
Hagåtña, Guam 96910

Dear *Maga'lahi* Gutierrez:

✓ Transmitted herewith are Substitute Bill Nos. 334(COR),
304(COR), 305(COR), 291(COR), 294(COR), 302(COR) and Bill No.
303(COR), which were passed by *I Mina' Bente Singko Na Liheslaturan*
Guahan on November 5, 1999.

Sincerely,


JOANNE M.S. BROWN
Senator and Legislative Secretary

Copy sent
11-18-99

Enclosures (7)

CLERK OF THE LEGISLATURE

TRANSMISSION CHECKLIST TO *I MAGA'LAHEN GUAHAN*

(Included in File w/ All Bills Transmitted)

BILL NO.

FINAL PROOF-READING OF BLUEBACK COPY

Initialed by: _____ and Date: _____

- EXHIBITS ATTACHED
- CONFIRM NUMBER OF PAGES
- CAPTION ON CERTIFICATION MATCHES BILL CAPTION
- ENGROSSED SIGN "*" REMOVED FROM BILL
- 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE
- CERTIFICATION SIGNED BY SPEAKER & LEGIS. SECRETARY
- EMERGENCY DECLARATION, if any

Confirmed By: _____ Dated: _____


- HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY)
TO THE GOVERNOR. (DANNY, ROBERT OR OTHERS)
- ACKNOWLEDGED COPY W/ ORIGINAL BLUEBACK
PLACED ON CLERK'S DESK. (Same copy given to Susan)

- FILED by: Danny, Robert or others

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

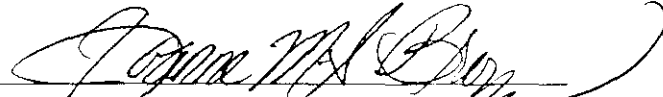
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 304 (COR) "AN ACT TO ADD §10108(o) TO ARTICLE 1, CHAPTER 10 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO DISAPPROVING THE LIST OF SUNSHINE REFORM ACT EXEMPTIONS SUBMITTED BY THE DEPARTMENT OF CORRECTIONS," was on the 5th day of November, 1999, duly and regularly passed.



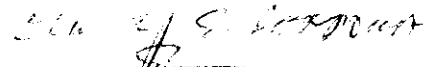
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 5th day of November, 1999,
at 9:15 o'clock AM.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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

This is to certify that Substitute Bill No. 304 (COR) "AN ACT TO ADD §10108(o) TO ARTICLE 1, CHAPTER 10 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO DISAPPROVING THE LIST OF SUNSHINE REFORM ACT EXEMPTIONS SUBMITTED BY THE DEPARTMENT OF CORRECTIONS," was on the 5th day of November, 1999, duly and regularly passed.

ANTONIO R. UNPINGCO
Speaker

Attested:

JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by *I Maga'lahen Guahan* this _____ day of _____, 1999,
at _____ o'clock ____ .M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

6

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN 1999 (FIRST) Regular Session

Date: 11-5-99

VOTING SHEET

5 Bill No. 304 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
AGUON, Frank B., Jr.					EA ✓
BERMUDES, Eulogio C.		✓			
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

13 1 _____ _____ 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

FILE

September 28, 1999
(DATE)

Memorandum

To: Senator JOHN C. SALAS

From: Clerk of the Legislature

Subject: Report on Bill No. 304 (COR)

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 304 (COR), for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.


Josephine Brennan-Badley

Attachment

KNOWLEDGEMENT RECEIVED
304 (COR)
9/28/99



COMMITTEE ON JUDICIARY, PUBLIC SAFETY,
CONSUMER PROTECTION, AND HUMAN RESOURCES
DEVELOPMENT

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

JOHN CAMACHO SALAS, CHAIRMAN

September 26, 1999

The Honorable Antonio R. Unpingco, Speaker
Mina' Bente Singko na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

Dear Mr. Speaker:

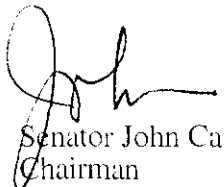
The Committee on Judiciary, Public Safety, Consumer Protection & Human Resources Development to which was referred Bill No. 304, has had the same under consideration and now wishes to report back the same with the recommendation **TO DO PASS**.

The Committee votes are as follows:

To Do Pass	<u> </u>
Not To Pass	<u> </u>
Abstain	<u> </u>
Other (Off-Island)	<u> </u>

A copy of the Committee's report and other pertinent documents are attached for your reference and information.

Sincerely,


Senator John Camacho Salas
Chairman



25th GUAM LEGISLATURE

SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION AND HUMAN RESOURCES DEVELOPMENT

VOTING SHEET

BILL NUMBER 304

TITLE AN ACT TO APPROVE THE LIST OF SUNSHINE REFORM ACT EXEMPTIONS
SUBMITTED BY THE DEPARTMENT OF CORRECTIONS

	TO DO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 John Camacho Salas, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Kaleo S. Moylan, Vice-Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Frank B. Aguon, Jr., Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Joanne M.S. Brown, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mark Forbes, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Alberto C. Lamorena V, Member	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Carlotta A. Leon Guerrero, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Antonio R. Unpingco, Ex-Officio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



COMMITTEE ON JUDICIARY, PUBLIC SAFETY,
CONSUMER PROTECTION, AND HUMAN RESOURCES
DEVELOPMENT

I MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN

JOHN CAMACHO SALAS, CHAIRMAN

September 25, 1999

The Honorable Speaker Antonio R. Unpingco
I Mina'Bente Singko na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

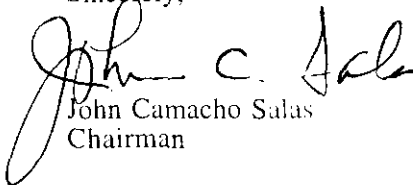
Dear Speaker Unpingco:

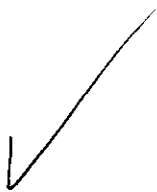
The Committee on Judiciary, Public Safety, Consumer Protection and Human Resources Development hereby requests that you waive the public hearing requirement pursuant to §2103 of Title 2 of the Guam Code Annotated, *Public Hearings Mandatory*, for Bills 303, 304, 305, 306, 307, 308, 309, 310, 311 and 319. All are acts to approve the list of Sunshine Reform Act exemptions submitted by agencies under this Committee's oversight.

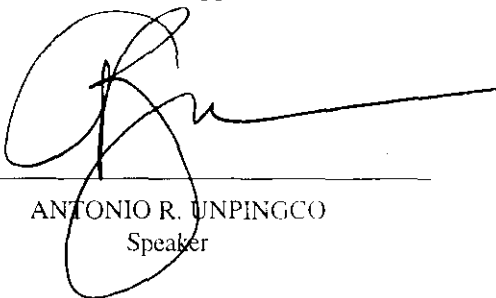
§2103 of Title 2 of the Guam Code Annotated, *Public Hearings Mandatory*, waives the requirement for a public hearing if a bill is identical to an earlier introduced bill having a public hearing. The above bill does not meet the letter of this requirement, but the substance of the above bill was discussed in an open, public hearing on August 13, 1999, pursuant to Public Law 25-06. Public Law 25-06 is unclear on the treatment of Sunshine Reform Act exemptions and numerous Committees may be facing the same situation. Therefore, I request that you waive the public hearing requirement for the above bill.

Thank you for your favorable consideration to this matter.

Sincerely,


John Camacho Salas
Chairman


Approved


ANTONIO R. UNPINGCO
Speaker

Committee on Judiciary, Public Safety, Consumer Protection, and
Human Resources Development
Committee Report on Bill 304
Publicly Heard Friday, August 13, 1999

Bill 304: An Act to approve the list of Sunshine Reform Act exemptions submitted by the Department of Corrections.

