



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
TESINAN, MAGALAN
GUAM, GUAM

SEP 18 1991



The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hernan Cortes Avenue
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 396, which I have signed into law this
date as Public Law 21-44.

Sincerely,

FRANK F. BLAS
Governor of Guam
Acting

Attachment




Commonwealth Now!

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

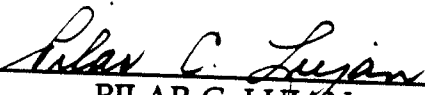
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 396 (COR), "AN ACT TO PLAN AND CONSTRUCT A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS," was on the 30th day of August, 1991, duly and regularly passed.



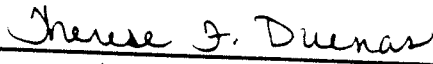
JOE T. SAN AGUSTIN
Speaker

Attested:




PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 10th day of September, 1991, at 4:45 o'clock P.m.



Theresita J. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: September 18, 1991

Public Law No: 21-44

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 396 (COR)
As substituted by the author

Introduced by:

A. C. Blaz
J. G. Bamba
M. D. A. Manibusan
E. P. Arriola
M. J. Reidy
D. F. Brooks
J. P. Aguon
M. Z. Bordallo
H. D. Dierking
E. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
D. Parkinson
M. C. Ruth
J. T. San Agustin
F. R. Santos
D. L. G. Shimizu
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO PLAN AND CONSTRUCT A RAPE AND
SEXUAL ABUSE CRISIS CENTER FOR VICTIMS.

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

2 **Section 1. Legislative findings.** The incidence of rape and sexual abuse
3 on Guam has in recent years increased tremendously without a
4 corresponding increase in services to those victims who are often not given
5 priority medical attention at the hospital's emergency room, thus making the

1 victims suffer further from the violence which was inflicted upon them. In
2 resolving this problem and providing discrete, immediate and full medical
3 attention, the Legislature finds that a rape and sexual abuse center to service
4 such victims should be constructed and staffed.

5 **Section 2. Creation of Rape Crisis Center Team.** There is hereby
6 created within the government of Guam a multi-departmental Rape Crisis
7 Center Team (the "Team") composed of the directors or other chief
8 administrative officers or their respective personal representatives of the
9 Guam Police Department, the Victim Witness Ayuda Services Division of the
10 office of the Attorney General, the Guam Memorial Hospital Authority, the
11 Department of Mental Health and Substance Abuse, the Volunteers are Very
12 Important People Agency, the Department of Public Health and Social
13 Services, the Department of Land Management, and the Department of
14 Public Works. The primary task of the Team will be to designate a site, and
15 cause to be designed, constructed, staffed and operated a Rape, Sexual Abuse
16 and Crisis Center (the "Center").

17 **Section 3. Lead agency.** The Victims Witness Ayuda Services Division
18 of the office of the Attorney General will act as the lead agency in the Team,
19 working in conjunction with the other agencies whose administrators
20 constitute the Team, to reach the Team's goals, including:

21 1. Designating possible sites, pursuant to Public Law 20-
22 194, for the construction of the Center;

23 2. Providing estimates of the costs associated with the
24 design and construction of the Center;

25 3. Providing an approximate staffing pattern necessary
26 for the Center;

1 4. Listing the goals and objectives of the Center;

2 5. Providing all other data and cost estimates necessary
3 for the construction and operation of the Center.

4 **Section 4. Report of Team.** The Team shall submit to the Governor no
5 later than six (6) months after the effective date of this Act a written report of
6 its findings and recommendation. An appropriation request, as approved by
7 the Governor, shall be submitted to the Legislature within thirty (30) days of
8 his receipt of the Team's report.

9 **Section 5. Interim center.** The Team shall also recommend a site for an
10 interim center that can be used during the design and construction stage of
11 the Center. All information regarding the development and use of such an
12 interim crisis center, including staffing, location and necessary funds, shall be
13 included in the report submitted to the Governor pursuant to Section 4 of this
14 Act, and the funds necessary for such interim center shall be included in the
15 appropriations request.

