



OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2005- 20

RELATIVE TO DECLARING A STATE OF EMERGENCY IN ORDER TO ASSIST THE DEPARTMENT OF CORRECTIONS IN PERSONNEL COSTS WHICH MAY HAVE AN ADVERSE EFFECT ON PUBLIC SAFETY

WHEREAS, *I Maga'Lahen Guåhan*, Governor of Guam, is the Chief Public Safety Officer for the Island of Guam; and

WHEREAS, the agency within the Executive Branch with the mandate to secure prisoners, detainees held by the local and federal government to insure public safety through correction services is the Department of Correction; and

WHEREAS, in order to provide adequate services, Correction Officers and Detention Facility Guards are frequently required to work beyond a normal duty schedule in which overtime cost are incurred; and

WHEREAS, the Department of Corrections has historically been understaffed and due to the current state of military activities as a result of September 11, 2001, many Correction Officers and Detention Facility Guards are currently deployed with the Guam National Guard and Reserves and are subject to deployment requiring overtime hours; not to mention creating a potential strain for the department; and

WHEREAS, the Office of the Attorney General sued the Director of the Department of Corrections for overtime payment;

WHEREAS, such lawsuit needlessly drains the budget of the department that could otherwise fund personnel and operation; and

WHEREAS, the Department of Corrections is now in dire need of funds and resources to pay for personnel overtime costs, to include overtime, if necessary, and other related legal expenses that will be borne in order to defend the lawsuit by the Office of the Attorney General;

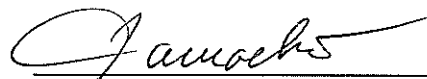
NOW, THEREFORE, I, FELIX P. CAMACHO, *I Maga'Lahen Guahan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. **Declaration of State of Emergency.** A state of emergency is hereby declared for the Department of Corrections in order to assist with personnel costs including legal expenses incurred as a result of the Attorney General's lawsuit which may have an effect on public safety.



2. **Emergency procurement and emergency expenses.** Pursuant to 5 G.C.A § 5215, authorizing emergency procurement upon executive order, and pursuant to 5 G.C.A § 22402, authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars (\$250,000.00) from General Fund appropriations for the Executive Branch for expenses resulting from civil defense, public safety or health care emergencies, the Director of Bureau of Budget and Management Research is authorized to transfer to the Guam Police Department an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for immediate use by the Guam Police Department for personnel costs and legal services to respond to the lawsuit initiated by the Office of the Attorney General.
3. **Documentation of expenses.** The Guam Police Department is hereby instructed to keep appropriate documentation on all emergency expenses for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam
4. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any services relative to the response of the lawsuit initiated by the Office of the Attorney General; and continuing for Thirty (30) days after the date of this executive order as provided in § 5215 of Title 5, Guam Code Annotated.

SIGNED AND PROMULGATED at Hagåtña, Guam this **18th** day of **May, 2005**.


FELIX P. CAMACHO
I Maga' Låhen Guåhan
Governor of Guam