I. ATTENDANCE

- Senator John C. Salas, Chairman

II. MAIN SPONSORS

Senator John C. Salas

III. BACKGROUND

The Sunshine Reform Act of 1999 became Public Law 25-06 on May 12, 1999 changing Guam statute governing the disclosure of public records. Public Law 25-06 requires that each agency submit to *I Liheslaturan Guahan* a proposed list of exemptions to the public disclosure requirements. In accordance with §10106(b) of Public Law 25-06, the Department of Corrections (DOC), submitted to *I Liheslaturan Guahan* its proposed exemptions from the disclosure requirements of the Sunshine Reform Act.

Public Law 25-06 is unclear on the treatment of Sunshine Reform Act exemptions. While the Act requires a public hearing be held on exemptions to the Act, it does not stipulate how these lists are to be managed. On August 13, 1999 a public hearing was held to publicly discuss the list of exemptions for DOC. Legal Counsel for *I Liheslaturan Guahan* later advised the Committee to provide these exemptions in bill format, as Legislative Standing Rules restrict *I Liheslaturan Guahan* to entertaining bills and resolutions.

During the public hearing, the Committee scrutinized DOC's proposed exemptions and instructed DOC to provide clarification of proposed exemptions. It is with this information that Bill 304 was drafted and filed with *I Liheslaturan Guahan*. On September 25, 1999, the Committee requested that the Speaker of *I Liheslaturan Guahan* waive the public hearing requirement for Bill 304, pursuant to §2103, Title 2 of the Guam Code Annotated. While Bill 304 does not meet the letter of this requirement, the substance of the bill was discussed in an open, public hearing; thus, a public hearing on the bill itself would be redundant.

IV. TESTIMONY

Chairman Salas instructed DOC to explain each item of their proposed list of exemptions, giving clarification and rationale for inclusion. He noted that he would closely scrutinize the list based on privacy and legal-liability issues. He also noted that the Micronesian Chapter of the Society of Professional Journalists (MCSPJ) requested to testify in opposition of P.L. 25-06. Chairman Salas noted, however, that the purpose of the hearing is not to discuss P.L. 25-06, but invited representatives of the organization to testify on the specific list DOC is presenting during the hearing.

Deputy Director Ted Lewis and Legal Counsel Calvin Halloway, Sr. were present to discuss the list of exemptions.

A) Administrative Records

- 1) Request for personnel action (GG-1). Clearly understood.
- 2) Department Staffing Pattern. Chairman and Deputy Director agreed to delete.
- 3) Personnel data card and personnel statistical information sheet. Clearly understood.
- 4) Adverse action proceedings. Clearly understood.
- 5) Employee counseling files. Clearly understood.
- 6) Employees letters of reprimand(s). Clearly understood.

- 7) Employee Performance Evaluation form. Clearly understood.
- 8) Employee personnel packet/file. Clearly understood.
- 9) Department's Radio Code Assignment Roster. Clearly understood.
- 10) Corrections Official Badge Assignment Roster. Deputy Director Ted Lewis noted that with the roster, it would be very easy to order a badge and impersonate an officer. Agreed to keep exempt.
- 11) Employees time sheet/pay records. Clearly understood.
- 12) Employees identification card file. Clearly understood.
- 13) Employees notification of personnel action. Clearly understood.
- 14) Civil Service Commission Ruling/Settlement Agreement. Chairman Salas noted that this item would be public once the settlement is reached. Chairman Salas asked for clarification.
- 15) Legal proceedings/actions against employees. Clearly understood.
- 16) Employer investigation reports. Clearly understood.
- 17) Any document showing Social Security number with the person's name. Clearly understood.
- 18) Certification list of eligibles. Clearly understood.
- 19) Employment interview/certification list. Clearly understood.
- 20) Personnel incident reports. Clearly understood.
- 21) Leave Forms. Chairman Salas asked for clarification.
- 22) Overtime Justifications. Agreed to delete this item.
- 23) Payroll deductions/cancellation authorization. Clearly understood.
- 24) Employment verification. Clearly understood.
- 25) Vouchers from Various Vendors. Chairman Salas noted that since public funds were used to purchase items for DOC, these should not be exempt.
- 26) Requisitions/Log Book. Chairman Salas noted that since public funds were used to purchase items for DOC, these should not be exempt.
- 27) Purchase Orders/Vouchers. Chairman Salas noted that since public funds were used to purchase items for DOC, these should not be exempt.
- 28) Financial statement/check stubs. Inmate's checking account for obligations.
- 29) Checking account/bank statements. Inmate's checking account for obligations.

B) Detention Facility Division Records. (All items kept exempt)

- 1) Detainee Unit Transfer.
- 2) Detainee Incident Report.
- 3) Detainee Medication Dispensing Log.
- 4) Detainee Medical Records.
- 5) Detainee Telephone Log.
- 6) Detainee Request for Administrative Remedy.
- 7) Detainee Cell/Wing/Cubicle Transfer.
- 8) Detainee Observation Report.
- 9) Detainee U.S. Mail Log.
- 10) Escort/Transport-Prisoner Custody Alert Notice.
- 11) Prisoner Remand or Order to Deliver and Receipt for Guam Prisoners.
- 12) Visiting Application Form.
- 13) Detainee/Inmate Incident Report.
- 14) Suicide/Safety Watch Recording Log.
- 15) Administrative Segregation and Release Order.
- 16) Administrative Segregation Review Form.
- 17) Special Housing Unit Segregation Record Sheet.
- 18) Transfer Order.
- 19) Administrative Remedy-Informal Resolution Form.
- 20) Arrestee Booking Record.
- 21) Arrestee Fingerprint Card.
- 22) Arrestee Intake Sheet.
- 23) Arrestee Screening Officer Check List.
- 24) Arrestee Commitment Sheet.
- 25) Arrestee Receiving Screening Form.
- 26) Arrestee Waiver for Medical Treatment.
- 27) Citation and Notice to Appear.
- 28) Transfer of Custody Forms.

- 29) Pre-trial Detention Certificate.
- 30) Detainee Arrestee Index Cards.
- 31) Detainee Medical Records.
- 32) Detainee Court Documents.

C) Adult Correctional Facility Division Records. (All items kept exempt)

- 1) Inmate Unit Transfer.
- 2) Inmate Incident Report.
- 3) Inmate Medication Dispensing Log.
- 4) Inmate Telephone Log.
- 5) Inmate Request for Administrative Remedy.
- 6) Inmate Cell/Wing/Cubicle Transfer.
- 7) Inmate Observation Report.
- 8) Inmate U.S. Mail Log.
- 9) Escort/Transport-Prisoner Custody Alert Notice.
- 10) Prisoner Remand or Order to Deliver and Receipt for Guam Prisoners.
- 11) Visiting Application Form.
- 12) Detainee/Inmate Incident Report.
- 13) Suicide/Safety Watch Recording Log.
- 14) Administrative Segregation and Release Order.
- 15) Administrative Segregation Review Form.
- 16) Special Housing Unit Segregation Record Sheet.
- 17) Transfer Order.
- 18) Administrative Remedy-Informal Resolution Form.

D) Parole Services Division Records (All items kept exempt)

- 1) Board ordered parole investigations.
- 2) Chronological case entries.
- 3) Community Assessments Forms and written testimony of crime victims and interested parties.
- 4) Minutes of Guam Parole Board meetings.
- 5) Pardon/Commutation Studies.
- 6) Personnel Incident File.
- 7) Personnel Performance Evaluations.
- 8) Preparole Studies.
- 9) Parole Services Division Work Sheet Form I.
- 10) Surveillance Reports.

