



CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 345, "An Act to repeal Sections 105, 106 and 107 of the Penal Code of Guam and to enact a new Section 105 relative to escape of prisoners; to amend Section 1215 of the Penal Code of Guam relative to execution of judgment; to repeal Sections 8800, 8801 and 8803 of the Government Code of Guam, and to enact a new Section 8800 and amend Section 8802, Government Code of Guam, relative to the operation and administration of correctional institutions", was on the 3rd day of August, 1960, duly and regularly passed.



A. B. WON PAT
Speaker

ATTESTED:




V. B. BAMBA
Legislative Secretary

This Act was received by the Governor this 5th day
of August, 1960 at 9:13 o'clock A. M.



MANUEL F. L. GUERRERO
Assistant Secretary of Guam

APPROVED:



JOSEPH FLORES
Governor of Guam

DATED: AUG 11 1960
1:30 P.M.

Bill No. 345

Introduced by _____
Committee on Rules,
by request

AN ACT TO REPEAL SECTIONS 105, 106 AND 107 OF THE PENAL CODE OF GUAM AND TO ENACT A NEW SECTION 105 RELATIVE TO ESCAPE OF PRISONERS; TO AMEND SECTION 1215 OF THE PENAL CODE OF GUAM RELATIVE TO EXECUTION OF JUDGMENT; TO REPEAL SECTIONS 8800, 8801 AND 8803 OF THE GOVERNMENT CODE OF GUAM, AND TO ENACT A NEW SECTION 8800 AND AMEND SECTION 8802, GOVERNMENT CODE OF GUAM, RELATIVE TO THE OPERATION AND ADMINISTRATION OF CORRECTIONAL INSTITUTIONS.

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

2 Section 1. Sections 105, 106 and 107 of the Penal Code of
3 Guam are hereby repealed except with regard to offenses committed prior
4 to the effective date of this Act and a new Section 105 is hereby added
5 to Chapter III, Title VII, Part I of the Penal Code of Guam, as follows:

6 "Section 105. Escape of prisoner. Every prisoner who
7 escapes or attempts to escape from the custody of the Director
8 of Public Safety or his authorized representative or from any
9 person having the lawful custody of such prisoner or from any
10 correctional institution or other place of confinement or
11 hospital in which he is confined by direction of the Director
12 of Public Safety, or from any custody under or by virtue
13 of any process issued under the laws of Guam by any court or
14 judge, or from the custody of any peace officer or marshal or
15 person pursuant to lawful arrest, is guilty of a felony and is
16 punishable by imprisonment not exceeding 18 months and by
17 fine not exceeding \$1,000."

18 Section 2. Section 1215 of the Penal Code of Guam is hereby
19 amended to read as follows:

20 "Section 1215. Judgment, by Whom and How Executed. If the
21 judgment is for imprisonment, or a fine and imprisonment until
22 it be paid, the defendant shall forthwith be committed to the
23 custody of the Director of Public Safety or his authorized
24 representative and by him detained until the judgment is
25 complied with."

1 Section 3. The Title to Chapter 9, Title IX, Government Code
2 of Guam, is hereby amended to read as follows:

3 "CHAPTER 9

4 Confinement of Prisoners"

5 Section 4. Sections 8800, 8801, and 8803, Government Code of
6 Guam, are hereby repealed and a new Section 8800 is hereby added to
7 Chapter 9, Title IX, Government Code of Guam, to read as follows:

8 "Section 8800. Authority. The Director of Public Safety
9 shall establish and operate correctional institutions, and
10 other places of confinement, for prisoners serving sentences
11 of imprisonment imposed by the courts of Guam and other
12 authorized prisoners, persons charged with offenses, and other
13 persons placed in the custody of such Director, or held by
14 him or arrested, pursuant to the laws of Guam."

15 Section 5. Section 8802 of Chapter 9, Title IX, Government
16 Code of Guam, is hereby amended to read as follows:

17 "Section 8802. Rules and regulations. The Director of
18 Public Safety, subject to the approval of the Governor by
19 Executive Order, is authorized to make and promulgate rules
20 and regulations for the administration of correctional
21 institutions and other places of confinement, including, but
22 not limited to, necessary disciplinary measures for inmates
23 thereof and for their treatment, care, labor, rehabilitation,
24 and reformation. Such rules and regulations may be made
25 concerning the employment of inmates in rendering such services
26 and in the manufacturing and production of such articles,
27 materials and supplies as may be needed by the government of
28 Guam, and for the employment of inmates on a voluntary basis
29 by any charitable or non-profit organization after such inmates
30 have performed the labor required by the government of Guam.
31 Employment for charitable or non-profit purpose organizations

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may be performed with or without compensation but any funds realized therefrom shall be kept or disbursed by the Director of Public Safety for the use and benefit of such inmates or their dependents in accordance with such rules and regulations."

Section 6. This Act is an urgency measure.