TWENTY-FIRST GUAM LEGISLATURE
 1991 (FIRST) Regular Session

Date: 8/30/91

VOTING SHEET

Bill No. 396

Resolution No. _____

Question: _____

	<u>AYE</u>	<u>NO</u>	<u>NOT VOTING</u>	<u>ABSENT/ OUT DURING ROLL CALL</u>
<u>AGUON, John P.</u>	✓			
<u>ARRIOLA, Elizabeth P.</u>	✓			
<u>BAMBA, J. George</u>	✓			
<u>BLAZ, Anthony C.</u>	✓			
<u>BORDALLO, Madeleine Z.</u>	✓			
<u>BROOKS, Doris F.</u>	✓			
<u>DIERKING, Herminia D.</u>	✓			
<u>DUENAS, Edward R.</u>	✓			
<u>ESPALDON, Ernesto M.</u>	✓			
<u>GUTIERREZ, Carl T.C.</u>	✓			
<u>LUJAN, Pilar C.</u>	✓			
<u>MAILLOUX, Gordon</u>	✓			
<u>MANIBUSAN, Marilyn D.A.</u>	✓			
<u>PARKINSON, Don T</u>	✓			
<u>REIDY, Michael J.</u>	✓			
<u>RUTH, Martha C.</u>	✓			
<u>SAN AGUSTIN, Joe T.</u>	✓			
<u>SANTOS, Francisco R.</u>	✓			
<u>SHIMIZU, David L.G.</u>	✓			
<u>TANAKA, Thomas V.C.</u>	✓			
<u>UNPINGCO, Antonio R.</u>	✓			

Twenty-First Guam Legislature

155 Hesler Street
Pacific Arcade
Agana, Guam 96910
Telephone: (671) 472-3407/8/9
FAX: (671) 477-3161



Chairman, Committee
on Ways & Means

Vice-Chairman, Committee
on Tourism & Transportation

CARL T. C. GUTIERREZ
Senator

August 27, 1991

Honorable Speaker Joe T. San Agustin
Speaker, Twentieth Guam Legislature
163 Chalan Santo Papa
Agana, Guam 96910

Dear Mr. Speaker:


The Committee on Ways & Means wishes to report out its findings on **BILL NO. 396, "AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE GENERAL FUND FOR THE CONSTRUCTION OF A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS"**, to the full Legislature with the recommendation to do Pass as Substituted by the Author.

The Committee Voting Record is as follows:

TO PASS:	<u>14</u>
NOT TO PASS:	<u>0</u>
ABSTENTIONS:	<u>0</u>
INACTIVE FILE:	<u>0</u>

Copies of the Committee Report and all pertinent documents are attached for your information.

Sincerely,


CARL T. C. GUTIERREZ
Chairman, Committee on
Ways & Means

Twenty-First Guam Legislature
 Committee on Ways & Means
VOTING SHEET

BILL NO.
 396

AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE GENERAL FUND FOR THE CONSTRUCTION OF A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS.

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>Carl T. C. Gutierrez</i> Senator Carl T. C. GUTIERREZ Chairman	✓			
<i>Herminia D. Dierking</i> Senator Herminia D. DIERKING Vice-Chairman	✓			
<i>John P. Aguon</i> Senator John P. AGUON Member	✓			
<i>Elizabeth P. Arriola</i> Senator Elizabeth P. ARRIOLA Member	✓			
<i>George Bamba</i> Senator George BAMBA Member	✓			
<i>Anthony Blaz</i> Senator Anthony BLAZ Member	✓			
<i>Doris F. Brooks</i> Senator Doris F. BROOKS Member	✓			
<i>Ernesto M. Espaldon</i> Senator Ernesto M. ESPALDON Member	✓			
<i>Marilyn Manibusan</i> Senator Marilyn MANIBUSAN Member	✓ 8/28/91 mdm			
<i>Don Parkinson</i> Senator Don PARKINSON Member	✓			
<i>Michael J. Reidy</i> Senator Michael J. REIDY Member	✓			
<i>Martha C. Ruth</i> Senator Martha C. RUTH Member	✓ 8/28/91			
<i>David Shimizu</i> Senator David SHIMIZU Member	✓			
<i>Joe T. San Agustin</i> Speaker Joe T. SAN AGUSTIN Ex-Officio Member	✓			

1

COMMITTEE ON WAYS & MEANS

COMMITTEE REPORT ON

BILL NO. 396

AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE GENERAL FUND FOR THE CONSTRUCTION OF A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS.