E) DATS Division Records. (All items kept exempt)

- 1) Inmate/detainee medical records.
- 2) Medical history.
- 3) Laboratory results.
- 4) Chest x-rays.
- 5) Physical examinations.
- 6) Nurse's health assessment.
- 7) Informed consent.
- 8) Physician's orders.
- 9) Medication logbook record.
- 10) Physician's progress notes.
- 11) Medical staff progress notes.
- 12) Inmate/detainee dental records.
- 13) Dental assessment history.
- 14) Dental x-rays.
- 15) Dental treatment performed.
- 16) Health questionnaires.
- 17) Dentist's orders.
- 18) Inmate/detainee psychological record.
- 19) Substance abuse record.
- 20) Psychological assessments.
- 21) Substance abuse assessments/intake.
- 22) Psychologist's consultation/assessment.
- 23) Psychologist's progress notes.

- 24) Counselor's progress notes.
- 25) Clinical evaluations/assessments review.
- 26) Psychological evaluations.
- 27) Psychological testings.
- 28) Drug test results.
- 29) Drug test logbook record.

F) Internal Affairs Unit Records (All items kept exempt)

- 1) Intelligence reports.
- 2) Radio logs and tapes.
- 3) Internal Affairs investigation reports.
- 4) Narcotics operation records.
- 5) All Department of Corrections daily log books.
- 6) Department of Corrections security procedures and techniques, which if exposed would adversely affect correctional objectives.
- 7) Confidential correspondence between the Department of Corrections and other agencies, local and federal.
- 8) Records of a criminal or confidential nature received by the Department of Corrections from other local and federal agencies.
- 9) Privileged communications between legal counsel for the Department of Corrections and Department of Corrections management/staff.
- 10) Adverse action settlement agreements between the Department of Corrections management and staff.
- 11) Records pertaining to government claims filed against the Department of Corrections.
- 12) Records pertaining to investigations conducted by the Department of Corrections Internal Affairs Unit.

G) Casework & Counseling Services Division Records (All items kept exempt)

- 1) Academic grades of inmates.
- 2) Correction Social Worker's Chronological Log
- 3) Family interview log.
- 4) Inmate profile sheet.
- 5) Internal memoranda.
- 6) Guam Police Department rap sheet/police reports.
- 7) Pre-sentence investigation report.
- 8) Initial case study.
- 9) Extension Limits of Confinement application/verification log.
- 10) Progress reports for courts or other government agencies.
- 11) Inmate work detail evaluation.
- 12) Casework & Counseling Division status reports.
- 13) Adjustment Classification Committee findings & recommendations.
- 14) Incarcerated inmates' address of family, relatives and friends.
- 15) Incarcerated inmates' name(s) of co-defendant.
- 16) Work/Education Release inmates' infractions of institutional rules and/or regulations.
- 17) Director/Employer and/or Education Release agreement signed by Work/Education Release inmate.

After receiving clarification from DOC on August 31, 1999, the Committee decided to strike from the list of exemptions the following items:

- 1) Department Staffing Pattern.
- 2) Leave Forms.
- 3) Overtime Justifications.
- 4) Vouchers from Various Vendors.
- 5) Requisitions/Log Book.
- 6) Purchase Orders/Vouchers.

V. COMMITTEE FINDINGS & RECOMMENDATION

Except for the 6 items identified in the report, the Committee feels that the proposed exemptions are reasonable, and in the best interest of Department of Corrections, and the public at large. Therefore, the Committee recommends **TO DO PASS Bill 304.**



MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asunton Fidirat

*Senator Mark Forbes, Chairman
Kabisiyon Mayuråt*

SEP 13 1999

MEMORANDUM

TO: Chairman
Committee on Judiciary, Public Safety, Consumer Protection and Human Resources Development

FROM: Chairman
Committee on Rules, Government Reform, Reorganization and Federal Affairs

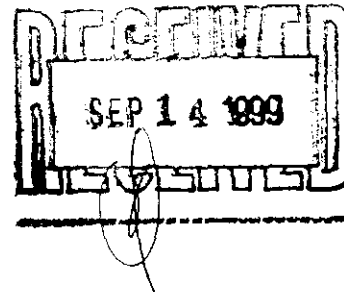
SUBJECT: Principal Referral - Bill No. 304

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES
Chairman

Attachment



SEP 08 1999

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

Bill No. 3041 (COR)

Introduced by:

J.C. Salas

F. Aguiar, Jr.

AN ACT TO APPROVE THE LIST OF SUNSHINE
REFORM ACT EXEMPTIONS SUBMITTED BY
THE DEPARTMENT OF CORRECTIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. The Sunshine Reform Act
3 of 1999 became Public Law 25-06 on May 12, 1999 changing Guam statute
4 governing the disclosure of public records. Public Law 25-06 requires that
5 each agency submit to *I Liheslaturan Guahan* a proposed list of exemptions to
6 the public disclosure requirements. In accordance with Section 10106(b) of
7 Public Law 25-06, the Department of Corrections, submitted to *I Liheslaturan*
8 *Guahan* a list of documents said agency would like to see exempted from the
9 disclosure requirements of the Sunshine Reform Act. Section 10106(b) of
10 Public Law 25-06 further requires *I Liheslaturan Guahan* to either approve or
11 disapprove said list within ninety days after submission.

12 Section 2. The list of proposed exemptions to the Sunshine Reform Act
13 submitted by the Department of Corrections is hereby approved.

14 DEPARTMENT OF CORRECTIONS

15 ITEMS NOT SUBJECT TO DISCLOSURE

16 A) Administrative Records

17 1) Request for personnel action (GG-1).

- 1 2) Personnel data card and personnel statistical information
- 2 sheet.
- 3 3) Adverse action proceedings.
- 4 4) Employee counseling files.
- 5 5) Employees letters of reprimand(s).
- 6 6) Employee Performance Evaluation form.
- 7 7) Employee personnel packet/file.
- 8 8) Department's Radio Code Assignment Roster.
- 9 9) Corrections Official Badge Assignment Roster.
- 10 10) Employees time sheet/pay records.
- 11 11) Employees identification card file.
- 12 12) Employees notification of personnel action.
- 13 13) Legal proceedings/actions against employees.
- 14 14) Employer investigation reports.
- 15 15) Any document showing Social Security number with the
- 16 person's name.
- 17 16) Certification list of eligibles.
- 18 17) Employment interview/certification list.
- 19 18) Personnel incident reports.
- 20 19) Payroll deductions/cancellation authorization.
- 21 20) Employment verification.
- 22 21) Financial statement/check stubs.
- 23 22) Checking account/bank statements.
- 24 B) Detention Facility Division Records.
- 25 1) Detainee Unit Transfer.
- 26 2) Detainee Incident Report.

- 1 3) Detainee Medication Dispensing Log.
- 2 4) Detainee Medical Records.
- 3 5) Detainee Telephone Log.
- 4 6) Detainee Request for Administrative Remedy.
- 5 7) Detainee Cell/Wing/Cubicle Transfer.
- 6 8) Detainee Observation Report.
- 7 9) Detainee U.S. Mail Log.
- 8 10) Escort/Transport-Prisoner Custody Alert Notice.
- 9 11) Prisoner Remand or Order to Deliver and Receipt for Guam
- 10 Prisoners.
- 11 12) Visiting Application Form.
- 12 13) Detainee/Inmate Incident Report.
- 13 14) Suicide/Safety Watch Recording Log.
- 14 15) Administrative Segregation and Release Order.
- 15 16) Administrative Segregation Review Form.
- 16 17) Special Housing Unit Segregation Record Sheet.
- 17 18) Transfer Order.
- 18 19) Administrative Remedy-Informal Resolution Form.
- 19 20) Arrestee Booking Record.
- 20 21) Arrestee Fingerprint Card.
- 21 22) Arrestee Intake Sheet.
- 22 23) Arrestee Screening Officer Check List.
- 23 24) Arrestee Commitment Sheet.
- 24 25) Arrestee Receiving Screening Form.
- 25 26) Arrestee Waiver for Medical Treatment.
- 26 27) Citation and Notice to Appear.

