




# **JUVENILE JUSTICE REFORM COLLABORATIVE**

**REPORT AND RECOMMENDATIONS  
DECEMBER 2025**



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## A JOINT MESSAGE FROM THE CHIEF JUSTICE AND LT. GOVERNOR

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The challenges facing Guam’s youth today are complex, evolving, and deeply interconnected. In reconvening the Juvenile Justice Reform Collaborative, we recognized that no single agency, discipline, or branch of government can meet these challenges alone. Real progress requires partnership—built on shared data, coordinated services, and a commitment to early intervention that keeps young people on a path toward stability, safety, and opportunity.

Over the past year, the Collaborative has taken a hard and honest look at the strengths and limitations of our current system. The subcommittee reports reflect the dedication of dozens of professionals who work every day with our island’s youth: judges, probation officers, teachers, social workers, behavioral health providers, law enforcement officers, and community advocates. Their perspectives and collective expertise shaped the findings and strategies in this final report.

While the work has highlighted areas in urgent need of reform—such as consistent diversion practices, improved interagency data sharing, and transitional options for dual status youth—it has also shown what is possible when institutions choose collaboration over silos. The recommendations offered here are grounded in national best practices but tailored to Guam’s unique needs and realities.

This report is not an end point, but a call to sustained action. Improving outcomes for our youth requires long-term investment, steady leadership, and a shared belief that rehabilitation, accountability, and community support can coexist—and must coexist—for a healthier Guam.

We extend our gratitude to the members of the Collaborative, the subcommittees, and agency partners whose commitment made this work possible. We look forward to continuing this partnership as we move from recommendations to implementation, united by a simple truth: when we strengthen the systems that support our youth, we strengthen the future of our island.

ROBERT J. TORRES  
Chief Justice of Guam

JOSHUA F. TENORIO  
Lieutenant Governor of Guam

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## EXECUTIVE SUMMARY

In January 2024, Chief Justice Robert J. Torres and Lieutenant Governor Joshua F. Tenorio re-convened the Juvenile Justice Reform Collaborative. Originally launched in 2014, the Collaborative was revived to tackle new challenges stemming from the pandemic, including the need for better data collection and sharing, statutory reform, increased probation involvement, and stronger partnerships with service providers.

From the Collaborative, five subcommittees were established with the following objectives:

### **1. Dual Status Youth**

- Evaluate the current processes for handling dually involved youth;
- Develop family-focused alternatives to court intervention; and
- Review and consider legal mandates for dually involved youth across systems.

### **2. Data Collection and Sharing**

- Identify gaps in data to better serve youth and families;
- Identify data sets and data points that must be collected, aggregated, and shared across youth-serving systems;
- Review national and local sources of court-involved youth; and
- Implement data sharing protocols and confidentiality guidelines.

### **3. Statutory and Rule Changes**

- Review and revise existing laws and policies related to juvenile offenses to align with early intervention strategies;
- Evaluate existing truancy statutes and GDOE internal policies for truancy referrals; and
- Develop MOUs and other agreements with behavioral health providers that allow for multi-agency sharing of assessment results, treatment progress, and other information.

### **4. Juvenile Referral Process and Detention**

- Develop and implement strategies for safely and cost-effectively diverting youth from the juvenile justice system;
- Review screening and programs for diversion;
- Inventory assessment tools; and
- Explore the feasibility of new juvenile facilities for alternative interventions.

### **5. Family Engagement and Community Resources**

- Inventory community resources to identify gaps and/or overlaps in services;
- Address barriers to information sharing;
- Evaluate opportunities to share resources or blend funding; and

- Augment family engagement in court proceedings, case planning, and service delivery.

Management leads from the Judiciary of Guam provided administrative and logistical support to facilitate the Collaborative's activities. The inaugural meeting occurred on January 16, 2024. General meetings were conducted quarterly in March, June, September, and December of 2024. Subcommittees met on a monthly basis.

By early 2025, each subcommittee had submitted their final subcommittee reports, which detailed their findings and strategic recommendations, informing this final report.

## STATE OF CURRENT SERVICES

The following section summarizes the landscape of youth-related services and resources available across the community. These findings provide an overview of government of Guam programs and help identify the strengths, gaps, and opportunities within the existing system of support.

The **Guam Department of Education (GDOE)** provides a comprehensive array of programs and services aimed at promoting the social and emotional wellness of the community. The following services are designed to meet the diverse needs of children, families, and individuals, ensuring they have access to essential resources and support.

