

Executive file

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM
EXECUTIVE ORDER NO. 77-11

TERRITORIAL CRIME COMMISSION

WHEREAS, it is the policy of the Government of Guam to stimulate innovative law enforcement and criminal justice programs and projects, to encourage the preparation and adoption of comprehensive plans for the improvement and consideration of law enforcement and criminal justice systems, to evaluate Guam's programs associated with the prevention of crime, law enforcement, and the administration of criminal justice, and to initiate a continuous planning policy in law enforcement and criminal justice which shall utilize available federal and local resources to:

- (a) assist law enforcement and criminal justice agencies in identifying their needs and problems and in establishing and achieving their objectives and goals by means of the development of long range plans;
- (b) coordinate the planning functions of all governmental and non-governmental law enforcement and criminal justice activities through the development of a Comprehensive Law Enforcement and Criminal Justice Plan;
- (c) provide necessary data, analysis, and projections to assist these agencies in the establishment of priorities and selection of programs;
- (d) provide recommendations to such agencies on the use of advanced techniques and practices for reducing crime;
- (e) provide by means of programs in schools, the various news media, and other forums, public education relating to preventing crime, encouraging respect for law and order, and understanding and cooperating with law enforcement and criminal justice agencies;

(f) provide guidance to aid in the education and training of law enforcement officials;

(g) develop programs for the effective utilization of existing facilities, for the encouragement of cooperative arrangements between law enforcement, criminal justice, and other related agencies, and for innovations in the design of institutions and facilities; and

(h) assist and advise in the development and promotion of programs directly relating to crime prevention, detection, deterrence, apprehension, diversion, adjudication, rehabilitation, and confinement, as well as non-institutional rehabilitation programs outside the institutional settings; and

WHEREAS, several Executive Orders pertaining to the creation of the Territorial Crime Commission to accomplish this policy are now in existence, which Executive Orders should be replaced and re-issued in one all-inclusive Order;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam by virtue of the authority vested in me by the Organic Act of Guam, do hereby order as follows:

1. There is within the Executive Branch of the Government of Guam the Territorial Crime Commission, which is designated as the state planning agency for carrying out Title I, Law Enforcement Assistance Administration, of the Omnibus Crime Control and Safe Streets Act of 1968, U. S. Public Law 90-35 as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974, U. S. Public Law 93-415, and other Federal Acts as required by the Law Enforcement Assistance Administration. The Commission shall have all powers granted by such Acts to state planning agencies. The Commission is subject to the jurisdiction of the Governor of Guam as required by the Safe Streets Act.
2. The Commission shall be governed by a Supervisory Board which shall be composed of the following eleven (11)

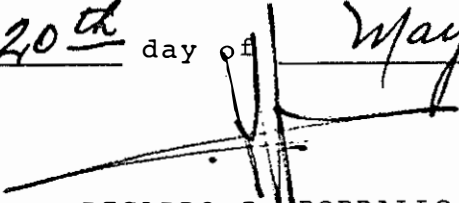
members appointed by the Governor, who shall serve terms of five (5) years unless the member is a public official who was originally appointed by virtue of his position, in which case he shall serve as long as he remains in his position: the Attorney General, the Director of Public Safety, the Director of Corrections, one (1) Municipal Commissioner, the Chairman of the Legislature's Committee on Public Safety, Military and Veterans Affairs, a Judge of the Superior Court knowledgeable in the area of juvenile justice, one (1) judicial administrative officer, and four (4) representatives of the general public, one of which shall be a youth between the age of 16 and 22 years old.

3. The Board shall have the following responsibilities:
 - (a) to supervise the staff of the Commission by means of directives and recommendations adopted by the vote of not less than six (6) members;
 - (b) to adopt rules or regulations in accordance with the Administrative Adjudication Act;
 - (c) to meet at least every two months to prioritize needs and problems of law enforcement and criminal justice agencies and to review and approve all projects to be incorporated in the Comprehensive Law Enforcement Plan prepared pursuant to part 4 below;
 - (d) to submit reports to the Governor, Bureau of Budget and Management Research, and the Law Enforcement Assistance Administration and others as may be required; and
 - (e) to submit recommendations to the Governor for the prevention and reduction of crime and for the improvement of law enforcement and criminal justice in the Territory.


4. The Commission shall prepare and update a Comprehensive Law Enforcement and Criminal Justice Plan in compliance with the requirements of Title I, Law Enforcement Assistance Administration, of the Omnibus Crime Control Act of 1968, as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974.
5. The Commission shall be administered by an Executive Director appointed by the Governor, who shall serve at his pleasure. He shall be responsible for the administration of this Title and shall, subject to direction of the Supervisory Board, oversee the Territorial Crime Commission Staff. He shall also serve as Executive Secretary to the Supervisory Board.
6. The functions of staff members of the Commission shall include:
 - (a) preparing, developing and revising the Comprehensive Law Enforcement and Criminal Justice Plan;
 - (b) applying and accounting for, receiving, allocating, monitoring, auditing, and disbursing or subgranting grants of funds from and made available by the U. S. Federal Government and the Government of Guam;
 - (c) providing information to and encouraging prospective aid recipients and outlining procedures for grant application;
 - (d) coordinating the Comprehensive Law Enforcement and Criminal Justice Plan with other Federally-supported programs relating to or having an impact on law enforcement and criminal justice;
 - (e) conducting studies and hearings as it deems appropriate with respect to the following matters:
 - (1) causes of delinquency and crime, and appropriate measures for their prevention;

- (2) organization and adequacy of law enforcement and criminal justice activities and the general administration of justice;
- (3) correction and rehabilitation, with particular concern for juvenile and first offenders; and
- (4) such other matters as the Commission determines relevant to the prevention of crime and effective law enforcement and criminal justice; and
- (f) setting forth policies and procedures designed to assure that Federal funds will be so used as not to supplant local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement and criminal justice.
7. Each agency, department, office, commission, or part of the Government of Guam is authorized and instructed to render assistance, information, and cooperation to the Commission as is necessary for it to perform its duties including submission of data, information, and other materials necessary for the completion of the Comprehensive Law Enforcement and Criminal Justice Plan.
8. Executive Orders 66-19, 70-40, 73-10, 73-71, and 75-17 are hereby repealed in their entireties and any other Executive Orders in conflict with this Order are hereby repealed insofar as any conflict exists.
9. This Order shall be effective immediately.

DATED at Agana, Guam this 20th day of May, 1977.


RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:


RUDOLPH G. SABLAN
Lieutenant Governor