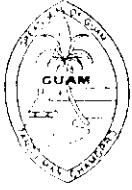
- 1 28) Transfer of Custody Forms.
- 2 29) Pre-trial Detention Certificate.
- 3 30) Detainee Arrestee Index Cards.
- 4 31) Detainee Medical Records.
- 5 32) Detainee Court Documents.
- 6 C) Adult Correctional Facility Division Records
- 7 1) Inmate Unit Transfer.
- 8 2) Inmate Incident Report.
- 9 3) Inmate Medication Dispensing Log.
- 10 4) Inmate Telephone Log.
- 11 5) Inmate Request for Administrative Remedy.
- 12 6) Inmate Cell/Wing/Cubicle Transfer.
- 13 7) Inmate Observation Report.
- 14 8) Inmate U.S. Mail Log.
- 15 9) Escort/Transport-Prisoner Custody Alert Notice.
- 16 10) Prisoner Remand or Order to Deliver and Receipt for Guam
- 17 Prisoners.
- 18 11) Visiting Application Form.
- 19 12) Detainee/Inmate Incident Report.
- 20 13) Suicide/Safety Watch Recording Log.
- 21 14) Administrative Segregation and Release Order.
- 22 15) Administrative Segregation Review Form.
- 23 16) Special Housing Unit Segregation Record Sheet.
- 24 17) Transfer Order.
- 25 18) Administrative Remedy-Informal Resolution Form.

- 1 D) Parole Services Division Records
- 2 1) Board ordered parole investigations.
- 3 2) Chronological case entries.
- 4 3) Community Assessments Forms and written testimony of
- 5 crime victims and interested parties.
- 6 4) Minutes of Guam Parole Board meetings.
- 7 5) Pardon/Commutation Studies.
- 8 6) Personnel Incident File.
- 9 7) Personnel Performance Evaluations.
- 10 8) Preparole Studies.
- 11 9) Parole Services Division Work Sheet Form I.
- 12 10) Surveillance Reports.
- 13 E) DATS Division Records
- 14 1) Inmate/detainee medical records.
- 15 2) Medical history.
- 16 3) Laboratory results.
- 17 4) Chest x-rays.
- 18 5) Physical examinations.
- 19 6) Nurse's health assessment.
- 20 7) Informed consent.
- 21 8) Physician's orders.
- 22 9) Medication logbook record.
- 23 10) Physician's progress notes.
- 24 11) Medical staff progress notes.
- 25 12) Inmate/detainee dental records.
- 26 13) Dental assessment history.

- 1 14) Dental x-rays.
- 2 15) Dental treatment performed.
- 3 16) Health questionnaires.
- 4 17) Dentist's orders.
- 5 18) Inmate/detainee psychological record.
- 6 19) Substance abuse record.
- 7 20) Psychological assessments.
- 8 21) Substance abuse assessments/intake.
- 9 22) Psychologist's consultation/assessment.
- 10 23) Psychologist's progress notes.
- 11 24) Counselor's progress notes.
- 12 25) Clinical evaluations/assessments review.
- 13 26) Psychological evaluations.
- 14 27) Psychological testings.
- 15 28) Drug test results.
- 16 29) Drug test logbook record.
- 17 F) Internal Affairs Unit Records
- 18 1) Intelligence reports.
- 19 2) Radio logs and tapes.
- 20 3) Internal Affairs investigation reports.
- 21 4) Narcotics operation records.
- 22 5) All Department of Corrections daily log books.
- 23 6) Department of Corrections security procedures and
- 24 techniques, which if exposed would adversely affect
- 25 correctional objectives.

- 1 7) Confidential correspondence between the Department of
- 2 Corrections and other agencies, local and federal.
- 3 8) Records of a criminal or confidential nature received by the
- 4 Department of Corrections from other local and federal
- 5 agencies.
- 6 9) Privileged communications between legal counsel for the
- 7 Department of Corrections and Department of Corrections
- 8 management/staff.
- 9 10) Adverse action settlement agreements between the
- 10 Department of Corrections management and staff.
- 11 11) Records pertaining to government claims filed against the
- 12 Department of Corrections.
- 13 12) Records pertaining to investigations conducted by the
- 14 Department of Corrections Internal Affairs Unit.
- 15 G) Casework & Counseling Services Division Records
- 16 1) Academic grades of inmates.
- 17 2) Correction Social Worker's Chronological Log
- 18 3) Family interview log.
- 19 4) Inmate profile sheet.
- 20 5) Internal memoranda.
- 21 6) Guam Police Department rap sheet/police reports.
- 22 7) Pre-sentence investigation report.
- 23 8) Initial case study.
- 24 9) Extension Limits of Confinement application/verification
- 25 log.
- 26 10) Progress reports for courts or other government agencies.

- 1 11) Inmate work detail evaluation.
- 2 12) Casework & Counseling Division status reports.
- 3 13) Adjustment Classification Committee findings &
- 4 recommendations.
- 5 14) Incarcerated inmates' address of family, relatives and
- 6 friends.
- 7 15) Incarcerated inmates' name(s) of co-defendant.
- 8 16) Work/Education Release inmates' infractions of
- 9 institutional rules and/or regulations.
- 10 17) Director/Employer and/or Education Release agreement
- 11 signed by Work/Education Release inmate.



DEPARTMENT OF CORRECTIONS
DIPATTAMENTON MANGNGURIHI

P.O. Box 3236

Haġatña, Guam 96932

Phone: (671) 734-3981-9 Fax: (671) 734-5798



CARL T.C. GUTIERREZ
Governor

MADELEINE Z. BORDALLO
Lieutenant Governor

ANGEL R. SABLAN
Director of Corrections

TED R. LEWIS
Deputy Director

FRANCISCO B. CRISOSTOMO
Warden

MICHAEL P. QUINATA
Chief Parole Officer

JOSEPH G. CHARGUALAF
Administrator, CCSD

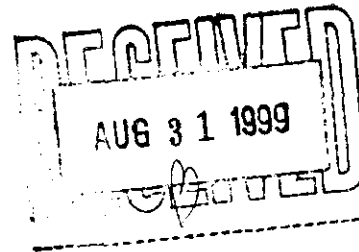
DANIEL A. DUENAS
Administrator, Forensic Unit

LUIS M. PAULINO
Administrative Services Officer

August 30, 1999

MEMORANDUM.

To: Senator John Salas
From: Deputy Director
Subject: Response to Inquiry
RE: Sunshine Act



The following bullet points were addressed at our meeting with you on August 31, 1999.

Internal Affairs Unit:

- Q: Adverse Action Settlement Agreement between Department of Correction Management and Staff.
- A: This information may be obtained at the Civil Service Commission, as they make the settlement agreements. Also, any agreement would become part of the employee's personnel file.

Casework/Counseling Division:

- Q: Extension of Limits of Confinement (ELOC) Application/Verification Log.
- A: Information in this application contains information about family members personal matters such as names, addresses, medical information of the person to be visited.

Personnel Officer:

Delete the following: 2, 22, 25, 26 and 27.



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MEMORANDUM TO SENATOR JOHN SALAS

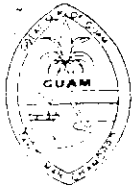
RE: Response to Inquiry regarding Sunshine Act

Page 2

As for Item 14, it falls under the same justification as the request of Internal Affairs Unit.

Submitted for your information.


TED R. LEWIS



GOVERNMENT OF GUAM
AGANA, GUAM 96932

Refer to
~~Legislative~~ Secretary

July 09, 1999

MEMORANDUM

To: The Honorable Antonio R. Unpingco,
Speaker
Twenty-Fifth Guam Legislature

From: Director of Corrections

Subject: Sunshine Reform Act of 1999 (P.L. 25-06)


In compliance with the passage of the Sunshine Reform Act of 1999 (Public Law 25-06), The Department of Corrections submits for your approval the attached listing of information which are considered non-public and non-disclosable for public records.


