

I Mina Trentai Kuattro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
187-34 (COR) As amended on the Floor.	Therese M. Terlaje Telena Cruz Nelson James V. Espaldon	AN ACT TO ESTABLISH THE GUAM ADULT REENTRY COURT PROGRAM AT THE JUDICIARY OF GUAM BY ADDING § 2101(d) OF CHAPTER 2, TITLE 7, GUAM CODE ANNOTATED AND ADDING § 80.70(f) AND § 80.82(c), BOTH OF ARTICLE 5, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED.	9/22/17 2:45 p.m.	10/02/17	Committee on Appropriations and Adjudication	11/21/17 2:00 p.m.	11/27/17 10:21 a.m.	Fiscal Note Request 10/3/17	
				10/06/17	Re-referred : Committee on Culture and Justice			Fiscal Note 11/01/17	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	LAPSED INTO LAW		NOTES	
1/22/2018	AN ACT TO ADD A NEW § 2101(d) TO CHAPTER 2 OF TITLE 7, AND TO ADD NEW §§ 80.70(f) AND 80.82(c) TO ARTICLE 5 OF CHAPTER 80, TITLE 9, ALL OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM ADULT REENTRY COURT PROGRAM AT THE JUDICIARY OF GUAM.	01/26/18	01/29/18 1:45 p.m.	2/9/18	2/10/18 Public Law No. 34-81		Received: 2/13/18 Mess and Comm. Doc. No. 34GL-17-1529.		



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

FEB 13 2018

66#34-18-1529
Speaker Benjamin J.F. Cruz

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuättro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

FEB 13 2018

Time: 3:08 AM File No. 34-1523
Received By: Eddie

Dear Mr. Speaker:

Transmitted herewith is Substitute Bill No. 187-34 (COR), "AN ACT TO ADD A NEW § 2101(d) TO CHAPTER 2 OF TITLE 7, AND TO ADD NEW §§ 80.70(f) AND 80.82(c) TO ARTICLE 5 OF CHAPTER 80, TITLE 9, ALL OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM ADULT REENTRY COURT PROGRAM AT THE JUDICIARY OF GUAM," which lapsed on February 10, 2018, as Public Law 34-81.

Senseramente,


EDDIE BAZA CALVO

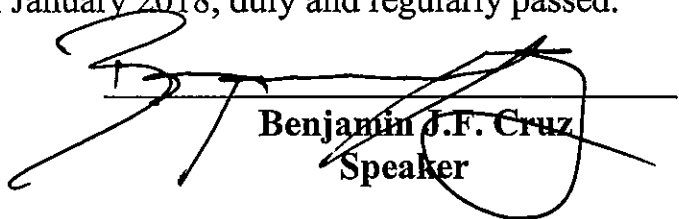
2018 FEB 13 PM 3:50



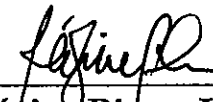
I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*


This is to certify that **Bill No. 187-34 (COR)**, "AN ACT TO *ADD* A NEW § 2101(d) TO CHAPTER 2 OF TITLE 7, AND TO *ADD* NEW §§ 80.70(f) AND 80.82(c) TO ARTICLE 5 OF CHAPTER 80, TITLE 9, ALL OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM ADULT REENTRY COURT PROGRAM AT THE JUDICIARY OF GUAM," was on the 26th day of January 2018, duly and regularly passed.


Benjamin J.F. Cruz
Speaker

Attested:


Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 29 day of JAN,
2018, at 1:45 o'clock P.M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: FEB 10 2018

Public Law No. 34-81

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Bill No. 187-34 (COR)

As amended on the Floor.

Introduced by:

Therese M. Terlaje
Telena Cruz Nelson
James V. Espaldon
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Mary Camacho Torres

**AN ACT TO *ADD* A NEW § 2101(d) TO CHAPTER 2 OF
TITLE 7, AND TO *ADD* NEW §§ 80.70(f) AND 80.82(c) TO
ARTICLE 5 OF CHAPTER 80, TITLE 9, ALL OF GUAM
CODE ANNOTATED, RELATIVE TO ESTABLISHING
THE GUAM ADULT REENTRY COURT PROGRAM AT
THE JUDICIARY OF GUAM.**

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

2 **Section 1. Legislative Findings and Intent.** The efforts of the members of
3 the Guam Adult Reentry Court Task Force reflect a concerted and collaborative
4 initiative to create an Adult Reentry Court Program that is aimed at reducing
5 recidivism, decreasing prison overcrowding on Guam, and improving public safety.

1 Through the implementation of evidence-based practices, including the Ohio Risk
2 Assessment System and assessment-driven case plans, which address individualized
3 supervision, treatment and services, the outcome indicators for the participants in
4 the Guam Adult Reentry Court Program include job stability, permanent housing,
5 completion of treatment, high school or GED completion, family reunification, and
6 lowered recidivism.