1. **Guam Head Start Program**: This program is a cornerstone of early childhood education, serving children aged three to five from income-eligible families and children with special needs. It offers a holistic approach to child development, providing services that include health screenings, dental care, nutritional guidance, psychological support, and educational activities. The program aims to prepare children for school readiness while supporting their overall well-being and development.
2. **School Health Services**: These services are dedicated to maintaining and promoting the health of students within the school environment. They address a wide range of health-related issues, from routine health checks and immunizations to managing chronic conditions and responding to health emergencies. The goal is to ensure that students are healthy and ready to learn.
3. **Special Education Division**: This division plays a critical role in supporting GDOE schools to deliver specialized instruction tailored to the needs of students with disabilities. It provides resources, training, and support to educators and staff to ensure that students with disabilities receive an equitable and high-quality education. The division also works closely with families to develop individualized education plans that address each student's unique needs.
4. **Student Support Services Division**: This division offers a comprehensive suite of services designed to support students' non-academic needs. These services include attendance monitoring, psychological and social work services, guidance counseling, and school health services. The division also provides consultation and in-service training for school staff on issues related to student well-being, ensuring a supportive and nurturing school environment.
5. **Counseling, Education, and Support**: A wide range of counseling, education, and support services are available to assist individuals and families in the community. These services aim to provide emotional and psychological support, educational resources, and

guidance to help individuals navigate life's challenges. They include individual and family counseling, educational workshops, support groups, and resources for personal development and well-being.

6. **Mediation Services**: Mediation services are offered to help resolve conflicts within the community. These services provide a neutral platform for individuals to address and resolve disputes amicably, promoting peaceful and constructive outcomes. Mediation can be used to resolve a variety of conflicts, including family disputes and neighborhood disagreements.
7. **School Attendance Officers** (previously referred to as School Resource Officers): Early intervention in truancy remains one of the most effective ways to identify minors who may be in need of support long before they enter the justice system. Chronic absenteeism is often tied to underlying issues—academic struggles, unmet behavioral-health needs, unstable home environments, or transportation challenges—that place a youth at greater risk of later system involvement. School Attendance Officers serve as a critical bridge between the schools, families, and service providers. Reframing these positions around attendance and student well-being, rather than school-based security, aligns with national best practices and ensures that the first touchpoint for struggling youth is one centered on guidance, connection, and early intervention.

The **Department of Youth Affairs (DYA)** provides structured support for at-risk youth through various programs:

1. **Youth Correctional Facility (YCF) and Cottage Homes Facility (CHF)**: YCF houses youth charged with delinquent offenses in secure care dormitories. CHF is a staff-secure dormitory for status offenders. Services include individual and group counseling, behavioral health services, educational programs, and positive youth development opportunities.
2. **Case Management Unit (CMU)**: The CMU provides case management and support services to juveniles in confinement and collaborates with community partners to organize events and programs that encourage spirituality, education, and empowerment.
3. **Youth Resource Centers**: Located in Dededo, Mangilao, and Agat, Youth Resource Centers offer programs and services specific to at-risk children and youth, including community kids' programs, community mentorship, and crisis intervention services.

4. **Governor's Summer Youth Employment Program (GSYEP)**: The GSYEP is a paid six-week program offering entry-level job experience at Government of Guam agencies for youth aged 14-17 years. The program further provides career possibilities and mentorship.
5. **Extended Authorized Leave (EAL) and Jumpstart Programs**: These intensive monitoring programs are for early reunification or reintegration into the community. They include frequent visitations, random spot checks, therapeutic counseling, and supportive services.
6. **Aftercare Program**: These programs provide supportive services for court-involved youth released from DYA and are designed to help them transition toward self-sufficiency and independence. However, the absence of dedicated step-down facilities on Guam limits the continuum of care available to these youth.
7. **Liheng Famaguon Educational Program**: This program is operated by certified instructors from the GDOE and provides educational services tailored to different learning styles and abilities.
8. **Behavioral Health Services**: Services are provided through the Guam Behavioral Health and Wellness Center and include crisis intervention, behavioral health assessment, drug and alcohol services, case management, and referrals.
9. **Group Activities and Religious Services**: Partnerships with religious organizations and community groups provide spiritual support and activities for the youth. These activities contribute to the overall well-being and personal growth of the residents.
10. **Juvenile Re-entry Program (planned)**: This program aims to help returning juveniles reenter society following incarceration. It provides job training, transitional housing, GED/adult educational classes, mentoring, transportation funding, life skills training, and drug treatment.

The **Guam Behavioral Health and Wellness Center (GBHWC)** provides services that are designed to promote mental health, support recovery, and address crises within the community and specifically youth services.

1. **Crisis Intervention**: immediate assistance for individuals in distress to promote safety and emotional stability.
2. **Substance Use Assessments**: evaluations to determine the extent of substance use and appropriate treatment plans.