Angel R. Sablan

CC: Governor's Office
Attorney General

00396

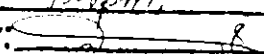
OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGEMENT SHEET

Received By: 

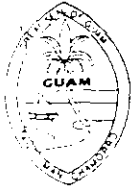
Time: 5:05 pm

Date: 7-12-99

Office of the Speaker
ANTONIO R. UNPINGCO

Date: July 12, 1999
Time: 4:00 pm
Rec'd by: 
Print Name: Frank





GOVERNMENT OF GUAM
AGANA, GUAM 96932

June 16, 1999

MEMORANDUM

To: Deputy Director
Via: Administrative Services Officer
From: Personnel Officer
Subject: Sunshine Reform Act of 1999 (P. L. 25-06)

As per instruction from the Director, the following information listed below is submitted from this office which are considered employees privilege/non-disclosable information for public access:

1. Request for personnel action (GG-1)
2. Department's staffing pattern
3. Personnel Data card and Personnel Statistical Information Sheet.
4. Adverse Action Proceedings
5. Employee Counseling Files
6. Employees Letter of Reprimand(s)
7. Employee Performance Evaluation Form
8. Employee Personnel Jacket/File
9. Department's Radio Code Assignment Roster
10. Corrections Official Badge Assignment Roster
11. Employees Time Sheet/Pay Records
12. Employees Identification Card File
13. Employees Notification of Personnel Action
14. Civil Service Commission Ruling/Settlement Agreement
15. Legal Proceedings/Actions against employees
16. Employer Investigation Reports
17. Any Document showing Social Security number with the persons names.
18. Certification List of Eligibles.
19. Employment Interview/Certification List.
20. Personnel Incident Reports.
21. Leave Forms.
22. Overtime Justifications.
23. Payroll Deduction/Cancellation Authorization.
24. Employment Verification.



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Page - 2

Sunshine Reform Act of 1999 (P.L. 25-06)

25. Vouchers from various vendors.
26. Requisitions/Log Book.
27. Purchase Orders/Vouchers.
28. Financial Statement/Check Stubs.
29. Checking Account/Bank Statements.

Si Yu'os Ma'ase


Felix D. Cruz



**DEPARTMENT OF CORRECTIONS
DIPATTAMENTON MANGNGUR
GOVERNMENT OF GUAM**

P.O. Box 3236
Hagåtña, Guam 96932
Tel: (671) 734-3981/9
Fax: (671) 734-4490



**Carl T.C. Cutierrez
Governor**

**Madelaine Z. Bordallo
Lieutenant Governor**

**Angel A.R. Sablan
Director (Acting)**

**Ted R. Lewis
Deputy Director**

**Francisco B. Crisostomo
Warden**

**Michael P. Quinata
Chief Parole Officer**

**Joseph G. Changuialaf
Administrator, CCSD**

**Daniel A. Duenas
Administrator, Forensic Ur**

**Luis M. Paulino
Administrative Services Of**

June 16, 1999

MEMORANDUM

To: Deputy Director

From: Guam Detention Facility Commander

Subject: Compliance with the Sunshine Reform

Reference: List of Confidential Forms

Listed below is the list of confidential forms which is required by the Sunshine Reform Act of 1999:

- Detainee Unit Transfer
- Detainee Incident Report
- Detainee Medication Dispensing Log
- Detainee Medical Records
- Detainee Telephone Log
- Detainee Request for Administrative Remedy
- Detainee Cell/Wing/Cubicle Transfer
- Detainee Observation Report
- Detainee US MAIL Log
- Escort/Transport-Prisoner Custody Alert Notice
- Prisoner Remand or Order to Deliver and Receipt for Guam Prisoners
- Visiting Application Form
- Detainee/Inmate Incident Report
- Suicide/Safety Watch Recording Log
- Administrative Segregation and Release Order
- Administrative Segregation Review Form
- Special Housing Unit Segregation Record Sheet
- Transfer Order

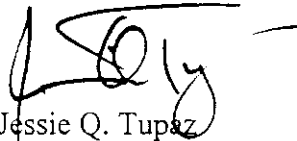


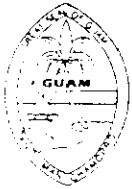
cont.

- 10 Administrative Remedy - Informal Resolution Form
- 20 Arrestee Booking Record
- 30 Arrestee Fingerprint Card
- 40 Arrestee Intake Sheet
- 50 Arrestee Screening Officer Check List
- 60 Arrestee Commitment Sheet
- 70 Arrestee Receiving Screening Form
- 80 Arrestee Waiver For Medical Treatment
- 90 Citation and Notice To Appear
- 00 Transfer Of Custody Forms
- 10 Pre-Trial Detention Certificate
- 20 Detainee Arrestee Index Cards
- 30 Detainee Medical Records
- 40 Detainee Court Documents

Pursuant to Executive Order 94-19, Chapter 6, Section 6.4 CONFIDENTIALITY OF INMATE (DETAINEE FILES), (A), and (B) any inmate(detainee) file is confidential and shall not be surrendered to any person or agency without the Directors approval.

Submitted as requested.


Jessie Q. Tupaz
Captain



GOVERNMENT OF GUAM
AGANA, GUAM 96932

June 11, 1999

MEMORANDUM


To: Deputy Director
From: Warden
Subject: Compliance with the Sunshine Reform Act of 1999 (P.L. 25-06)
Reference: List of Confidential Forms

Listed below is the list of confidential forms which is required by the Sunshine Reform Act of 1999:

- Inmate Unit Transfer
- Inmate Incident Report
- Inmate Medication Dispensing Log
- Inmate Telephone Log
- Inmate Request for Administrative Remedy
- Inmate Cell/Wing/Cubicle Transfer
- Inmate Observation Report
- Inmate US MAIL Log
- Escort/Transport - Prisoner Custody Alert Notice
- Prisoner Remand or Order to Deliver and Receipt for Guam Prisoners
- Visiting Application Form
- Detainee/Inmate Incident Report
- Suicide/Safety Watch Recording Log
- Administrative Segregation and Release Order
- Administrative Segregation Review Form
- Special Housing Unit Segregation Record Sheet
- Transfer Order
- Administrative Remedy - Informal Resolution Form

Pursuant to Executive Order 94-19, Chapter 6, Section 6.4. *CONFIDENTIALITY OF INMATE FILES, (A) , and (B)*, any inmate file is confidential and shall not be surrendered to any person or agency without the Director's approval.

Submitted as requested.


FRANCISCO B. CRISOSTOMO
Major



PAROLE SERVICES DIVISION
Guam Department of Corrections

P.O. Box 3236
Hagåtña, Guam 96932
(671)473-7001 Fax:(671)473-7009

Public and Non-Public Documents for purposes of the Freedom of Information Act; 1999

PUBLIC DOCUMENTS

1. Authorizations: Driving, Curfew, Residence, Employment, Off-Island
2. Case Review Summary (on parolees)
3. Computation Sheet
4. Job Specification
5. Judgement/Orders of the Board
6. Monthly Reports (parolees)
7. Parolee Cardex/Picture
8. Parole Certificate
9. Parole Conditions
10. Parole Discharge
11. PSD Annual Reports
12. PSD Caseload Assignments
13. PSD Equipment Inventory
14. PSD Daily Sign in/Sign Out Sheet
15. PSD FY Budget Folder
16. PSD Manual of Operation
17. PSD Memo File
18. PSD Monthly Reports
19. Position Descriptions

NON-PUBLIC DOCUMENTS

1. Board Ordered Parole Investigations
2. Chronological case entries
3. Community Assessments Forms and Written Testimony of Crime Victims and Interested parties
4. Minutes of GPB Meetings
5. Pardon/Commutation Studies
6. Personnel Incident File
7. Personnel Performance Evaluations
8. Preparole Studies
9. PSD Work Sheet Form I
10. Surveillance Reports



GOVERNMENT OF GUAM
AGANA, GUAM 96932

June 3, 1999

MEMORANDUM

To: Deputy Director
From: DATS Administrator
Subject: Compliance with the Sunshine Reform Act of 1999 (P.L. 25-06)

Per our Director's instruction , I am submitting our Division's Lists of what we considered to be non-public and non-disclosure records.