PUBLIC HEARING

The Committee on Ways & Means conducted a public hearing on Wednesday, July 24, 1991 beginning at 8:00 a.m. in the Legislative Public Hearing Room to gather testimony on Bill NO. 396. Present at the hearing were Senator Carl T. C. Gutierrez, Chairman of the Committee conducted the hearing, being joined by Senators Herminia D. Dierking, Michael J. Reidy, David L. G. Shimizu, Elizabeth P. Arriola, Ernesto M. Espaldon, Anthony C. Blaz, Marilyn D. A. Manibusan, and John Perez Aguon.

TESTIMONY

Although no one appeared to testify, the Committee is in receipt of written testimonies from the Mrs. Elizabeth Barrett-Anderson, Attorney General and Mr. S. Wayne Butler a family counselor.

The Attorney General's Office supports Bill No. 396 with a caveat that serious consideration must be paid to whether the Guam Memorial Hospital (GMH) Administration, and the GMH Board of Trustees are cognizant at this time to begin this major task. The Attorney General's Office has talked about this as a major solution to the many problems facing rape victims and they believe that there is a heavy tendency to lean upon GMH as not only the ideal area, but the appropriate agency to be responsible. The Attorney General's Office recommends that Section 3 provide for coordination with them rather than the Victim Ayuda Services Coordinator, as policy level decision must be made at this stage of creation.

Mr. S. Wayne Butler, Family Counselor, has worked with sexually abused children and their families on Guam for the last eight (8) years and serves on the Governor's Sexual Abuse Task Force, which recommended changes in the Child Protective Services law which were adopted. As a result of these experiences, it is my belief that sexual abuse, rape trauma

center is needed on Guam, therefore he fully supports the efforts to establish one. The idea to house the center at the hospital, is the most reasonable present use of resources. He recommends that if possible, the rape trauma center be constructed in such a way that its clients can have privacy when entering and exiting the areas and that the facility itself be designed so that personal comfort is maximized. Also, that there be at least one room specifically set aside for the official interviews of children by Child Protective Services workers and police officers. If possible, this room should be equipped with one window that is made of one-way glass so that the interview may be videotaped unobtrusively. There are two (2) groups in the community, the Crisis Hotline and Victims Advocate Reaching Out (VARO), that are already providing the crisis intervention aspects of the proposed service, that these organizations be contacted and incorporated in the center.

COMMITTEE ACTION

The Committee decided to delete the appropriation portion of the Bill because it is necessary to study the best way of implementing the Bill's intent before an expenditure is needed.

COMMITTEE RECOMMENDATION

The Committee on Ways & Means, after due consideration of the testimony offered in support of Bill No. 396, recommends that Bill No. 396 be reported out to the full Legislature to do pass as Substituted by the author.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST REGULAR SESSION)

Bill No. 396 As substitute by the author

Introduced by:

AN ACT TO CONSTRUCT A RAPE AND
SEXUAL ABUSE CRISIS CENTER FOR
VICTIMS.

A.C. Blaz
A.C. BLAZ

M. M. M. M.
M. M. M. M.
M. J. Reidy M.D.
M. J. Reidy

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM

Section 1. Legislative Findings. The incidence of rape and sexual abuse on Guam has increased tremendously without a corresponding increase in services to those victims are often times not considered priority in receiving medical attention at the Hospital's emergency room, victims further suffer from the crimes which were inflicted upon them. In resolving such problems and providing discrete, immediate and full medical attention, the Legislature finds that there is a necessity to construct a rape and sexual abuse center to service such victims.