7 The membership of the Guam Adult Reentry Court Task Force is comprised
8 of private, public, and non-profit entities, including: the Judiciary of Guam, the
9 Department of Corrections, Parole Services Division, the Guam Behavioral Health
10 and Wellness Center, the Guam Department of Labor, WestCare Pacific Islands, the
11 Salvation Army Lighthouse Recovery Center, Oasis Empowerment Center, the
12 Office of the Attorney General of Guam, the Public Defender Services Corporation,
13 the Alternate Public Defender, the Guam Bar Association, the University of
14 Cincinnati Corrections Institute, the Department of Public Health and Social
15 Services, the Guam Housing and Urban Renewal Authority, the Department of
16 Revenue and Taxation, the GCA Trades Academy, the Guam Community College,
17 and Catholic Social Service. The Task Force has already completed a Guam Adult
18 Reentry Court Program Strategic Plan, and a Planning and Implementation Guide,
19 which sets forth the eligibility and screening of participants, the structure of the
20 reentry court, details regarding data collection, performance measurement,
21 evaluation, and sustainability of the Program.

22 A critical component of the Guam Adult Reentry Court Program is the intense
23 supervision of participants, who must appear at regular court hearings before the
24 Reentry Court Judge, with the frequency of hearings determined by the risk and
25 needs level of the participant, and his or her behavior. Accordingly, it is the intent
26 of *I Liheslaturan Guåhan* to establish the Guam Adult Reentry Court Program, and

1 to clarify the jurisdiction of the Guam Adult Reentry Court and its role in the parole
2 process.

3 **Section 2.** A new Subsection (d) is *added* to § 2101 of Chapter 2, Title 7,
4 Guam Code Annotated, to read as follows:

5 “(d) Establishment of the Guam Adult Reentry Court Program. The
6 Judicial Council of the Judiciary of Guam may establish through a duly
7 adopted resolution, a Guam Adult Reentry Court Program for eligible
8 individuals who are sentenced to a term of imprisonment pursuant to Article
9 5 of Chapter 80, Title 9, Guam Code Annotated. The Judiciary of Guam, the
10 Department of Corrections, and the Parole Board may enter into a
11 memorandum of understanding for the purpose of implementing the Guam
12 Adult Reentry Court Program, as set forth in the Guam Adult Reentry Court
13 (GARC) Program 2016 Strategic Plan and the Planning and Implementation
14 Guide. The GARC Program is intended to reduce recidivism, implement
15 evidence-based practices, reduce prison overcrowding, and promote public
16 safety. The Guam Adult Reentry Court may conduct hearings to determine
17 eligibility and to oversee the participation of eligible parolees admitted into
18 the Program. Participation in GARC Program *shall* be limited to those
19 defendants who meet the requirements as promulgated by the Supreme Court
20 of Guam. The Judiciary received a three-year federal grant for FY 2015
21 through FY 2018 to establish a Guam Adult Reentry Court Program (GARC).
22 Nothing herein requires the Judiciary to implement GARC if it would result
23 in a need for an increase in local funding for the program or impede the ability
24 of judges to address current caseloads under current time restrictions or
25 increase the need for additional judges at the court. The Judicial Council *shall*
26 report annually to *I Liheslatura* regarding the performance measurement and

1 program evaluation of this program, as set forth in the Guam Adult Reentry
2 Court (GARC) Program 2016 Strategic Plan.”

3 **Section 3.** A new Subsection (f) is *added* to § 80.70 of Article 5, Chapter
4 80, Title 9, Guam Code Annotated, to read as follows:

5 “(f) Upon entry into the Guam Adult Reentry Court Program, the
6 Guam Adult Reentry Court may order rehabilitation and treatment services to
7 be provided, determine appropriate incentives, order appropriate sanctions,
8 and hear and determine appropriate responses to alleged violations, unless and
9 until the Court terminates the parolee’s enrollment in the Program.”

10 **Section 4.** A new Subsection (c) is *added* to § 80.82 of Article 5, Chapter
11 80, Title 9, Guam Code Annotated, to read as follows:

12 “(c) If a parolee is a participant in the Guam Adult Reentry Court
13 Program, the violation of a condition of parole *shall* be addressed in the Guam
14 Adult Reentry Court. If a parolee fails to complete or is terminated from the
15 Guam Adult Reentry Court Program, the parolee *shall* be referred to the
16 Parole Office or the Parole Board for disposition.”

17 **Section 5. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid, or contrary to law, such invalidity
19 *shall not* affect other provisions or applications of this Act that can be given effect
20 without the invalid provision or application, and to this end the provisions of this
21 Act are severable.