3. **Case Management**: coordinated care to ensure individuals receive the necessary services and support.
4. **Referrals**: connecting individuals to additional resources and services as needed.
5. **Individual Counseling**: one-on-one therapy sessions to address personal mental health issues.
6. **Group Counseling**: therapy sessions involving multiple participants to provide support and shared experiences.
7. **Family Support**: counseling tailored to the specific needs of families to improve their overall well-being.

#### 8. **Outpatient Programs**

- **Child Adolescent Services**: offers specialized mental health services for children and adolescents to support their emotional and psychological well-being.
- **Drug & Alcohol Program**: focuses on treatment and recovery for individuals struggling with substance use disorders.
- **Healing Hearts Rape Crisis Center**: provides support and counseling for survivors of sexual assault.
- **Healthy Transitions Program - Project Tulaika**: provides healthy transition services for youth and young adults aged 16-25 with a Serious Emotional Disturbance (SED) or Serious Mental Illness (SMI). Services include intake assessment, orientation, CareCoordination/Wraparound, individual, family, or group counseling, as well as home-based services for youth and young adults ages 16-25 who have been determined to have an emotional, behavioral, or mental disorder diagnosable under DSM-V or its ICD-9-CM equivalents.

#### 9. **Inpatient Programs**

- **Child Inpatient Unit**: specialized inpatient care for children in a 16-bed facility.

#### 10. **Prevention & Training (P&T) Branch**

- **Prevention Education and Community Empowerment (P.E.A.C.E.)**: provides education and empowerment programs to prevent mental health issues and substance abuse.
- **Guam Focus on Life (GFOL)**: focuses on suicide prevention and mental health promotion.
- **Partnerships For Success (PFS)**: offers training and technical assistance to community leaders and volunteers in mental health and substance use prevention.

### 11. **Residential Recovery Program (RRP)**

- **Serenity Child Group Home:** A four-bed group home providing a safe and supportive environment for children in recovery.

### 12. **Crisis Services**

- **24/7 Crisis Hotline:** provides immediate support and assistance for individuals in crisis.
- **24/7 Crisis Intake Services:** allows consumers to walk-in and receive crisis support at any time.

### 13. **Additional Services**

- **Mental Health First Aid (MHFA) Training:** offers training to service partners and the community to recognize and respond to mental health issues.
- **Telehealth Services:** provides remote mental health services to increase accessibility.
- **Medically Assisted Treatment (MAT):** offers medication-assisted treatment for substance use disorders.
- **Community Home-Based (CHB) Programs:** provides home-based behavioral health services to support individuals in their community.
- **Medication Management:** proper oversight and support for managing mental health conditions through medication.

The **Judiciary of Guam** provides intervention, treatment, and prevention services for youth and families. Its treatment programs emphasize diversion and support to address substance use, behavioral challenges, and family well-being, empowering individuals while prioritizing rehabilitation, accountability, and stability.

1. **Juvenile Drug Treatment Court:** A judicially monitored program offering treatment plans for youth with substance use disorders. The treatment court includes counseling, education, and rehabilitation to help break cycles of addiction and criminal behavior.
2. **Client Services and Family Counseling (CSFC) Division:** The CSFC provides court-involved individuals and their families with various therapeutic, psychological, consultative, and educational services. CSFC therapists work collaboratively with each other, the Judiciary's Probation Services Division, and other agencies to provide the highest quality of care to ensure individualized, holistic, and integrated services. The division also focuses on strengthening family relationships to foster long-term stability and well-being.

3. **Guam Family Recovery Program**: A family drug treatment court designed to promote the health, safety, and welfare of children from abuse and neglect where parental substance misuse is a factor. The program offers judicial oversight and tailored treatment services to support parental recovery, child safety, and family reunification in a culturally respectful and family-centered way.

**Village Mayors** play an active role in youth development by creating opportunities for engagement, connection, and growth within their communities. The Mayors' Council of Guam (MCOG) is the coordinating body for the island's village mayors and vice mayors. As the level of government closest to families, Mayors serve as first responders to community needs and are often the primary point of contact for youth and families seeking support. Their responsibilities extend beyond municipal maintenance and village operations to community-based programs. This proximity and trust uniquely position village mayors to influence early intervention, engagement, and prevention efforts.