Section 2. There is hereby created within the Government of Guam a multi-departmental team composed of the Directors, Administrators or his/her representatives of the Guam Police Department, the Attorney General's Victim's Witness Ayuda Services, the Guam Memorial Hospital, Department of Mental Health and Substance Abuse, Volunteers are Very Important People Agency, Public Health and Social Services the Department of Land Management and the Department of Public Works whose primary task

will be to designate a site, and cause to be designed, constructed, staffed and operated a Rape, Sexual Abuse and Crisis Center.

Section 3. Upon passage of this Act the Attorney General's Victims Witness Ayuda Services Division will assume the role as the lead agency and will be tasked to work in conjunction with the other agencies mentioned in Section 2 of this Act to reach the goals stated within said section.

More specifically;

1. Designate possible sites pursuant to P.L. 20-194 for the construction of a Crisis Center.

2. Provide estimates of all costs associated with the design and construction of the Crisis Center.

3. Provide an approximate staffing pattern necessary for the implementation of the Crisis Center.

4. List the goals and objectives of the Crisis Center.

5. Provide all other information and estimated costs necessary for the implementation of the Crisis Center.

Section 4. All findings and conclusions of the Multi-departmental team shall be submitted to the Governor no later than six (6) months after passage of this Act. Upon the approval of the Governor, an appropriation request shall be submitted to the Legislature within thirty (30) days of receipt of the conclusions by the Governor.

Section 5. The Multi-departmental team shall also decide on

an interim Center that will be used during the design and completion stage of the Crisis Center. All pertinent information regarding the implementation of an interim Crisis Center including staffing, location and necessary funds shall be submitted to the Governor for approval no later than sixty (60) days of passage of this Act. The Governor will then submit an appropriations request to the Legislature for approval.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) REGULAR SESSION

Bill No. 395

Introduced by:


A.C. BLAZ

Wm
cc: Alen

AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE GENERAL FUND FOR THE CONSTRUCTION OF A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS.

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

2 Section 1. Legislative Findings. The incidence of rape
3 and sexual abuse on Guam has increased tremendously without a
4 corresponding increase in services to those victimized.
5 Because rape and sexual abuse victims are often times not
6 considered priority in receiving medical attention at the
7 Hospital's emergency room, victims further suffer from the
8 crimes which were inflicted upon them. In resolving such
9 problems and providing discrete, immediate and full medical
10 attention, the Legislature finds that there is a necessity to
11 construct a rape and sexual abuse center to service such
12 victims.

13 Section 2. The sum of one million five hundred thousand
14 dollars (\$1,500,000) is hereby appropriated from the General
15 Fund to the Guam Memorial Hospital for the purpose of site,
16 selection, design, and construction of a rape and sexual abuse
17 crisis center.

18 Section 3. Sixty (60) days after passage of this Act,
19 the Director of Public Health and Social Services, the

1 Administrator of the Guam Memorial Hospital, the Guam Medical
2 Examiners Board, the Attorney General's Victim Ayuda Services
3 coordinator, Director of Public Works, and the Chief of Police
4 shall coordinate efforts to carry out the goals and objectives
5 specified in Section 2 of this Act.



7/23/91 10:50 AM

Office of the Attorney General
Territory of Guam

Elizabeth Barrett-Anderson
Attorney General

Donald L. Paillette
Chief Deputy Attorney General

Phone: (671) 472-6841-4
Telefax: (671) 472-2493
Telex: (650) 697-5352

July 23, 1991

Senator Carl T.C. Gutierrez
Chairman, Committee on Ways & Means
Twenty-First Guam Legislature
155 Hesler Street
Pacific Arcade
Agana, Guam 96910

Dear Senator Gutierrez and Members:


The Attorney General's Office supports Bill No. 396 with a caveat that serious consideration must be paid to whether the Guam Memorial Hospital (GMH) Administration, and the GMH Board of Trustees are cognizant at this time to begin this major task.

