



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

EXECUTIVE ORDER NO. 2005- 38

RELATIVE TO DECLARING A CONTINUING STATE OF EMERGENCY IN ORDER TO ASSIST THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE AND THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES TO COMPLY WITH THE MANDATES OF THE PERMANENT INJUNCTION ISSUED IN THE *J.C. ET. AL V. FELIX CAMACHO, GOVERNOR OF GUAM ET. AL.*

WHEREAS, Governor Felix P. Camacho promulgated Executive Order No. 2005-29 on August 7, 2005 relative to declaring a state of emergency in order to assist the Department of Mental Health and Substance Abuse and the Department of Integrated Services for Individuals with Disabilities to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix P. Camacho, Governor of Guam, et. al*; and

WHEREAS, Guam continues to be committed to providing individuals seeking short-term acute psychiatric care; individuals with chronic mental illness who may require long-term care; individuals with developmental disabilities; individuals with mental illness and individuals committed to the Department of Mental Health and Substance Abuse ("DMHSA") through adjudication as individuals not guilty by reason of mental illness, with a safe environment that meets the needs of the individual and ensures the greatest amount of freedom and opportunity with the least amount of risk; and

WHEREAS, the Administration continues to be committed to provide whatever resources available and necessary to ensure that the Department of Mental Health and Substance Abuse ("DMHSA") and Department of Integrated Services for Individuals with Disabilities ("DISID") facilities and community-based facilities will be made safe, hazard free, clean, adequate and compliant with all the mandates imposed by the Permanent Injunction.

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. Extended Declaration of State of Emergency. A state of emergency has continued to exist to assist DMHSA and DISID to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.*

2. Agency Coordination. DMHSA/DISID shall continue to coordinate with all government departments, agencies, instrumentalities and other public entities in order to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.* All affected agencies and other public entities shall continue to cooperate fully with DMHSA/DISID.



3. **Emergency procurement.** Pursuant to 5 G.C.A § 5215, authorizing emergency procurement upon executive order, this Executive Order shall continue authorizations of emergency procurement to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.*

4. **Documentation of expenses.** DMHSA and DISID are 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

5. **Purpose of emergency procurement.** Emergency procurement may be used for procurement of any services relative to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.* 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 14th day of **November , 2005.**

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