1. **Youth Sports and Activities**: Village mayors frequently organize and coach community sports such as baseball, soccer, and basketball, creating structured opportunities for youth to stay active and engaged. These programs help build teamwork, discipline, and leadership skills while offering a positive outlet that promotes physical and emotional well-being. For many youth, village sports serve as an early point of connection with mentors and caring adults.
2. **Community Engagement Programs**: Mayors also lead community-wide initiatives such as cultural festivals, educational workshops, and service-learning projects. These activities encourage young people to participate in village life, develop a sense of belonging, and gain exposure to cultural traditions and civic responsibility. By offering diverse opportunities for engagement, these programs help strengthen community identity and pride among youth.
3. **Mentorship and Guidance**: In many villages, Mayors play a hands-on role in mentoring youth, offering guidance, encouragement, and support during difficult periods. Their close proximity to families allows them to identify early warning signs and connect youth with appropriate services or resources. This informal but influential mentorship helps reinforce protective factors and promotes positive decision-making.
4. **Village-Specific Programs**: Some villages also implement specialized initiatives tailored to their unique needs and strengths, ranging from environmental stewardship efforts to cultural preservation activities. These programs reflect each village's identity and often provide young people with a meaningful way to contribute to their community. By aligning activities with local priorities, these programs further support youth connection, responsibility, and pride.

## GAPS AND COMMUNITY NEEDS

Although Guam offers a variety of youth-focused services, gaps remain that constrain both reach and impact. These systemic challenges affect service delivery, accessibility, and long-term outcomes for young people. The following points outline key areas where improvements are necessary to ensure a just and accessible system.

1. **Access to Identification**: Limited access to identification creates barriers for minors completing diversion or reentry programs. Without a valid identification card, youth often cannot apply for employment, enroll in training programs, access certain government services, or complete basic financial tasks, all of which are critical for stability and long-term success. The recent enactment of Guam Public Law No. 37-94, which waives identification card fees for high school juniors and seniors, foster youth under CPS custody, and juveniles ordered by the Superior Court to obtain an ID, represents meaningful progress. However, continued collaboration across government partners is needed to ensure that all eligible minors can benefit from the law and that identification barriers do not impede a youth's ability to meet diversion requirements or access essential opportunities.
  
2. **Barriers to Transportation**: Many parents and students continue to face transportation barriers that affect their ability to access services, attend school consistently, and participate in required appointments or programs. These challenges are particularly acute in households without reliable vehicles, in areas with limited public transit, or for youth whose caregivers work multiple jobs or non-traditional hours. The recent enactment of Guam Public Law No. 37-133 provides transportation support for individuals served by Child Protective Services (CPS), GDOE, the Guam Department of Public Health and Social Services (DPHSS), the Guam Housing and Urban Renewal Authority (GHURA), the Judiciary of Guam, and GBHWC, and represents a meaningful step forward. However, agencies continue to collect data to assess its impact and better understand which students are benefiting from the service and where gaps may still remain.
  
3. **Racial and Ethnic Disparities**: Persistent racial and ethnic disparities continue to shape youth experiences across the service and justice systems. Data and stakeholder feedback indicate that youth from certain marginalized communities—including CHamoru and Freely Associated States (FAS) families—are more likely to face barriers in accessing diversion opportunities, culturally appropriate services, and early intervention programs. These disparities can result in disproportionate contact with law enforcement, greater involvement in formal court processes, and, in some cases, harsher outcomes compared to their peers. Addressing these inequities requires improved data collection, stronger cross-agency collaboration, and the expansion of culturally informed services to ensure all youth receive fair, consistent, and accessible support.

4. **Lack of Step-Down Facilities for Dual Status Youth**: Guam lacks adequate transitional or step-down facilities for youth who have completed the terms and conditions of their delinquency case but cannot safely return home due to abuse, neglect, or unstable family conditions. These dual status youth—those involved in both Guam’s juvenile justice and child welfare systems—risk extended confinement at the Department of Youth Affairs because no appropriate placement is available. As seen in other U.S. jurisdictions, step-down programs allow youth to transition from secure facilities into structured residential placements that further their rehabilitation and prepare them for a safe and stable return home. Guam’s current gap highlights the need for similar transitional options that provide stability, behavioral health support, and preparation for family reunification or independent living.
5. **Role Ambiguity for School Attendance Officers**: The transition from traditional truant officers to School Attendance Officers (SAOs) has introduced uncertainty regarding the scope of their responsibilities and the balance between supportive and enforcement functions. While their reclassification was intended to shift the focus toward early intervention and student engagement, many stakeholders continue to associate SAOs with traditional law enforcement roles, creating confusion about their purpose and the nature of their involvement with students. This ambiguity can create confusion for families, schools, and the officers themselves, and may hinder the development of trust-based relationships that are essential for effective attendance interventions. Clear role definitions and updated training are needed to align SAO duties with a supportive, student-centered model.
6. **Political and Public Resistance**: Efforts to reform juvenile justice systems regularly encounter resistance, particularly when proposals emphasize rehabilitation over punitive responses. Polarized political views, concerns about public safety, and long-standing perceptions of youth behavior can influence the willingness of policymakers and community members to support systemic changes. Legislation framed around increased penalties or stricter enforcement tend to gain momentum more quickly than proposals focused on prevention, diversion, or therapeutic supports. This dynamic can make it challenging to advance evidence-based reforms, even when data shows that rehabilitative approaches improve long-term outcomes and enhance public safety. Sustained education and collaborative advocacy are essential to shift perceptions and build support for youth-centered, restorative approaches.
7. **Data Governance**: Comprehensive and accurate data collection remains a significant challenge across youth-serving agencies due to variations in reporting standards, inconsistent resources, and the absence of unified data protocols. Agencies define key data elements differently, leading to inconsistencies in interpretation, reporting, and comparative analysis. These disparities make it difficult to develop a clear picture of

service needs, track outcomes, or evaluate program effectiveness. Legal and regulatory barriers—including federal privacy laws governing juvenile records, medical information, and educational data—further complicate the free flow of information between agencies. While these protections are essential, they often limit the ability of partners to share timely, relevant information for coordinated case management. The lack of standardized information-sharing protocols or shared platforms can result in delays, incomplete records, or duplicative efforts among service providers. Data quality is also affected by uneven access to technological tools and systems. Smaller or resource-constrained agencies may lack the necessary software, hardware, or secure databases to store and analyze information effectively. Additionally, ongoing training is needed to ensure staff understand new data systems, confidentiality requirements, and reporting procedures. Together, these challenges highlight the need for a coordinated approach to data governance—one that includes clear definitions, standardized collection procedures, shared technology platforms, and secure information-sharing agreements. Strengthening these components would enhance accuracy, improve service coordination, and support more informed decision-making across the juvenile justice continuum.

8. **Funding and Resource Allocation**: Coordinated funding remains difficult due to agency-specific budget constraints, varying priorities, and misaligned funding cycles. These differences limit the ability to pursue joint initiatives, sustain pilot programs, or share resources across agencies. Strengthening interagency planning and creating mechanisms for pooled or braided funding could support long-term program stability and innovation.

9. **Family Engagement**: Meaningful family engagement is essential to successful diversion and rehabilitation, yet agencies report ongoing challenges in encouraging consistent participation. Cultural differences, communication barriers, and logistical issues—such as work schedules, transportation limitations, or caregiving responsibilities—often affect a family’s ability to engage fully in required services. Additionally, some families may be hesitant to participate due to prior negative experiences with government systems or stigma associated with behavioral health or justice involvement. Improving outreach strategies, offering flexible scheduling, and providing culturally responsive supports can help strengthen family involvement.

10. **Lack of Centralized Oversight**: A major structural gap in the current system is the absence of a centralized authority responsible for coordinating diversion practices, monitoring compliance, and ensuring consistent outcomes. Without a unified body or clearly defined interagency responsibilities, accountability varies widely across programs, and youth may experience inconsistent service delivery or uneven consequences for non-completion. Establishing a coordinated oversight mechanism, coupled with uniform assessments and shared standards, would strengthen transparency, consistency, and fairness throughout the system.

## RECOMMENDATIONS

To address the gaps identified in our juvenile justice system, the Collaborative presents both immediate and long-term strategies that aim to improve coordination, compliance, and overall effectiveness.

### **Immediate Strategies**

The following recommendations are designed to be swiftly implemented, offering practical solutions that can be integrated into current operations to improve the juvenile justice framework.

#### **1. Authorize Multi-Agency Data Sharing**

Federal laws<sup>1</sup> impose legal restrictions on sharing juvenile justice information to protect the privacy and confidentiality of minors. Generally, these laws authorize disclosure of certain information about youth and family to specified agencies and others if a judge issues a court order.

In addition to federal statutes and regulations, Guam law imposes legal restrictions on sharing juvenile justice information. Notably, 19 GCA §5123 provides for limited case-by-case disclosure of juvenile records but does not establish a framework for broader, systematic information sharing. Additionally, another statute, 19 GCA §13201, mandates the reporting of child abuse and neglect, as cited by the Guam Police Department, though it also does not facilitate wider data exchange across agencies. Guam law prohibits the sharing of information unless approved by the judicial officer presiding over the case.

To enhance collaboration, the establishment of a legal framework for interagency information sharing within the juvenile justice system is essential. The Collaborative recommends enacting legislation to enable record sharing and implementing interagency information sharing agreements. This authorization must also align with FERPA's requirements to qualify for an exemption, ensuring compliance with federal privacy standards.

#### **2. Adopt the Interstate Compact for Juveniles (ICJ):**

Currently adopted by all 50 states, the District of Columbia, and the U.S. Virgin Islands, the ICJ ensures the consistent supervision, return, and support of juveniles across jurisdictions, safeguarding public safety and promoting juvenile rehabilitation.

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<sup>1</sup> Family Educational Rights and Privacy Act (FERPA) [20 U.S.C. §1232g](#); [34 CFR Part 99](#)  
Uninterrupted Scholars Act (USA) [P.L. 112-278](#)  
Health Insurance Portability and Accountability Act (HIPAA) [P.L. 104-191](#); [45 CFR Part 160](#);  
[45 CFR Part 164 Subparts A and E](#)  
Confidentiality of Substance Use Disorder Patient Records [42 CFR Part 2](#)

Guam is the only U.S. jurisdiction not participating in the revised ICJ, introduced in 2003, which incorporates critical updates, including rule enforcement and enhanced governance. Without joining, Guam lacks the mechanisms to transfer or accept juvenile supervision effectively, hindering public safety and the equitable handling of juvenile cases.

Benefits of joining the ICJ include enhanced public safety through standardized oversight of juveniles who move across state lines, access to data systems that support accurate tracking and case management, along with the opportunity to collaborate with a national network of Compact Administrators who offer professional guidance, shared expertise, and coordinated support.

Joining the ICJ will align Guam with national standards, ensuring the safety and well-being of juveniles and the community. The Collaborative urges legislative action to adopt the Compact and close this critical gap in Guam's juvenile justice system.

### **3. Revive the LaniKate Protehi Y Famagu'on-ta Task Force**

The LaniKate Protehi Y Famagu'on-Ta Task Force, established under 19 GCA § 13400, was created to address systemic issues affecting child welfare. However, it has not been convened since 2023, limiting its ability to fulfill its purpose.

The Collaborative recommends reactivating the task force with a focus on:

- **Oversight**: monitoring the implementation of the revised 18-month timeframe and other procedural reforms.
- **Collaboration**: facilitating cooperation among stakeholders, including CPS, the judiciary, legal counsel, and community organizations.
- **Strategy Development**: addressing delays and inefficiencies in the child welfare system, proposing actionable solutions to improve case outcomes.

## **Long-Term Strategies**

Building upon the immediate strategies outlined previously, this section focuses on long-term strategies that are essential for the sustainable improvement of the juvenile justice system. These recommendations are designed for gradual integration and aim to establish systemic changes in line with best practices.

### **1. Modernize the Family Court Structure**

A comprehensive review of all Guam laws affecting juveniles should be conducted. At a minimum, because of the makeup of Guam trial courts, it is important to segregate the different types of cases discussed under the Family Court Act under separate statutory provisions. As currently composed, the Family Court Act governs Juvenile Delinquency (JD) cases, Juvenile Proceedings (JP) cases, adoption cases, and custody cases. The present

statutory construction that lumps these cases together can be confusing.

The Collaborative further recommends renaming the Family Court to reflect the current court structure. Previously, a Family Court judge would handle juvenile delinquency cases as well as domestic (divorce) and child custody proceedings. However, the Judiciary has undergone drastic structural changes to reflect the efficient processing of all case types. Now, of the eight trial judges in the Superior Court, two judge dockets handle and split the juvenile delinquency caseload; one of these judges and two other civil docket judges handle domestic disputes. A Referee also handles juvenile persons-in-need-of-services (PINS) proceedings and some JD cases under the “One Family, One Court” concept. Thus, the very use of the title, “Family Court,” is now outdated.

## **2. Guarantee Counsel for Juveniles**

Guam law does not provide free legal counsel for juvenile delinquents; instead, it is a common practice and permitted by Court rule. MR 1.1.1. The Collaborative recommends rules that set the standards for persons appointed to represent juveniles, such as training by court personnel on juvenile justice. Notably, it is also critical that juvenile justice training be attended by Office of the Attorney General attorneys assigned to these cases.

## **3. Establish Standards for Detention**

Detention is short-term confinement used to ensure public safety or address the risk of flight from court processes. It should not be considered normal or routine, and all options of community-based placement must be explored prior to the use of detention. Also, a decision should be made on the record subject to due process safeguards. Periodic review hearings should be held monthly on the record to determine the suitability and continuation of the detention by the court.

Detention should not be used for youth who are solely adjudicated with a status or low-level misdemeanor offense as their most serious offense. Exceptions can be made, articulated on the record, for youth who pose an imminent threat to public safety or flight risk. Finally, there must be a plan for increasing capacity in foster homes, youth shelters, and other resources for use specifically as alternatives to detention.

The Collaborative recommends:

- Updating detention standards based on evidence-based practices;
- Mandating the use of screening tools for detention and release; and
- Establishing a timeframe for detaining juveniles at the preliminary stage.

Potential legislation should also consider whether to prohibit practices such as: (1) manual restraints on a child’s respiratory system; (2) solitary confinement; (3) strip searches; and (4) mechanical restraints, as these practices are extremely dangerous with unwarranted negative psychological impacts.

#### **4. Establish Standards for Diversion**

The concept of diversion is a modern, evidence-based practice that is not yet reflected in Guam's statutory framework. National research—including studies supported by the Office of Juvenile Justice and Delinquency Prevention (OJJDP)—has consistently shown that youth assessed as low risk for reoffending achieve better outcomes when diverted from formal system involvement. Despite these findings, Guam's laws do not provide a statutory structure that encourages diversion or guides agencies in implementing it. The Collaborative recommends establishing a clear framework for diversion at multiple points of the justice continuum—from initial GPD contact, to OAG charging decisions, and at the court level—to align Guam with evidence-based practices and improve outcomes for youth.

The Pre-Adjudication Diversion Program (PADP) is a prevention-focused program that offers an informal alternative to traditional court proceedings. Unlike formal adjudication, PADP allows the ability to divert appropriate cases into the program, ensuring early intervention and support for eligible juveniles.

Goals of PADP include:

- Reducing Recidivism: early intervention help prevent future criminal behavior by addressing the root cause of delinquency.
- Supporting Rehabilitation: provide juveniles with the necessary resources and support to make positive behavioral changes.
- Minimizing Court Involvement: decrease the burden on the court system by resolving minor offenses through informal processes.

Incorporating PADP into the diversion framework offers a practical and effective means of handling minor offenses. By diverting eligible juveniles away from formal adjudication, the program promotes early intervention, rehabilitation, and community-based support, aligning with best practices in juvenile justice reform.

#### **5. Incorporate Alternative Dispositions for Juveniles**

The Collaborative recommends expanding the use of Alternative Dispositions within the Family Court system to address juvenile delinquency through rehabilitative and individualized approaches. Unlike traditional punitive measures such as detention, alternative dispositions focus on the underlying causes of delinquent behavior, including mental health issues, trauma, and family instability. These dispositions include community-based programs like community service, vocational training, restorative justice practices, and therapeutic interventions such as counseling and life-skills development. Diversion programs for low-risk offenders and tailored probation conditions encourage accountability and positive behavioral change.

Partnerships with organizations like Inafa'maolek promotes peace and reconciliation through restorative practices. Inafa'maolek provides trained facilitators who guide communication between victims of crime and those responsible for the harm, creating a structured and supportive environment to address the impact of offenses.

Involving families and community organizations in the rehabilitation process ensures juveniles receive the support they need to reintegrate successfully. Alternative dispositions reduce detention rates and recidivism and promote personal growth, public safety, and efficient resource use. Focusing on rehabilitation and early intervention offers a more effective and cost-efficient way to achieve better long-term outcomes for juveniles and their communities.

#### **6. Incorporate Electronic Monitoring for Juveniles into the Family Court Act**

To enhance the effectiveness of juvenile case management and provide alternatives to detention, the Collaborative recommends considering incorporating provisions of electronic monitoring (EM) program for juvenile offenders.

EM offers a balanced approach by maintaining public safety and ensuring accountability while allowing juveniles to remain in their home environment. EM should be considered for juveniles who pose a low risk of reoffending or fleeing but require supervision to ensure compliance with court orders and avoids detaining juveniles in instances where it would be excessive or inappropriate.

Parental responsibility is a critical component of the program, as parents or guardians must actively support and ensure the juvenile complies with the conditions of electronic monitoring. Parental involvement can reinforce positive behavior and provide additional oversight to promote the success of the program.

#### **Benefits of Electronic Monitoring:**

- **Reduces Detention Rates:** provides a less restrictive alternative to incarceration, supporting rehabilitation in a community setting.
- **Promotes Family and Community Engagement:** allows juveniles to remain with their families and participate in educational and community programs.
- **Enhances Public Safety:** ensures supervision and accountability while minimizing the risk of reoffending or fleeing.
- **Cost-Effective:** reduces the financial burden of detention facilities by offering a more affordable supervision option.