MEDICAL UNIT

1. Inmate/detainee medical records
2. Medical history
3. Laboratory results
4. Chest x-rays
5. Physical examination
6. Nurse's health assessment
7. Informed consent
8. Physician's orders
9. Medication logbook record
10. Physician's progress notes
11. Medical staff progress notes

DENTAL UNIT

1. Inmate / Detainee Dental records.
2. Dental assessment and history.
3. Dental X-Rays.
4. Dental Treatment Performed.
5. Health Questionnaires.
6. Dentist's Orders.

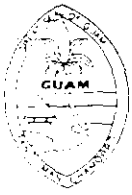
FORENSIC UNIT

1. Inmate / Detainee Psychological record.



COMMONWEALTH NOW!

2. Subsatance Abuse record.
3. Psychological assessments.
4. Substance Abuse Assessments / Intake
5. Psychologist's Consultation / Assessments
6. Psychologist's Progress Notes
7. Counselor's Progress Notes
8. Clinical Evaluations/Assessments Review
9. Psychological Evaluations
10. Psychological Testings
11. Drug Test Results
12. Drug Test Logbook Record



GOVERNMENT OF GUAM
AGANA, GUAM 96932

June 15, 1999

Memorandum

To: Deputy Director

From: Internal Affairs Unit Officer in Charge

Subject: Compliance with Sunshine Reform Act of 1999 (P.L. 25-06)

Per the Directors instruction, I am submitting the Units List of what is considered to be non-public and non-disclosure records.

Intelligence Reports

All radio logs and tapes

Internal Affairs Investigation Reports

Narcotics Operation Records

All DOC Daily log books

DOC Security procedures and techniques, which if exposed would adversely affect correctional objectives.

Confidential correspondence between DOC and other agencies, local and/or federal.

Records of a criminal or confidential nature received by DOC from other local and/or federal agencies.



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Privileged communications between legal counsel for DOC and DOC management/staff.

Adverse action settlement agreements between DOC management and staff.

Records pertaining to government claims filed against DOC.

Records pertaining to investigations conducted by the DOC Internal Affairs Unit.



GOVERNMENT OF GUAM
AGANA, GUAM 96932

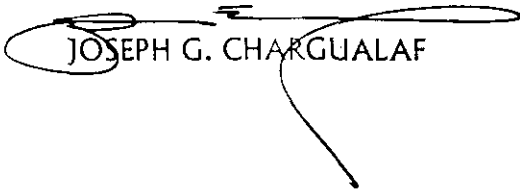
June 10, 1999

MEMORANDUM

To: Deputy Director of Corrections
From: CSW Administrator
Subject: Listing of Non-Public Records

In response to the May 19, 1999 memorandum from the Acting Attorney General subject to Compliance with the Sunshine Reform Act of 1999 (P.L. 25-06) attached is a listing of the Casework Divisions' non-public records.

Submitted for your review.


JOSEPH G. CHARGUALAF

Attachment

CASEWORK & COUNSELING SERVICES DIVISION
Department of Corrections

LISTING OF NON-PUBLIC RECORDS

NON-PUBLIC RECORD

No.	RECORD	USE/DESCRIPTION
1.	Academic Grades of Inmates	Refer to Learning Institution policy
2.	Correction Social Worker's Chronological Log	Meeting/Counseling with inmates
3.	Family Interview Log	Meeting with inmate's families/friends for case study and treatment plans
4.	Inmate Profile Sheet	Listing of victim(s); address(es); telephone number(s)
5.	Internal Memoranda	Status of inmates' in confinement, Alert Notices, etc.,
6.	Guam Police Department Rap Sheet/Police Reports	Refer to Guam Police Department policy
7.	Pre-Sentence Investigation Report	Refer to Superior Court Policy and Public Law
8.	Initial Case Study	Inmate classification purposes
9.	Extension Limits of Confinement Application/Verification Log	Contacts made by CSW with family/Organizations
10.	Progress Reports for Courts or other Government Agencies	Specifics on inmates progress for use by Lawyers, Court Officials for legal matters
11.	Inmate Work Detail Evaluation	
12.	Casework & Counseling Division Status Reports	
13.	Adjustment Classification Committee Findings & Recommendation	Listing of treatment plans, progress made by inmate(s) and recommendation to be taken

NON-PUBLIC INFORMATION/RECORDS (Pertaining to Incarcerated Inmates)

1.	Address of family, relatives and friends	
2.	Name(s) of co-defendant	

NON-PUBLIC DOCUMENTS (Work /Education Release Inmates)

1.	Any infractions of Institutional rules and/or regulations	
2.	Director/Employer and/or Education Release Agreement signed by the inmate	

THEir OWN MARKETINGs THAT
propelled his company to the
forefront of the industry.

ney-general's office and po-
be in New York. The attorney
The move follows a crim-

that complaint filed by a crim-

a modest recovery in Asia.

TBA attributed some of the

Bad loans in China dealt a

SOLICITATION

FLETCHER PACIFIC CONSTRUCTION CO., LTD. (GUAM) is currently seeking locally owned businesses or businesses registered as Women Owned Business, Small Disadvantage Business, or Small Business to participate in Fletcher's Bid Proposal for the Repairs and Alterations to Bachelor Officer's Quarters (BOQ) Bldg. 179, FHP N62766-98-R-2908. All inquiries and interested businesses are requested to contact Mr. Larry Neal, Estimating Manager at 671-647-0000, or fax your queries/comments at 671-647-0000.

Fletcher Pacific Construction is an EEO/AA Employer

IONIAN Rent-A-Car
\$25 PER DAY
Insurance Included, A/C & Free Mileage.
Tel: (671)649-7236 • Fax: (671)649-9496

GUAM PUBLISHING AGENT
WIN GUIDE COLOR
PRINTING CO., LTD.
Looking for interested Res. agent
(Guam) Need: Printing experience:
Basic allowance pls. high commission
Contact: 670-235-2293
fax: 235-2287

The Department of Labor is currently seeking individuals with two (2) years experience to fill the following positions:

2-SCUBA INSTRUCTORS - \$11.36/Hr. Min. Reg.: 2 yrs. exp. as scuba instructor, and certified as scuba instructor with internationally recognized scuba organization and bilingual English/Korean. Duties: Teaches scuba diving primarily in Korean language to individuals or groups at recreational facilities and in the ocean. Explains and demonstrates use and maintenance of scuba apparatus and equipment. Explains and demonstrates principles, techniques and methods of regulating movement of body, arms and legs to individuals in the water. Explains, demonstrates and enforces safety procedures and regulations. Interprets and explains scuba diving codes and technical references and tables. Observes students during water practice in order to detect and correct mistakes. Conducts written and practical tests to determine students' skill level. Issues certification to students who meet all requirements.
Interested applicants please apply at Guam Employment Service, at the Gun Shop

20' Container \$2,100
40' HC Alum. Container \$3,400
45' HC Alum. Container \$3,800
Financing or No interest Layaway
Available Call for Details
CANStar 649-0080

LOST PASSPORT
Passport # **GM006157**
Contact #: **632-7218**

VEHICLES FOR BID "AS IS"



NAVMAR
FEDERAL CREDIT UNION

CALL: RAY, ROSE or HOPE AT 565-2123/6/8

The Credit Union reserves the right to reject any and all bids. Submit all bids to Navmar's Anigua Branch.

The Department of Labor is currently seeking individuals with four (4)

REQUEST FOR PROPOSAL

GMHA RFP No.(s): 003-99 Linen Services

Submission Date/Time: September 02, 1999 @ 10:00 a.m.

