

TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.
EXECUTIVE ORDER NO. 87-21

DECLARING PUBLIC SAFETY EMERGENCY AND AUTHORIZING
USE OF OUTSTANDING APPROPRIATIONS FOR
EMERGENCY EXPENDITURE

WHEREAS, Section 6113 of the Government Code of Guam, as amended by Public Law 15-75:4, authorizes the Governor to use any part not exceeding Two Hundred Fifty Thousand Dollars (\$250,000) of outstanding appropriations within the General Fund for expenses caused by civil defense, public safety or health emergencies; and

WHEREAS, under Section 6 of the Organic Act of Guam, the Governor, whenever it becomes necessary to prevent or suppress lawless violence, may call out the Guam Militia to assist civil authorities; and

WHEREAS, recent acts of violence, including the murder of a guard, and threats of additional violence within the Adult Correctional Facility at the Department of Corrections and inadequate staff and security facilities at that institution have created a public safety emergency; and

WHEREAS, the Executive Branch is without the necessary funds to pay travel and protective custody expenses for essential witnesses in a number of major felony cases, including aggravated murder, arising from incidents at the correctional facility and the investigation and successful prosecution of these cases cannot go forward as needed; and

WHEREAS, the Government of Guam must immediately transfer several prisoners in the custody of the Department of Corrections to off-island facilities, but is unable to do so because of the lack of funds for the transportation of the prisoners and their security escorts; and

WHEREAS, funds are urgently needed to pay for the renovation of the Rosario Detention Facility to provide for the proper segregation of non-dangerous inmates from those who are dangerous to others; and

WHEREAS, additional personnel are immediately required to provide for adequate security at the corrections facility to protect the lives of corrections



and

WHEREAS, additional training for the staff of the Department of Corrections is imperative, and the immediate procurement of a metal detector, radios and other equipment is needed; and

WHEREAS, additional funds are required to pay for the overtime being accrued by the guards at the correctional facility.

NOW, THEREFORE, I, JOSEPH F. ADA, Governor of Guam, by the authority vested in me by the Organic Act and the laws of Guam, do hereby declare that a public safety emergency exists, and hereby order the Commander of the Guam National Guard to implement the limited use of members of the Guam National Guard who shall be deputized as peace officers while carrying out the duties under this order, and further order as follows:

1. The Director, Bureau of Budget and Management Research is authorized to expend the total amount of not more than Two Hundred and Fifty Thousand Dollars (\$250,000) from outstanding Fiscal Year '87 appropriations within the General Fund for the following:

(a) All expenses incidental to the transportation of prisoners, pretrial detainees or other individuals now held in protective custody by the Government of Guam; and

(b) All expenses incidental to the transportation of witnesses and of sworn peace officers whose travel is incidental thereto; and

(c) The costs of completing the emergency renovation of the Rosario Detention Facility; and

(d) The costs for emergency procurement of a metal detector, radios and other essential equipment to deal with the emergency at the Department of Corrections; and

(e) The costs of emergency training and overtime pay for Department of Corrections personnel; and

(f) The costs for mobilizing not more than twelve (12) members of the Guam National Guard to assist in protecting the perimeters of the Adult Correctional Facility; and

(g) Such other essential expenses incurred in the investigation prosecution of criminal cases arising from criminal acts committed within the correctional facility.

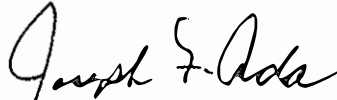
2. The authorization for the certification, approval and expenditure of funds



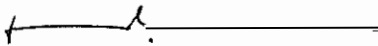
for all items above shall this Executive Order.

3. All departments and agencies of the Executive Branch shall provide such assistance as is necessary to the implementation of this Order so that we can proceed in these crucial matters without delay.

SIGNED AND PROMULGATED at Agana, Guam this 29th day of June, 1987.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor