


I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. -38 ()

Introduced by:

Eulogio Shawn Gumataotao 

**AN ACT TO ADD A NEW CHAPTER 16 TO TITLE 5 OF
THE GUAM CODE ANNOTATED, RELATIVE TO
CODIFYING THE CRIMINAL JUSTICE AUTOMATION
COMMISSION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that it is in the best interest of the people of Guam that criminal justice agencies and the Judiciary of Guam have access to accurate and current criminal justice information through an efficient criminal justice information system.

I Liheslaturan Guåhan further finds that for the past three decades, the Judiciary of Guam has utilized its resources and served as the island's designated Criminal Justice Systems Agency. In this capacity, the Judiciary manages the island's connection to the National Crime Information Center (NCIC) and oversees the submission of all criminal and civil fingerprint records to the FBI, as well as the maintenance of Guam's criminal history repository.

I Liheslaturan Guåhan further finds this arrangement has provided law enforcement agencies and criminal justice personnel with access to critical information necessary for investigative functions and officer safety, particularly benefiting local agencies without independent infrastructure or technical capacity.

I Liheslaturan Guåhan further finds that the Criminal Justice Automation

Commission was first established in 1993 to oversee Guam's criminal justice information system but never formalized in statute. Since its establishment, the Commission has worked to develop an automated infrastructure that has significantly improved accessibility to accurate records contained within Guam's criminal justice information system. While the Commission has effectively operated for many years with the Chief Justice of Guam or his or her designee serving as its Chairperson and with contributing members from the Guam Police Department, the Office of the Attorney General, the Department of Corrections and the Judiciary of Guam, it is the intent of *I Liheslaturan Guåhan* to codify the Commission, which shall ensure the Commission's continued operation and provide it with the stability it requires as a permanent entity.

Section 2. A new Chapter 16 is *added* to Title 5 of the Guam Code Annotated to read as follows:

"Chapter 16

Criminal Justice Automation Commission

§ 16100. Definitions.

§ 16101. Establishment of Criminal Justice Automation Commission and Membership.

§ 16102. Commission Duties and Responsibilities.

§ 16100. Definitions.

(a) "Commission" means the Guam Criminal Justice Automation Commission.

(b) "Criminal justice information" means all criminal justice information system data. The term includes: criminal history record information; biographic data; biometric data; identity history; person, organization, property, or Division of Motor Vehicles data; case or incident history; firearms, and other data necessary for

1 authorized agencies to make hiring decisions, perform their mission, and enforce the
2 laws of the Territory.

3 (c) “Criminal Justice Information System” or “CJIS” means the computer
4 hardware, software, and communication network which is managed, operated, and
5 maintained by the Commission for the collection, warehousing, and timely
6 dissemination of criminal justice information to authorized agencies.

7 **§ 16101. Establishment of Criminal Justice Automation Commission and**
8 **Membership.** There is hereby established the Criminal Justice Automation
9 Commission (“Commission”), which shall oversee Guam’s Criminal Justice
10 Information System (“CJIS”).

11 (a) Commission Leadership. The Commission shall be co-chaired by:

12 (1) the Chief Justice of Guam or his or her designee; and

13 (2) the Chief Technology Officer of the Executive Branch of the
14 Government of Guam.

15 (b) Commission Membership. The Commission shall consist of heads of the
16 following agencies:

17 (1) the Bureau of Statistics and Plans;

18 (2) the Department of Agriculture;

19 (3) the Department of Corrections;

20 (4) the Guam Customs and Quarantine Agency;

21 (5) the Department of Parks and Recreation;

22 (6) the Department of Public Health and Social Services, Division of
23 Children’s Wellness;

24 (7) the Department of Revenue and Taxation;

25 (8) the Department of Youth Affairs;

26 (9) the Guam Behavioral Health and Wellness Center;

- 1 (10) the Guam Homeland Security – Office of Civil Defense;
2 (11) the Guam International Airport Authority;
3 (12) the Guam Police Department;
4 (13) the Mariana Regional Fusion Center;
5 (14) the Office of the Attorney General;
6 (15) the Port Authority of Guam; and
7 (16) the Guam Legislature’s Committee on Public Safety or a
8 legislative committee with similar oversight.

9 (c) An agency head under (b) may designate a person from within his or her
10 agency to serve in his or her place. Where an agency head designates a
11 representative, and the agency maintains a law enforcement division or unit, the
12 designee shall be from that division or unit.

13 (d) The Commission shall meet at least once during each calendar quarter and
14 at such other times as the chairpersons deem necessary.

15 (e) No member of the Commission shall receive any compensation for the
16 performance of duties associated with membership on this Commission.

17 **§ 16102. Commission Duties and Responsibilities.** The Commission shall
18 have the authority to:

19 (a) Manage, operate, and maintain the collection, warehousing, and timely
20 dissemination of criminal justice information to agencies authorized by the
21 Commission.

22 (b) Develop and maintain a process to determine if and how changes to
23 existing criminal justice applications impact the CJIS. Changes to criminal justice
24 applications, databases, platforms or business processes that have an impact on the
25 integrated network must be coordinated through and approved by the Commission.

26 (c) Develop appropriate policies to address privacy and civil liberty concerns
27 related to the sharing of data, data management, and retention.

1 (d) Recommend any legislation necessary for the implementation, operation
2 and maintenance of the CJIS.

3 (e) Develop and adopt rules and procedures to govern its conduct and
4 operations.

5 (f) Perform all functions necessary to carry out the duties of this Chapter.”

6 **Section 3. Effective Date.** This Act shall become effective upon enactment.