Place: Materials Management Department

RFP forms are available for distribution at the

GMHA Materials Management Office, call the office

at 647-2165/2158 for more information.

TYRONE J. TAITANO
Hospital Administrator



Notice of Public Hearing Senator John Camacho Salas

Chairman of the Committee on
Judiciary, Public Safety, Consumer Protection & Human Resources Development

9:00 am - 12:00 pm

Bill 187: An act to repeal and reenact §§3003 And 30109 of Chapter 30, Division 3, Part 1 of Title 5 of the Guam Code Annotated, relative to the Enforcement Of Statutes passed By 1 Liheslaturan Guahan by the Office of the Attorney General of Guam. *Senator Kaleo S. Moylan.*

Bill 216: An act to amend §7120 of Article 1, Chapter 7, Division 1 of Title 22 of the Guam Code Annotated, relative to establishing specific funding for the Guam Department of Labor's quarterly "The Unemployment Situation on Guam" report. *Senator John Camacho Salas*

Bill 217: An act to amend §7120 of Article 1, Chapter 7, Division 1 of Title 22 of the Guam Code Annotated, relative to establishing specific funding for the Guam Department of Labor's quarterly "The Unemployment Situation on Guam" report. *Senator John Camacho Salas*

Bill 241: An act to amend 9 GCA §60 49, relative to Extension of Limits of Confinement of prisoners by Director of Corrections, adding new provisions. *Senator John Camacho Salas.*

Bill 252: An act to amend Section 24, Chapter IV of Public Law No. 25-03, relative to the legal counsel for the Mayor's Council of Guam. *Senator Carlotta A. Leon Guerrero.*

1:00 pm - 5:00 pm

ITEMS NOT SUBJECT TO DISCLOSURE UNDER P.L. 25-06 Guam Police Department, Guam Fire Department, Department of Corrections, Department of Labor, Department of Law, Supreme Court of Guam, Superior Court of Guam, Public Defender Service Corporation, Department of Youth Affairs, Office of the Medical Examiner, Agency for Human Resources Development

address: 777 Sinajana Commercial Building, Route 4, Sinajana, Guam 96926
telephone: 472-3431, fax: 472-3433 e-mail: jsalas@sensalas.guam.net
website: KUENTOS-http://www.guam.net/sensalas TALAYA http://www2.ite.net/senators/sensalas
American Disabilities Association Coordinator: John Meno tel: 472-3431

August 13, 1999
Legislature's
Public
Hearing Room



COMMITTEE ON JUDICIARY, PUBLIC SAFETY,
CONSUMER PROTECTION, AND HUMAN RESOURCES
DEVELOPMENT

I MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN

JOHN CAMACHO SALAS, CHAIRMAN

PUBLIC HEARING AGENDA
Friday, August 13, 1999
Legislature's Public Hearing Room

9:00 am - 12:00 pm

Bill 187: An act to repeal and reenact §§30103 and 30109 of Chapter 30, Division 3, Part 1 of Title 5 of the Guam Code Annotated, relative to the Enforcement Of Statutes passed by I Liheslaturan Guahan by the Office of the Attorney General of Guam. *Senator Kaleo S. Moylan.*

Bill 216: An act to amend §7120 of Article 1, Chapter 7, Division 1 of Title 22 of the Guam Code Annotated, relative to establishing specific funding for the Guam Department of Labor's quarterly "The Unemployment Situation on Guam" report. *Senator John C. Salas.*

Bill 233: An act to repeal and reenact §46.80 of Title 9, Guam Code Annotated, relative to defining identity theft and providing protection therefor. *Senator Vicente C. Pangelinan.*

Bill 241: An act to amend 9 GCA §80.49, relative to Extension of Limits of Confinement of prisoners by Director of Corrections; adding new provisions. *Senator John C. Salas.*

Bill 252: An act to amend Section 24, Chapter IV of Public Law No. 25-03, relative to the legal counsel for the Mayor's Council of Guam. *Senator Carlotta A. Leon Guerrero.*

1:00 pm - 5:00 pm

ITEMS NOT SUBJECT TO DISCLOSURE UNDER P.L. 25-06: Guam Police Department, Guam Fire Department, Department of Corrections, Department of Labor, Department of Law, Supreme Court of Guam, Superior Court of Guam, Public Defender Service Corporation, Department of Youth Affairs, Office of the Medical Examiner, Agency for Human Resources Development.



Mina Bente Singko na
Liheslaturan Guahan

SENATOR JOHN CAMACILLO SALAS CHAIRMAN

COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION AND
HUMAN RESOURCES DEVELOPMENT

TESTIMONY SIGN IN SHEET

Friday, August 13, 1999

Bill Number **Disclosure**

Title **DEPARTMENT OF CORRECTIONS- Items subject to disclosure under Public
Law 25-06**

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		<input type="checkbox"/> AGAINST	<input type="checkbox"/> ORAL

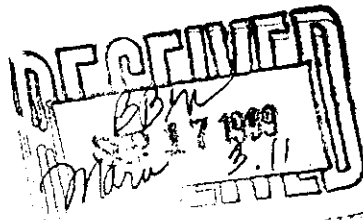


COMMITTEE ON JUDICIARY, PUBLIC SAFETY,
CONSUMER PROTECTION, AND HUMAN RESOURCES
DEVELOPMENT

I MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN

JOHN CAMACHO SALAS, CHAIRMAN

September 15, 1999



MEMORANDUM

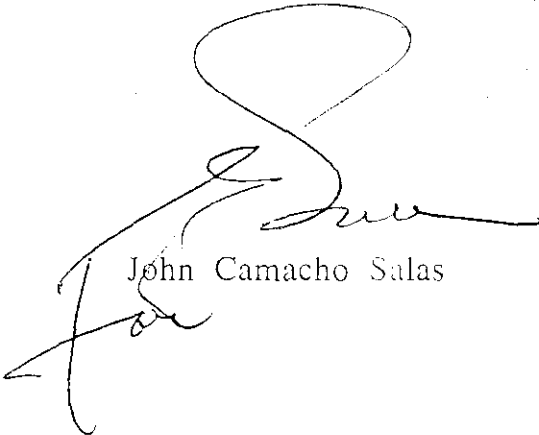
To: Director, Bureau of Budget & Management Research

From: Senator John Camacho Salas, Chairman

Subject: Request for Fiscal Notes

Please find attached Committee Bills 303, 304, 305, 306, 307, 308, 309, 310, and 311 for which I respectfully request issuance of **Fiscal Notes**.

Your issuance of this fiscal note will be greatly appreciated. Thank you for your very kind assistance.


John Camacho Salas

Attachments

SEP 08 1999

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

Bill No. 304 (COR)

Introduced by:

J.C. Salas *J.C. Salas*

AN ACT TO APPROVE THE LIST OF SUNSHINE
REFORM ACT EXEMPTIONS SUBMITTED BY
THE DEPARTMENT OF CORRECTIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. The Sunshine Reform Act
3 of 1999 became Public Law 25-06 on May 12, 1999 changing Guam statute
4 governing the disclosure of public records. Public Law 25-06 requires that
5 each agency submit to *I Liheslaturan Guahan* a proposed list of exemptions to
6 the public disclosure requirements. In accordance with Section 10106(b) of
7 Public Law 25-06, the Department of Corrections, submitted to *I Liheslaturan*
8 *Guahan* a list of documents said agency would like to see exempted from the
9 disclosure requirements of the Sunshine Reform Act. Section 10106(b) of
10 Public Law 25-06 further requires *I Liheslaturan Guahan* to either approve or
11 disapprove said list within ninety days after submission.

12 Section 2. The list of proposed exemptions to the Sunshine Reform Act
13 submitted by the Department of Corrections is hereby approved.