There is no doubt that Guam has a severe need for a "Rape Crisis Center" (RCC). Our office has talked about this as a major solution to the many problems facing rape victims. I believe there is a heavy tendency to lean upon GMH as not only the ideal area, but the appropriate agency to be responsible. If the GMH Administration, supported by the Board, agrees to work diligently in this matter, then we support this Bill wholeheartedly.

We recommend that Section 3 provide for coordination with the Attorney General, rather than the Victim Ayuda Services Coordinator, as policy level decision must be made at this stage of creation.

We hope that the time is close at hand when Guam will realize the creation of a Rape Crisis Center.

Sincerely,


ELIZABETH BARRETT-ANDERSON
Attorney General

COMMONWEALTH NOW!

0717.6EBA/jla91

238 Archbishop F.C. Flores Street, Suite 701

Agana, Guam USA 96910

8/10/91 11:15 A.M.

July 30, 1991

The Honorable Senator Carl T. C. Gutierrez
21st Guam Legislature
Chairman
Committee on Ways & Means
155 Hessler St.
Agana, Guam 96910

RE: Bill No. 396

Dear Senator Gutierrez:

I have worked with sexually abused children and their families on Guam for the last eight (8) years and I served on the Governor's Sexual Abuse Task Force, which recommended changes in the Child Protective Services law which were adopted. As a result of these experiences, it is my belief that sexual abuse, rape trauma center is needed on Guam, therefore I fully support the efforts to establish one.

Ideally, such a center would be a self-contained clinic operating autonomously or semi-autonomously. Practically speaking however, this would present the need for a large infusion of funds to develop and 24 hour services by physicians for examinations would be unworkable. The idea to house the center at the hospital then, is the most reasonable present use of resources. I recommend that if possible, the rape trauma center be constructed in such a way that it's clients can have privacy when entering and exiting the areas and that the facility itself be designed so that personal comfort is maximized. Also, I recommend that there be at least one room specifically set aside for the official interviews of children by Child Protective Services workers and police officers. If possible, this room should be equipped with one window that is made of one-way glass so that the interview may be videotaped unobtrusively.

There are two (2) groups in the community, the Crisis Hotline and Victims Advocate Reaching Out (VARO), that are already providing the crisis intervention aspects of the proposed service. I recommend that if at all possible, these organizations be contacted and incorporated in the center.

Memorandum to Senator Gutierrez
Re: Bill No. 396
July 30, 1991
Page 2

Thank you for your attention to and consideration of this matter.
I am available to discuss these ideas further if you so desire.

Respectfully,

S. WAYNE BUTLER
Family Counselor

Introduced

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) REGULAR SESSION

JUN 04 '91

Bill No. 396 (COR)

Introduced by:


A.C. BLAZ

AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE GENERAL FUND FOR THE CONSTRUCTION OF A RAPE AND SEXUAL ABUSE CRISIS CENTER FOR VICTIMS.

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3 and sexual abuse on Guam has increased tremendously without a
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6 considered priority in receiving medical attention at the
7 Hospital's emergency room, victims further suffer from the
8 crimes which were inflicted upon them. In resolving such
9 problems and providing discrete, immediate and full medical
10 attention, the Legislature finds that there is a necessity to
11 construct a rape and sexual abuse center to service such
12 victims.

13 Section 2. The sum of one million five hundred thousand
14 dollars (\$1,500,000) is hereby appropriated from the General
15 Fund to the Guam Memorial Hospital for the purpose of site,
16 selection, design, and construction of a rape and sexual abuse
17 crisis center.

18 Section 3. Sixty (60) days after passage of this Act,
19 the Director of Public Health and Social Services, the

1 Administrator of the Guam Memorial Hospital, the Guam Medical
2 Examiners Board, the Attorney General's Victim Ayuda Services
3 coordinator, Director of Public Works, and the Chief of Police
4 shall coordinate efforts to carry out the goals and objectives
5 specified in Section 2 of this Act.