#### **7. Incorporate Restitution Reforms**

Probation terms commonly extend past the date one turns eighteen years old because of

outstanding restitution. The Collaborative recommends adopting standards for awarding restitution, with factors such as (a) the age of the juvenile and whether the juvenile is able to legally obtain employment; (b) the income of the parents; (c) what efforts the court and probation department are able to make to assist the juvenile in paying the restitution including the existence of restitution funds or community service/work programs; and (d) whether the victim is willing to accept another form of restorative justice in lieu of payment of money.

The Collaborative also recommends examining solutions such as a confidential restitution docket for young adults to manage outstanding restitution obligations without extending juvenile probation unnecessarily. In addition, the Collaborative recommends incorporating the Criminal Injuries Compensation Fund (CICF) to compensate victims of juvenile offenses when immediate restitution by the juvenile is impractical due to age, financial hardship, or other constraints. This ensures that the CICF can provide timely relief to victims while allowing juveniles to fulfill restitution obligations through alternative means, such as community service or restorative justice programs.

#### **8. Implement Standards for Parents' Accountability**

Parents play a crucial role in the rehabilitation of their children. Courts should continue to have discretion to engage parents and hold them accountable. The Collaborative recommends considering measures that enhance parent involvement, such as parent participation in case planning, enrollment in parenting classes or potential legal consequences for damaged property. There should also be a support system for parents of children in the justice system.

#### **9. Engage the Mayors Council of Guam**

Often described as the first front-line responders, mayors and vice mayors can narrow the gaps in that they are in ideal and natural position to:

- **Facilitate Community-Based Programs:** mayors can collaborate with local organizations to create and support programs that provide alternatives to the juvenile justice system, such as mentoring, counseling, and skill-building initiatives.
- **Promote Early Intervention:** by identifying at-risk youth and connecting them with resources, mayors can help prevent delinquent behavior before it escalates.
- **Engage Families and Schools:** mayors can work with families, schools, and community leaders to address the root causes of juvenile issues and foster a supportive network for young people.
- **Advocate for Policy Changes:** mayors can champion policies that prioritize diversion over punitive measures, ensuring that youth are guided toward rehabilitation rather than incarceration.

## **10. Implement the Sequential Intercept Model (SIM)**

The SIM details how individuals with mental and substance use disorders come into contact with and move through the criminal justice system.<sup>2</sup> This would be the first application in Guam of the Sequential Intercept Model (SIM) to the juvenile delinquency process. By implementing SIM, the Collaborative aims to identify critical interceptions where interventions can divert youth toward supportive services and away from justice involvement, ensuring proactive and rehabilitative measures at every stage.

The proposed framework outlines a community-centered approach to juvenile justice through the Sequential Intercept Model, integrated with a Diversion Court.

### Intercept 1

Law Enforcement and Emergency Services: youth encountered by law enforcement for low-level offenses can be referred directly to a diversion court instead of facing arrest. This allows the diversion court to monitor their participation in assigned programs, such as counseling or community service, fostering accountability early in the process.

### Intercept 2

Focuses on Initial Detention and Court Hearings: at this stage, eligible minors can be assessed for diversion programs during intake or initial hearings. If referred, the diversion court oversees their progress and ensures compliance with program requirements, reducing the likelihood of deeper system involvement.

### Intercept 3

DYA and Courts: specialized juvenile courts can serve as diversion courts. These courts prioritize rehabilitation and ensure continuous monitoring through regular check-ins, providing targeted support to help youth meet their goals and address underlying needs.

### Intercept 4

Addresses Reentry: as minors transition back into the community from detention, diversion courts play a critical role by ensuring ongoing support and compliance with reentry plans. These courts also adjust plans as needed to mitigate risks and address evolving circumstances.

### Intercept 5

Emphasize Community Monitoring and Support: diversion courts collaborate with community-based supervision programs to monitor minors' progress, conduct regular check-ins, and make necessary adjustments to diversion plans, ensuring that youth continue to receive appropriate support.

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<sup>2</sup> Substance Abuse and Mental Health Administration (2025).

## **CONCLUSION**

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The Judiciary of Guam is grateful for the leadership and support of the executive and legislative branches, community stakeholders, and all participating agencies and organizations. Their collaboration has provided us with a crucial opportunity to work together towards improving Guam’s youth justice system. We hope these reports will serve as a springboard for our next steps; while we have made considerable progress, there remains a significant amount of work to be done.

We are eager to continue this important work through the strategies outlined in our report. Together, these efforts will help us move towards a more effective, equitable, and rehabilitative system—and a better future for our youth and our community.







**JUVENILE JUSTICE  
REFORM  
COLLABORATIVE**

**REPORT AND RECOMMENDATIONS  
DECEMBER 2025**