14 DEPARTMENT OF CORRECTIONS

15 ITEMS NOT SUBJECT TO DISCLOSURE

- 16 A) Administrative Records
17 1) Request for personnel action (GG-1).

- 1 2) Personnel data card and personnel statistical information
- 2 sheet.
- 3 3) Adverse action proceedings.
- 4 4) Employee counseling files.
- 5 5) Employees letters of reprimand(s).
- 6 6) Employee Performance Evaluation form.
- 7 7) Employee personnel packet/file.
- 8 8) Department's Radio Code Assignment Roster.
- 9 9) Corrections Official Badge Assignment Roster.
- 10 10) Employees time sheet/pay records.
- 11 11) Employees identification card file.
- 12 12) Employees notification of personnel action.
- 13 13) Legal proceedings/actions against employees.
- 14 14) Employer investigation reports.
- 15 15) Any document showing Social Security number with the
- 16 person's name.
- 17 16) Certification list of eligibles.
- 18 17) Employment interview/certification list.
- 19 18) Personnel incident reports.
- 20 19) Payroll deductions/cancellation authorization.
- 21 20) Employment verification.
- 22 21) Financial statement/check stubs.
- 23 22) Checking account/bank statements.
- 24 B) Detention Facility Division Records.
- 25 1) Detainee Unit Transfer.
- 26 2) Detainee Incident Report.

- 1 3) Detainee Medication Dispensing Log.
- 2 4) Detainee Medical Records.
- 3 5) Detainee Telephone Log.
- 4 6) Detainee Request for Administrative Remedy.
- 5 7) Detainee Cell/Wing/Cubicle Transfer.
- 6 8) Detainee Observation Report.
- 7 9) Detainee U.S. Mail Log.
- 8 10) Escort/Transport-Prisoner Custody Alert Notice.
- 9 11) Prisoner Remand or Order to Deliver and Receipt for Guam
- 10 Prisoners.
- 11 12) Visiting Application Form.
- 12 13) Detainee/Inmate Incident Report.
- 13 14) Suicide/Safety Watch Recording Log.
- 14 15) Administrative Segregation and Release Order.
- 15 16) Administrative Segregation Review Form.
- 16 17) Special Housing Unit Segregation Record Sheet.
- 17 18) Transfer Order.
- 18 19) Administrative Remedy-Informal Resolution Form.
- 19 20) Arrestee Booking Record.
- 20 21) Arrestee Fingerprint Card.
- 21 22) Arrestee Intake Sheet.
- 22 23) Arrestee Screening Officer Check List.
- 23 24) Arrestee Commitment Sheet.
- 24 25) Arrestee Receiving Screening Form.
- 25 26) Arrestee Waiver for Medical Treatment.
- 26 27) Citation and Notice to Appear.

- 1 28) Transfer of Custody Forms.
- 2 29) Pre-trial Detention Certificate.
- 3 30) Detainee Arrestee Index Cards.
- 4 31) Detainee Medical Records.
- 5 32) Detainee Court Documents.
- 6 C) Adult Correctional Facility Division Records
- 7 1) Inmate Unit Transfer.
- 8 2) Inmate Incident Report.
- 9 3) Inmate Medication Dispensing Log.
- 10 4) Inmate Telephone Log.
- 11 5) Inmate Request for Administrative Remedy.
- 12 6) Inmate Cell/Wing/Cubicle Transfer.
- 13 7) Inmate Observation Report.
- 14 8) Inmate U.S. Mail Log.
- 15 9) Escort/Transport-Prisoner Custody Alert Notice.
- 16 10) Prisoner Remand or Order to Deliver and Receipt for Guam
- 17 Prisoners.
- 18 11) Visiting Application Form.
- 19 12) Detainee/Inmate Incident Report.
- 20 13) Suicide/Safety Watch Recording Log.
- 21 14) Administrative Segregation and Release Order.
- 22 15) Administrative Segregation Review Form.
- 23 16) Special Housing Unit Segregation Record Sheet.
- 24 17) Transfer Order.
- 25 18) Administrative Remedy-Informal Resolution Form.

- 1 D) Parole Services Division Records
- 2 1) Board ordered parole investigations.
- 3 2) Chronological case entries.
- 4 3) Community Assessments Forms and written testimony of
- 5 crime victims and interested parties.
- 6 4) Minutes of Guam Parole Board meetings.
- 7 5) Pardon/Commutation Studies.
- 8 6) Personnel Incident File.
- 9 7) Personnel Performance Evaluations.
- 10 8) Preparole Studies.
- 11 9) Parole Services Division Work Sheet Form I.
- 12 10) Surveillance Reports.
- 13 E) DATS Division Records
- 14 1) Inmate/detainee medical records.
- 15 2) Medical history.
- 16 3) Laboratory results.
- 17 4) Chest x-rays.
- 18 5) Physical examinations.
- 19 6) Nurse's health assessment.
- 20 7) Informed consent.
- 21 8) Physician's orders.
- 22 9) Medication logbook record.
- 23 10) Physician's progress notes.
- 24 11) Medical staff progress notes.
- 25 12) Inmate/detainee dental records.
- 26 13) Dental assessment history.

- 1 14) Dental x-rays.
- 2 15) Dental treatment performed.
- 3 16) Health questionnaires.
- 4 17) Dentist's orders.
- 5 18) Inmate/detainee psychological record.
- 6 19) Substance abuse record.
- 7 20) Psychological assessments.
- 8 21) Substance abuse assessments/intake.
- 9 22) Psychologist's consultation/assessment.
- 10 23) Psychologist's progress notes.
- 11 24) Counselor's progress notes.
- 12 25) Clinical evaluations/assessments review.
- 13 26) Psychological evaluations.
- 14 27) Psychological testings.
- 15 28) Drug test results.
- 16 29) Drug test logbook record.
- 17 F) Internal Affairs Unit Records
- 18 1) Intelligence reports.
- 19 2) Radio logs and tapes.
- 20 3) Internal Affairs investigation reports.
- 21 4) Narcotics operation records.
- 22 5) All Department of Corrections daily log books.
- 23 6) Department of Corrections security procedures and
- 24 techniques, which if exposed would adversely affect
- 25 correctional objectives.

- 1 7) Confidential correspondence between the Department of
- 2 Corrections and other agencies, local and federal.
- 3 8) Records of a criminal or confidential nature received by the
- 4 Department of Corrections from other local and federal
- 5 agencies.
- 6 9) Privileged communications between legal counsel for the
- 7 Department of Corrections and Department of Corrections
- 8 management/staff.
- 9 10) Adverse action settlement agreements between the
- 10 Department of Corrections management and staff.
- 11 11) Records pertaining to government claims filed against the
- 12 Department of Corrections.
- 13 12) Records pertaining to investigations conducted by the
- 14 Department of Corrections Internal Affairs Unit.
- 15 G) Casework & Counseling Services Division Records
- 16 1) Academic grades of inmates.
- 17 2) Correction Social Worker's Chronological Log
- 18 3) Family interview log.
- 19 4) Inmate profile sheet.
- 20 5) Internal memoranda.
- 21 6) Guam Police Department rap sheet/police reports.
- 22 7) Pre-sentence investigation report.
- 23 8) Initial case study.
- 24 9) Extension Limits of Confinement application/verification
- 25 log.
- 26 10) Progress reports for courts or other government agencies.

- 1 11) Inmate work detail evaluation.
- 2 12) Casework & Counseling Division status reports.
- 3 13) Adjustment Classification Committee findings &
- 4 recommendations.
- 5 14) Incarcerated inmates' address of family, relatives and
- 6 friends.
- 7 15) Incarcerated inmates' name(s) of co-defendant.
- 8 16) Work/Education Release inmates' infractions of
- 9 institutional rules and/or regulations.
- 10 17) Director/Employer and/or Education Release agreement
- 11 signed by Work/Education Release inmate.