

9 GCA CRIMES AND CORRECTIONS
CH. 84 REHABILITATIVE AND DEVELOPMENTAL PROGRAM

CHAPTER 84
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§ 84.10. Establishment of a Rehabilitative and Developmental Program for Department of Corrections Inmates.

(a) There is hereby established within the Department of Corrections (the "Department") a Rehabilitative and Developmental Program for Inmates (the "Program"). The purpose of the Program is to provide gainful employment to the persons who, having been sentenced after convictions of a crime, are in the custody of the Director of Corrections (the "Director"). The Program shall encompass the manufacture of artifacts and souvenirs, automotive repair work, farm labor, forestry and other programs that the Director sees fit to implement.

(b) No sale of items, or provisions of services shall be offered to the public in violation of Guam or Federal law.

(c) The Director shall consult the Director of Labor on all established work programs to ensure that such programs have no adverse effects on the local labor pool or private sector services and do not compete with existing businesses.

§ 84.15. Inmate Compensation and Distribution of Income Received.

(a) Inmates shall be paid by the Department at rates determined by the Director by regulation.

(b) The inmate's wages derived from the Program, before being disbursed to the inmate, shall be divided and disbursed as follows:

- (1) Ten percent (10%) to be deposited in the inmate's name for personal use;

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(2) Forty five percent (45%) to be deposited in the client's name to pay any legal obligations such inmate may have incurred, such as but not limited to spouse and child support.

(3) Forty-five percent (45%) to be used, first, to restore to the victim(s) of the inmate's crime(s) any monies that were lost as a result of such crime(s), with the balance, if any, to be transferred to the Criminal Injuries Compensation Fund (the "Fund") for compensation to the victims of crime.

(c) Profits, if any, derived from the Program shall be deposited in the Fund.

§ 84.20. Authorization to Charge for Work Products of the Program.

(a) Every effort shall be made by the Director to make the Program self-supporting from the funds generated therefrom. The Director shall submit to the Governor and to the Speaker of the Legislature a full report on the status of the Program within ninety (90) days after the enactment of this Chapter and annually thereafter, when the Department's budget request is submitted to the Governor.

(b) The Director is authorized and directed to establish fees and charges for the work products or products generated by the Program and to use such funds generated, after paying the inmates as provided in § 84.02, to support the Program by way of supplies, equipment and administrative expenses.

(c) When services, produce, or products generated by the Program are used by the Department for its own in-house purposes, the Director is authorized to pay the inmates from appropriations to the Department for their labor in creating such services, produce or products.

§ 84.25. Victims Compensation Account; Payment.

The Director shall establish a general account into which shall be deposited that portion of the inmates' wages designated for deposit in the Fund for payment of victim's compensation.

§ 84.30. Applicability of Chapter to Other Programs.

The allocation of wages earned by participants in the Program shall also apply to the income of inmates receiving wages from outside employment as permitted by other programs of the Department, but, implementation of this provision shall be delayed until such time as it

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would not violate any pre-existing agreements with private parties or with any inmates.

§ 84.35. Existing Programs Consolidated.

All existing inmate industry programs of the general type established by this Chapter shall become a part of the Program and administered in accordance herewith.

§ 84.49. Certain Laws not Superseded.

This Chapter shall not supersede, nor affect, any programs undertaken pursuant to Chapter 81 of this Title.

SOURCE: Added by P.L. 21-75:1.
