

***I MINA'TRENTAI OCHO NA LIHESLATORAN 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.**

**1 BE IT ENACTED BY THE PEOPLE OF GUAM:**

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

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

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

**16** *I Liheslaturan Guåhan* further finds that the Criminal Justice Automation

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

12           **Section 2.** A new Chapter 16 is *added* to Title 5 of the Guam Code Annotated  
13 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 in data. The term includes: criminal history record information; biographic 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;

- (10) the Guam Homeland Security – Office of Civil Defense;
- (11) the Guam International Airport Authority;
- (12) the Guam Police Department;
- (13) the Mariana Regional Fusion Center;
- (14) the Office of the Attorney General;
- (15) the Port Authority of Guam; and
- (16) the Guam Legislature’s Committee on Public Safety or a 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.